Virginia Department of Aviation

Airport Program Manual

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Date	Revision Description	Section
August 19, 2021	The grant obligation terms were reduced for promotion grants.	9.6
December 2, 2021	The section on local service airports was amended.	2.4.12
May 25, 2022	References to the bridge loan program were removed. Relevant section numbers and page numbers were updated accordingly.	3.4.1 5.7.1 5.7.2

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1.0 Introduction

The Commonwealth of Virginia maintains one of the nation's most comprehensive and advanced statewide aviation systems. To support the continuing growth and operation of this system, the Virginia Aviation Board (VAB) has developed funding programs to assist sponsors of public-use airports with a variety of improvement activities ranging from planning to construction to promotions. The funding programs are:

- Airport Capital Program;
- Facilities and Equipment Program;
- Voluntary Security Program;
- Maintenance Program; and
- Aviation and Airport Promotion Program.

For each of these programs, the *Airport Program Manual* provides information on eligible projects, state participation, and processes from project request submission to reimbursement.

This manual also includes information on:

- the Virginia Airports Revolving Fund managed by Virginia Resources Authority;
- the state's General Aviation Airport Voluntary Security Certification Program; and
- procedures for licensing a public-use airport.

In addition to program information, the *Airport Program Manual* contains policies of the VAB and the administrative processes the Virginia Department of Aviation (DOAV) uses to implement policy. The processes shall be supported by supplemental instructions and required formats as provided by DOAV. **The manual does not address every situation faced by airport sponsors concerning project eligibility. Sponsors shall contact DOAV if they have questions on responsibilities, policies, and processes not found in the manual.**

Federal Aviation Administration (FAA) advisory circular citations in this manual are current at the time of adoption. The advisory circular numbers and subject matter may be changed by FAA and can be confirmed on FAA's website at www.faa.gov.

The VAB periodically updates the *Airport Program Manual*. DOAV may make recommendations for changes to the manual to the VAB. A committee of sponsor and airport management representatives and DOAV staff may also make suggestions for policy change. Anyone else may make suggestions for policy change by completing the form *Proposal for Airport Program Manual Change* and submitting it to DOAV. The committee will be invited to participate in the review of proposed changes. DOAV will present changes to the VAB for adoption consideration. The proposed changes will be posted on the agency website for review no later than 15 business days before a VAB meeting.

DOAV manages the web application Airport System Manager (ASM) for several of its processes related to funding. Sponsors must use the application to file Airport Capital Improvement Plans, enter and submit project requests, and submit annual based aircraft surveys. Users of the application need to secure passwords from DOAV to access the system.

Airport System Manager: Virginia Sponsors Guide, the resource for processes that involve the use of the ASM, is available on DOAV's website at www.doav.virginia.gov. For the submittals specified in the *Airport*

Program Manual that must be made in the format required by DOAV, the applicable forms may be found on the website.

1.1 Definitions

When used in this manual, the following words or terms have the meaning provided here, unless otherwise specified:

Air Carrier/Commercial Service Airport: An air carrier/commercial service airport is an airport providing scheduled air carrier and/or commuter service for surrounding communities with domestic and, in some cases, international destinations; recommended to meet a minimum of FAA Category C design criteria; providing a precision instrument approach if feasible from technical and financial perspectives.

Airport Layout Plan: An airport layout plan is a scaled drawing of the existing and planned land and facilities supporting the development and operation of an airport.

Airport Real Property: Airport real property is property consisting of land, buildings, or other resources attached to or within the land and improvements or fixtures permanently attached to the land or a structure on an airport.

Airport Sponsor or Sponsor: An airport sponsor or sponsor is an entity that is legally, financially, and otherwise able to assume and carry out the certifications, representations, warranties, assurances, covenants, and other obligations required in this document and in the accepted master and grant agreements.

Allocation: An allocation is the authorization to expend a specific amount of state funds for an eligible project approved by the VAB and/or DOAV, awarded under a written notification from DOAV. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* provides the general terms and conditions under which a sponsor accepts an allocation.

Based Aircraft: *Code of Virginia* §5.1-1 defines an aircraft based in the Commonwealth as "an aircraft that is either domiciled in a county, city, or town in the Commonwealth or parked in a county, city, or town in the Commonwealth when not in flight for the period of time specified in §5.1-5 *Registration of an aircraft*".

Contractor: A contractor is a private entity, including consultants and subcontractors, engaged by a sponsor or DOAV to perform work.

Equipment: Equipment is all fixed assets other than airport real property of an airport environs to include, but not limited to, maintenance equipment, navigational aid equipment, and security equipment.

Exclusive-Use Facilities: Exclusive-use facilities are facilities that not all airport users may utilize due to the nature of the activities taking place in or from the facilities. Examples of exclusive-use facilities are hangars for maintenance shops, charter services, and agricultural spraying operations; areas leased to airlines and federal agencies; concession areas; and administrative offices in terminal buildings.

Federally Funded Project: A federally funded project is a project that is funded with monetary participation by one or more federal agencies, the Commonwealth of Virginia, and the sponsor.

Fiscal Year: A fiscal year is a period of 12 consecutive months an organization uses for accounting and budgeting purposes. In this manual, the use of the term fiscal year indicates the state fiscal year that runs from July 1 to June 30, and the use of federal fiscal year indicates the federal fiscal year that runs from October 1 to September 30.

Force Majeure Event(s): A force majeure event(s) is an event of fire, flood, war, rebellion, riots, strikes, terrorism, or acts of God that may affect or prevent either party from timely or properly performing its obligation under the master agreement, grant agreement, or allocation.

General Aviation Community Airport: A general aviation community airport is an airport providing general aviation facilities and services to a smaller market segment than a General Aviation Regional Airport, with services including fuel sales, aircraft rental, and pilot training; recommended to meet a minimum of FAA Category B design criteria when feasible; providing a non-precision instrument approach if feasible from technical and financial perspectives and if justified by the level of operations.

General Aviation Regional Airport: A general aviation regional airport is an airport serving a large market area and accommodating general aviation activity by offering a full range of services and facilities including jet fuel, full-service fixed based operators, hangars, and a general aviation terminal building; recommended to meet a minimum of FAA Category C design criteria when feasible; providing instrument approach capabilities including a precision instrument approach if feasible from technical and financial perspectives and if justified by the level of operations.

Grant Agreement: A grant agreement is the contract created upon the sponsor's acceptance of the terms and conditions set forth in the *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* and the grant offer, as evidenced by the sponsor's execution of the grant offer.

Grant Amendment: A grant amendment is the modification of the terms and conditions of a grant agreement, the acceptance of which is evidenced by the sponsor's execution of the grant amendment.

Grant Obligation Term: The grant obligation term is the time period specified in the grant agreement during which the terms, conditions and assurances of the grant agreement, including the *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources*, remain in effect. The grant obligation term shall begin upon the date the final payment under the grant agreement is made by the state.

Grant Offer: The terms and conditions upon which DOAV is willing to provide funds to a sponsor for an identified project, as specified in Part I - Offer of the grant agreement.

Grant Term: The grant term is the time period within which the state will accept requests for reimbursement from the sponsor pursuant to the grant agreement. The expiration date for such grant term will be specified in the grant agreement.

Local Service Airport: A local service airport is an airport providing limited facilities, often facing constraints for expansion capability; recommended to meet FAA Category A or B design criteria.

Master Agreement: The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* is the contract containing the terms and conditions of accepting state aviation funding from the Commonwealth Aviation Fund and/or the Aviation Special Fund.

Operating Costs: Operating costs are direct expenses associated with the operation of an airport, including, but not limited to, recurring maintenance, utility expenses, and salary and wage expenses.

Preliminary Design: Preliminary Design is the work to be done as part of a design project or design and construction project, such as surveys and geotechnical analysis, to determine the final needs, tasks, and costs associated with the project.

Reimbursement: A reimbursement is the refunding of eligible costs incurred or expenses paid.

Reliever Airport: A reliever airport is a general aviation airport located near or in larger metropolitan areas that is intended to reduce congestion at a commercial service airport, providing comparable general aviation facilities and services typically found at a commercial service airport; recommended to meet a minimum of FAA Category C design criteria to accommodate the full range of general aviation aircraft; providing a precision instrument approach if feasible from technical and financial perspectives and if justified by the level of operations.

Revenue-Producing Airport Facility: A revenue-producing airport facility is an airside or landside airport facility that generates income, including, but not limited to, hangars, leased space, and paid vehicle parking lots and decks, and excluding runways and taxiways.

Scope of Work: A scope of work is a document that describes the tasks, schedule, deliverables, man-hours, costs, and responsible parties for a project and is to be approved by the sponsor, DOAV, FAA, the VAB, and/or applicable state or federal agencies as appropriate.

State-Funded Project: A state-funded project is a project that is funded with monetary participation by the Commonwealth of Virginia and the sponsor.

Tentative Allocation: A tentative allocation is the reservation of funds for a project by the VAB or DOAV that must be followed by the grant agreement process for the appropriate funding program. A tentative allocation does not guarantee funding of a project or a time frame for funding a project.

Usable Unit of Work: A usable unit of work is a deliverable that allows the next phase of a project to begin or results in a facility or airport infrastructure that can be utilized for its intended purpose.

2.0 Roles and Responsibilities

A key element to the strength and continued growth of Virginia's aviation system is the partnering among the Virginia Aviation Board (VAB), Virginia Department of Aviation (DOAV), Federal Aviation Administration (FAA), and airport sponsors. Each has roles and responsibilities that support individual airports and the Virginia air transportation system.

2.1 Virginia Aviation Board

The VAB establishes financial assistance programs and allocates funds for capital improvement projects. The VAB sets policies to guide the funding programs and to promote and develop safe aviation practices and operations in Virginia. The VAB hears airport sponsor and citizen concerns on matters pertaining to aviation and acts as a liaison to the department in an effort to be responsive to local jurisdictions, users of the system, and citizens. Airport sponsors are encouraged to maintain regular contact with their representative VAB members, keeping them aware of issues affecting the planned development of their airports. The duties and responsibilities of the VAB are set in *Code of Virginia* §5.1-2.1 et seq.

2.2 Virginia Department of Aviation

DOAV provides financial and technical assistance to eligible airport sponsors for the planning, development, promotion, construction, and operation of airports and aviation facilities. DOAV also administers applicable provisions of the *Code of Virginia* and *Virginia Administrative Code*, plans for the development of the state aviation system, licenses airports, registers aircraft, and promotes aviation activities within the state. The duties and responsibilities of DOAV are set in *Code of Virginia* §5.1-1.1 et seq.

2.3 Federal Aviation Administration

FAA provides financial and technical assistance to eligible airport sponsors for the planning, design, and construction of airports and aviation facilities. FAA establishes design and operation standards for airports.

2.4 Virginia Airport Sponsors

An airport sponsor has many obligations for its airport, ranging from financial dealings and long-term development planning to daily maintenance and operational activities. A sponsor is solely responsible for ensuring that the airport is compliant with federal and state grant assurances; board policies; criteria in FAR Part 77, *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing*, and applicable FAA Advisory Circulars to include AC 150/5300-13 *Airport Design*; the *Virginia Public Procurement Act*; and other applicable documents. Other key responsibilities for sponsors include the completion and submission to DOAV of an annual based aircraft survey, an annual certification of financial responsibility, and a 6-year Airport Capital Improvement Plan. Sponsors of air carrier airports must submit annually an *Entitlement Utilization Report and Plan* no later than 15 business days after the end of a fiscal year. In addition, sponsors should work with local planning offices and jurisdictional decision makers to develop and enforce land-use plans and airport overlay zones that support compatible land-use around airports.

2.4.1 Obstruction Clearance

Sponsors are responsible for keeping their airports clear of obstructions to the appropriate standards. The presence of obstructions affects a sponsor's eligibility to receive state funding.

2.4.2 Project Coordination

Sponsors must coordinate with DOAV and FAA, as appropriate, throughout overall development initiatives and on specific projects, especially regarding project status and meetings. This coordination applies to capital projects utilizing entitlement funds and discretionary funds and to projects using Airport Special Funds as directed by DOAV project managers. Sponsors must provide DOAV with regular progress reports, with reporting details to be decided during the scoping for each project.

A sponsor is required to invite both DOAV planning and engineering staff in the development of ACIPs. FAA must be included in the invitation to these meetings for NPIAS airports, regardless of funding sources being utilized for the ACIP.

A sponsor must submit A/E costs to DOAV for review and receive written approval of these costs prior to executing tasks or work orders, regardless of the funding source if the sponsor requires discretionary funding to complete any phase of the project or associated development. Failure to request and receive DOAV approval will result in the work being ineligible for funding or reimbursement.

Sponsors shall coordinate all project meetings with DOAV and FAA deemed applicable by DOAV. Such meetings include, but are not limited to, master planning, environmental assessments, design scoping, pre-design, design progress, pre-bid, pre-construction, construction progress, substantial completion, and final inspection meetings. The sponsor is responsible for planning and coordinating the attendance by all required attendees, either in person or virtually. If both state and federal funding will be used to complete the project, the meetings shall include the sponsor, DOAV, and FAA. Sponsors shall allow sufficient time when planning meetings to permit DOAV and FAA, if applicable, to schedule attendance. Failure to coordinate properly and in a timely manner will result in the A/E hours billed for such meetings being deemed ineligible for reimbursement.

Design phase plans and specifications must be provided to DOAV and FAA, if applicable. DOAV must receive plans during the 30 percent, 60 percent, and final phases or during alternative phases as determined in the scope of work. Failure to provide phase plans and specifications will result in the A/E hours billed for such work being deemed ineligible for reimbursement. Sponsors must receive written approval or a written waiver from DOAV before moving forward to the next design phase. Failure to request DOAV to review bid plans and specifications and receive written approval of these, prior to bid advertisement, will result in DOAV not recommending project approval before the VAB.

2.4.2.1 Coordination for Capital Projects Utilizing Funds Other Than Discretionary

Sponsors may utilize funding sources other than state discretionary funds for capital projects. These sources include, but are not limited to, state entitlement funds, passenger facility charges, other state agency funds, and local funds. If state discretionary funds are not utilized when a project is initiated, the sponsor shall notify DOAV, and DOAV will determine the level of state coordination in the project. For such projects, if state funds may be used on subsequent phases of the project, such as the construction phase of a project designed using other funds, the coordination described in 2.4.2 Project Coordination must be followed throughout the project. This section applies only to projects with an initial cost of more than $20,000.

2.4.3 Annual Based Aircraft Survey

Public-use airport sponsors are required to submit an annual based aircraft survey to DOAV in accordance with *Virginia Administrative Code 24VAC5-20-350 Annual aircraft survey and report of financial responsibility*. The survey is a physical count of based aircraft on an annual basis which assists DOAV with its process of properly planning for and registering all Virginia-based aircraft and consists of a census of aircraft owners. Surveys must be submitted within 45 calendar days of the DOAV request, in the format required by DOAV and in accordance with the instructions provided by DOAV. Sponsors will not be eligible to receive any state aviation funding until the completed annual based aircraft survey is submitted. This applies to new project requests and reimbursement requests for existing grants and special fund allocations for the airport.

2.4.4 Annual Certification of Financial Responsibility

Each year, a sponsor must certify to DOAV in accordance with *Virginia Administrative Code 24VAC5-20-350 Annual aircraft survey and report of financial responsibility* that the sponsor has adequate liability insurance or other means of financial responsibility to satisfy the minimum dollar amount required by *Code of Virginia* §5.1-88.7 et seq. The certification must be submitted within 45 calendar days of the DOAV request, in the format required by DOAV and in accordance with the instructions provided by DOAV. Sponsors will not be eligible to receive any state aviation funding until the completed annual certification of financial responsibility is submitted. This applies to new project requests and reimbursement requests for existing grants and special fund allocations for the airport.

2.4.5 Annual Self-Reporting of State Aviation Funding Received

In accordance with Code of Virginia §5.1-2.2:4 *Transparency and accountability for use of Department (DOAV) and Virginia Aviation Board (VAB) funds*, by August 1 of each year, sponsors that have received or disbursed funds from any of the state's aviation funding programs within the prior fiscal year shall submit to DOAV a report detailing the purpose for which such funds were received or disbursed. The report shall also list any localities from which such entity received funds. The reporting must be submitted in the format required by DOAV and in accordance with the instructions provided by DOAV. Sponsors will not be eligible to receive any state aviation funding until the annual self-reporting is submitted and reconciled with state records. This applies to new project requests and reimbursement requests for existing grants and special fund allocations for the airport.

2.4.6 *Entitlement Utilization Report and Plan*

Sponsors eligible for state entitlement funds must submit an *Entitlement Utilization Report and Plan* (*EURP*) for VAB approval each year. These reports provide an annual accounting of the previous fiscal year's state entitlement fund expenditures and plans for the use of entitlement funds for the new fiscal year. *EURPs* must be submitted to DOAV no later than 15 calendar days from the close of the state fiscal year. If the required *EURP*, annual based aircraft survey, annual certification of financial responsibility, and annual self-reporting of state aviation funding received are not received by the prescribed deadlines, DOAV will not disburse state entitlement funds to the sponsor until the required submittals are received.

2.4.7 Six-Year Airport Capital Improvement Plan

A 6-year Airport Capital Improvement Plan (ACIP) identifies and prioritizes projects for an airport. This plan is vital to securing project funding, whether it is federal, state, or local funding. These plans must be submitted to DOAV prior to the beginning of each state fiscal year, in accordance with the instructions provided to sponsors by DOAV.

2.4.8 Airport Minimum Standards and Rules and Regulations

Sponsors are strongly encouraged to develop, maintain, and enforce airport minimum standards and rules and regulations. These documents set forth the acceptable minimum criteria that must be met by those engaging in aeronautical activities or services at the airport or by those using that airport and its facilities. Information on airport minimum standards can be found in FAA Advisory Circular *150/5190-7 Minimum Standards for Commercial Aeronautical Activities*.

2.4.9 Land Leases

When a sponsor leases airport land, the sponsor needs to certify in writing that the lease meets the terms and provisions of any and all state and federal grants in accordance with *Code of Virginia* §5.1-40. The certifications should be made in the format required by DOAV and in accordance with the instructions provided by DOAV.

2.4.10 Business Applications

Sponsors are responsible for identifying authorized users of business applications utilized by DOAV, such as Airport System Manager, and ensuring that agency required user forms are completed and submitted to DOAV. This responsibility includes notifying DOAV when the following needs to occur:

- adding a user account for a new authorized user;
- editing an existing user account due to the user's role change; and
- deleting an existing user account due to the user's role change or separation from the sponsor.

When a user account needs to be edited or deleted, the sponsor must notify DOAV within 15 days of the role change or user separation by submitting an updated authorized user form.

Sponsors must submit annually an authorized users list in accordance with DOAV instructions.

All authorized users should change their passwords every 45 days to keep user accounts activated.

When an authorized user violates the external user agreement upon which access to a business application was granted, the user will lose access to the business application for 60 days or until the user provides DOAV with a certificate confirming the successful completion of IT security training.

2.4.11 Project Priority System for IT Security Training

Sponsors are encouraged to have the authorized users identified in the previous section participate in IT security training. When at least one authorized user for an airport successfully completes IT security training every 24 months and provides DOAV with certification of completion, the sponsor will receive 15 bonus points to be applied to any eligible capital project request. The points are included in the airport category within the Airport Capital project priority system, as shown in Appendix D Project Priority System Scoring Values. For these bonus points, an authorized user must be either an employee of the sponsor or, if a sponsor utilizes a contractor to operate and/or manage the airport, an employee of such a contractor.

It is the sponsor's responsibility to keep DOAV apprised of completed IT security training and to provide DOAV with training documentation. This documentation must be provided to DOAV by the submission due date for capital project requests for the sponsor to receive the 15 bonus points. The 24-month period referenced above is based on the training completion date.

Sponsors of air carrier airports are encouraged to participate in IT security training to be eligible for the 15 bonus points if a sponsor needs to submit project requests for capital discretionary funds.

2.4.12 Local Service Airports

Only safety and preservation projects are eligible for local service airports, with the exception of terminal buildings, fuel systems, and promotion activities. Eligible safety and preservation projects include, but are not limited to:

- pavement rehabilitation;
- obstruction removal to meet visual approach standards as stated in *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing* and *Code of Virginia* §5.1-7 and existing non-precision approaches, and the acquisition of easements needed for such obstruction removal, and airport sponsors may seek an exception from this section by petitioning the board; and
- lighting system rehabilitation.

Examples of projects not eligible at local service airports are acquisition of land and hangar site development.

For an airport to change roles from a local service airport to a general aviation community airport within the *Virginia Air Transportation System Plan* (*VATSP*), the sponsor must conduct a feasibility study. The role change must be reviewed and approved by DOAV.

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3.0 Funding for Airport Projects

The Virginia Aviation Board (VAB) has determined that state funding should be expended on specified elements of airport planning and development projects. It is the intent of the VAB that state funding shall be allocated to sponsors who meet requirements established by the *Code of Virginia* and board policy. It is VAB policy to allocate funding for airport improvements to:

- enhance safety;
- meet regulatory and policy obligations;
- maximize benefits to the public; and
- improve access to airports.

The VAB and Virginia Department of Aviation (DOAV) participate in projects that are either federally funded or state funded. A federally funded project involves federal, state, and local funding. A state-funded project involves state and local funding only. The VAB and DOAV will consider also participating in airport projects supported by funding from the Virginia Department of Transportation, state and federal agencies, and public-private partnerships.

Operational costs and projects for revenue-producing facilities are not eligible for state funding through any of the programs under the authority of the VAB or DOAV.

3.1 State Aviation Funding Resources

The Commonwealth Aviation Fund (CAF) and the Aviation Special Fund (ASF) provide the financial resources for the programs established and administered by the VAB and the DOAV. The CAF is the funding source for two significant programs for capital projects -- State Entitlement Funding and State Discretionary Funding. The ASF includes programs that fund airport maintenance, facility and equipment, security, and promotion projects.

3.2 Federal Aviation Administration Funding Resources

Federal funding allocations are based on an airport's inclusion and service role in the *National Plan of Integrated Airport Systems* (*NPIAS*) developed by the Federal Aviation Administration (FAA). Like the state aviation funding resources, federal entitlement and discretionary funds are available to eligible sponsors.

Code of Virginia §5.1-47 requires airport sponsors to submit a copy of their federal project applications (5-year plans) to DOAV for approval prior to submitting the plans to FAA.

3.3 Utilization of State and Federal Funding Resources

The VAB and DOAV require eligible sponsors to maximize the availability and use of federal funding by maintaining a current federal 5-year capital improvement plan and applying for federal funding for eligible projects. The General Assembly's *Appropriations Act* specifies that it is legislative intent for DOAV to match federal funds to the maximum extent possible.

DOAV may participate in the funding of a project with an airport sponsor either as part of a federally funded project or a state-funded project. For most federally funded projects, DOAV and the sponsor will each fund a share of eligible costs not covered by the federal participation. DOAV's funding portion is 80 percent of the non-federal share when state discretionary funds are involved. For most state-funded

projects, DOAV and the sponsor will each fund a share of eligible costs. State participation percentages are based on the type of project undertaken and the state funding program used for the project. For example, DOAV may participate in a site preparation construction project at a rate of 80 percent and a general aviation security sign installation project at a rate of 90 percent. A summary of state participation rates by general project categories is provided in Appendix F State Participation Rates.

Airport sponsors should carefully consider available state and federal funding programs and identify the best funding resources that fit their *Virginia Air Transportation System Plan* (*VATSP)* service roles and individual airport needs. Table 1 Funding Program Eligibility Based on Airport Role gives an overview of which state and federal funding programs are available to sponsors, based on airport roles within the state and federal airport systems. Airport roles are provided in Appendix G Airport Classification Roles.

Table 1
Funding Program Eligibility Based on Airport Role

	Airport Role				
Funding Programs	Air Carrier	Reliever	General Aviation (*NPIAS*)	General Aviation (non-*NPIAS*)	General Aviation (non-*NPIAS*) Local Service
Federal Primary Entitlement	X				
Federal Non-primary Entitlement		X	X		
Federal Discretionary (Apportionment/Discretionary)	X	X	X		
State Entitlement	X				
State Discretionary	X	X	X	X	limited*
Facilities and Equipment	X	X	X	X	limited*
Voluntary Security		X	X	X	X
Maintenance	X	X	X	X	X

*Local service general aviation airports are eligible only for safety and preservation projects under the State Discretionary Program and the Facilities and Equipment Program.

3.4 Funding Instruments

The state utilizes the *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources,* a grant agreement, a grant amendment, and an allocation as the funding instruments that create contracts between the state and sponsors for projects, including details on scopes of work, grant obligation terms, and state funding participation, as well as assurances related to the acceptance of state funding. Information on grant agreements, grant amendments, and allocations is provided in the individual funding chapters.

For privately-owned, public-use airports, these funding instruments are supported by credit line deeds of trust and credit line deed of trust notes, which are described in 4.2 Special Eligibility Requirements.

3.4.1 *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources*

The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* contains the terms and conditions for accepting state aviation funding from the Commonwealth of Virginia for capital, facilities and equipment, security, maintenance, and aviation and airport promotion projects.

These terms and conditions identify sponsor responsibilities before, during, and after the implementation of a project. The terms and conditions apply to funding awarded under grants and allocations.

The master agreement contains general conditions, such as obtaining goods and services in accordance with the *Virginia Public Procurement Act*. The master agreement also contains special conditions for land acquisition, public-use spaces and areas, facilities and equipment, and private ownership. The master agreement stipulates that all revenues generated by the airport shall be expended by the sponsor for improvements on the airport, for airport land acquisition, or airport operating costs. If the specifics of a project generate the need for terms and conditions not provided in the master agreement, those terms and conditions will be stated in the grant agreement for the project. The VAB and DOAV reserve the right to establish additional terms and conditions as needed in accordance with the preamble to the master agreement.

An executed master agreement shall be on file with DOAV in order for a sponsor to receive funds from the CAF and/or the ASF.

When the sponsorship of an airport or the name of an airport changes, a new master agreement will need to be executed.

3.4.2 Termination and Modification of Funding Instruments

The master agreement, subsequent allocations and grant agreements, and any associated grant amendments, may be terminated or amended by DOAV upon the occurrence of any of the following:

The sponsor may terminate the project at any time by notifying DOAV in writing 60 calendar days in advance of the date that it intends to terminate the project. If such a termination occurs, the sponsor shall repay DOAV the funds received, according to either the provisions of this master agreement or the grant agreement, as determined in the sole discretion of DOAV.

The sponsor may terminate a grant agreement, grant amendment(s), or allocation at any time under the laws of the Commonwealth of Virginia where DOAV has written notice of any material breach of any grant agreement, grant amendment(s), or allocation; and DOAV has failed to cure such breach within 90 calendar days. However, nothing herein shall constitute a waiver of the Commonwealth's or DOAV's sovereign immunity.

Upon 60 calendar days' written notice to the sponsor, DOAV may terminate, in whole or in part, any funding under a grant agreement, grant amendment(s), or allocation any time (1) it is determined that the sponsor has materially breached the grant agreement, grant amendment(s), or allocation and has failed to cure said breach after 90 calendar days, or if DOAV in its sole judgment determines that compliance within 90 calendar days is not reasonable, then within such time period as DOAV may thereafter specify in writing; (2) the sponsor becomes insolvent; or (3) the sponsor fails to properly apply provided funds as intended under the grant agreement, grant amendment(s), or allocation. DOAV shall notify the sponsor promptly in writing of such a determination and provide the effective date of the termination. The sponsor may request reconsideration from DOAV in writing within 30 calendar days of the date of DOAV's notification. DOAV shall not terminate funding until the request has been reconsidered but may withhold funds in the interim in the sole discretion of DOAV. Following a request for reconsideration, the decision of DOAV will be made within 60 calendar days and will be final. If the grant agreement, grant amendment(s), or allocation is terminated by DOAV, the sponsor shall repay DOAV thereafter all funds received for the project. Such repayment shall be made within 60 calendar days following written notification by DOAV of the amount to be repaid.

Upon 60 calendar days written notice to the sponsor, DOAV may at any time terminate, in whole or in part, the funding under a grant agreement, grant amendment(s), or allocation (1) if the DOAV fails to secure the necessary budgetary appropriation or allocation to fulfill its obligations under the grant agreement, grant amendment(s), or allocation or; (2) statutory changes affecting the program under which the funds were allocated render funding the grant agreement, grant amendment (s), or allocation impracticable. DOAV shall notify the sponsor promptly in writing of any such determination and the effective date of such termination. Should the project be terminated by DOAV as a result of lack of funds or statutory changes, DOAV will exercise its best efforts to seek funds to be used to defray costs of shutting down the project, and the sponsor is not required to repay those funds already paid to the sponsor if such funds represent eligible project costs.

Reasonable delays, as determined by DOAV, caused by any force majeure event(s) during construction shall not be deemed a breach or default under a grant agreement, grant amendment(s), or allocation. Upon the occasion of any force majeure event(s) which makes it impossible for the project to be constructed and/or prevents the need for the project, DOAV may at its sole discretion terminate or modify the grant agreement, grant amendment(s), or allocation. A force majeure event(s) occurring during the period of the grant agreement, grant amendment(s), or allocation may, in the sole discretion of DOAV, result in a day-for-day extension(s) to any performance specified in the grant agreement, grant amendment(s), or allocation.

Reimbursements from the sponsor may, in the sole discretion of DOAV, require the payment of interest, using the prevailing statutory legal rate of interest established by the Virginia General Assembly, calculated from the date payment is made by DOAV to the date of repayment by the sponsor.

3.5 Audits

Sponsors, their agents, and their contractors and subcontractors shall permit any authorized representatives of DOAV to inspect and audit all records of the sponsors and their contractors and subcontractors related to the performance of the master agreement or any grant agreements, grant amendments, and allocations. All sponsors must follow the requirements of *Generally Accepted Government Audit Standards*.

DOAV reserves the right to require any sponsor receiving federal and/or state funds, regardless of amount or funding category, to have an audit performed on any matter relating to a project funded by DOAV under a grant agreement, grant amendment(s), or allocation and to designate the scope of such audit.

If an independent certified public accountant, other auditor, DOAV, or any other party conducting an authorized audit finds a sponsor not in compliance with any provision of the master agreement, grant agreement, grant amendment(s), and allocation, or any relevant federal or state law or regulation, the sponsor must provide a satisfactory corrective action plan to DOAV within 60 calendar days of notification of the finding. The scope of any audit conducted must include those expenditures made by the sponsor for the grant agreement, grant amendment(s), and allocation, including contractors, subcontractors, and any other recipients of pass-through funds.

In accordance with the master agreement executed by a sponsor, the sponsor agrees that following the completion of any audit performed, it will refund to DOAV within 60 calendar days any payments that are found by DOAV to be unsupported by acceptable records or are found by DOAV to be in violation of any other terms and conditions of the master agreement, grant agreement, grant amendment(s), and allocation, or the *Airport Program Manual*. Acceptable records are defined as original documents (such

as timesheets, travel reimbursements, invoices, etc.) that were used to generate amounts on the reimbursement forms submitted to DOAV or FAA. DOAV also may require a sponsor to furnish certified reports of all expenditures under any subcontracts.

A Part 139 airport sponsor must submit audited financial statements, including a third-party audit, for entitlement expenditures to DOAV within 120 calendar days following the sponsor's fiscal year end. The documents should be sent to:

Virginia Department of Aviation
Attention: Director, Airport Services Division
5702 Gulfstream Road
Richmond, VA 23250

3.6 Recordkeeping

Sponsors and their contractors and subcontractors shall maintain all books, documents, papers, accounting records, and any other written or electronic evidence supporting their project activities and the costs incurred. Such information shall be made available for audit and inspection at the sponsor's offices at all reasonable times during the period of a grant agreement, grant amendment(s), and allocation period and for a period of four years from the end of the state fiscal year (i.e., June 30) in which the final payment is made, except for records pertaining to terminal buildings and the acquisition of land and easements. Records for terminal buildings shall be kept for the useful life of the terminal building. Records for the acquisition of land and easements shall be kept in perpetuity. Copies of any such information shall be furnished by a sponsor to DOAV upon request.

In accordance with *Code of Virginia* §5.1-2.2:4 *Transparency and accountability for use of Department and Board funds*, by August 1 of each year, any sponsor that has received or disbursed funds from DOAV or the VAB within the prior fiscal year shall submit to DOAV a report detailing the purpose for which the funds were received or disbursed. The report shall also list any localities from which the sponsor receives funds. The report must be made in the format required by DOAV. Failure to provide the report will make a sponsor ineligible to receive state funding.

3.7 Procurement for State Funding

All professional services, non-professional services, and goods associated with any funds allocated from the CAF and/or the ASF shall be procured in accordance with the *Virginia Public Procurement Act* and/or the appropriate federal procurement regulations as specified in the FAA grant agreements and *Airport Improvement Program Handbook* in effect at the time such funds are allocated.

The allowable methods for the procurement of contractor services are fixed lump-sum payment; unit price-plus-a-fixed-fee not to exceed; and cost-plus-a-fixed-fee not to exceed. For all allowable methods, sponsors must provide the contractor's prior fiscal year audit of administrative overhead to DOAV. DOAV will not approve scopes of work without proof of audited overhead rates.

The fixed lump-sum payment contract method is appropriate when the sponsor and contractor can fully define the scope, complexity, character, and duration of effort at the time negotiations take place.

The unit-price-plus-a-fixed-fee not to exceed contract method is appropriate when the sponsor and consultant cannot fully define the scope, complexity, character, or duration of effort at the time negotiations take place. If this method is used, the "unit price" shall be the contractor's costs, such as labor costs, based on the average wage rates of individuals within the same position billing to the contract plus the audited administrative overhead rate being used at the time of billing.

The cost-plus-a-fixed-fee not to exceed contract method is only eligible for federally funded projects. The cost-plus-a-fixed-fee not to exceed contract method is appropriate when the sponsor and consultant cannot fully define the scope, complexity, character, or duration of effort at the time negotiations take place. If this method is used, the "costs" must be the contractor's actual costs, such as labor costs, must be based on actual wage rates of each individual billing to the contract plus the audited administrative overhead rate from the contractor's prior fiscal year audit. **If all rates are not billed on actual rates then the final billing to the sponsor must settle all of the rates to the proper rates.**

4.0 Sponsor Eligibility

The threshold criterion for determining sponsor eligibility to receive state funding is the airport's inclusion in the *Virginia Air Transportation System Plan* (*VATSP*). For an airport sponsor to be eligible to request and receive state discretionary; facilities and equipment; general aviation security; maintenance; and aviation and airport promotion funding, the following criteria must be met:

- An airport shall be licensed by the Commonwealth of Virginia and be open to the public in accordance with *Code of Virginia* §5.1-7 and the *Virginia Administrative Code*, and sponsor must be in compliance with all minimum requirements for licensing as defined in *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing*.

- An airport shall be designated a "system airport" in the *VATSP* or the sponsor is deemed eligible by the written opinion of the state Office of the Attorney General that is made in conjunction with the Virginia Department of Aviation's (DOAV) recommendation.

- An airport sponsor shall maintain a current airport layout plan approved by DOAV and the Federal Aviation Administration (FAA) as appropriate.

- An airport sponsor shall have submitted an annual based aircraft survey to DOAV in accordance with *Virginia Administrative Code 24VAC5-20-350 Annual aircraft survey and report of financial responsibility*.

- An airport sponsor shall have submitted an annual certification of financial responsibility to DOAV in accordance with *Code of Virginia* §5.1-88.7.

- An airport sponsor shall have submitted an annual self-reporting of state aviation funding received to DOAV in accordance with *Code of Virginia* §5.1-2.2:4.

- An airport sponsor shall have executed a *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources*, with a copy on file with DOAV.

- An airport sponsor shall own the real property or have an adequate interest in the property on which a project will be undertaken, and the ownership or interest shall be clearly shown on an airport property map approved by DOAV and FAA as appropriate.

- An airport sponsor shall have a current 6-year Airport Capital Improvement Plan (ACIP) on file with the department to receive any state entitlement or discretionary funds.

Public entities interested in developing new airports must be deemed eligible by the written opinion of the state Office of the Attorney General, made in conjunction with DOAV's recommendation, before becoming eligible to receive state funding.

In accordance with *Code of Virginia* §5.1-2.2:3B, sponsors of air carrier airports shall maintain a current Virginia Aviation Board (VAB) -approved *Entitlement Utilization Report and Plan* (*EURP*) to be eligible to receive state entitlement funding.

4.1 Obstructions

For airports that have obstructions to FAR Part 77 and/or 24VAC5-20-140 *Minimum requirements for licensing* and cannot meet the Runway End Siting Requirements under FAA *Advisory Circular 150/5300-13 Airport Design*, the sponsor's eligibility to receive new funding from the Commonwealth Aviation Fund or Aviation Special Fund is affected. If obstructions are identified on airport property, the sponsor is not eligible for funding other than grants and allocations related to the obstruction removal or mitigation.

If the obstructions are identified off airport property, the sponsor has 12 months to remove or mitigate the obstructions. During that time, the sponsor is eligible to receive funds from any state funding source. If, after the 12-month period, the obstructions have not been removed or mitigated, the sponsor is not eligible to receive any state funds other than those related to the overall objective of obstruction removal. However, the sponsor is eligible to receive state funding if the sponsor has an obstruction removal plan approved by DOAV and the sponsor has demonstrated progress in the removal of obstructions.

When obstructions are identified on or off airport property, exceptions to funding restrictions may be allowed for the following types of projects:

- funding increase to an existing tentative allocation, grant, or allocation;
- obstruction removal and/or mitigation projects;
- planning, environmental, and acquisition projects to identify and/or mitigate obstructions;
- security plan and audit projects; and
- projects deemed by the VAB and/or DOAV as critical to the safety of the flying public or as an emergency.

If an airport has unmitigated obstructions, the sponsor may request an exception from the VAB; however, the sponsor must submit a project request to compete for funding at the next VAB meeting and demonstrate a mitigation plan.

4.2 Special Eligibility Requirements

In addition to the criteria listed above, several special eligibility requirements apply to sponsors of privately-owned, public-use airports. These include credit line deeds of trust, credit line deed of trust notes, and assumption agreements.

4.2.1 Credit Line Deed of Trust

To protect the Commonwealth's investment in privately-owned, public-use airports, the VAB has determined that a credit line deed of trust will be entered into between the department and airport sponsor before the sponsor is eligible to receive a grant agreement. Prior to requesting grant funding, the sponsor will submit a written request to DOAV for a credit line deed of trust. The department will assess the cumulative value of possible future grants from the sponsor's 6-year ACIP in consultation with the sponsor to arrive at a value that will be used. Any costs associated with establishing the value of the property will be borne by the sponsor.

The department will prepare a credit line deed of trust for the sponsor who, in turn, will execute the document and return it. The department will have the credit line deed of trust recorded in the appropriate jurisdiction or jurisdictions. All fees related to the actual recordation plus the department's attorney fees related to the preparation of the credit line deed of trust will be borne by the sponsor.

The total credit line deed of trust balance must be sufficient to cover the total anticipated project cost of all phases of an overall development objective. The formula used to determine available amount to allocate by DOAV is the following:

total appraised value
x 75 percent
adjusted appraised value
<first mortgaged debt>
available amount to allocate

Once the total value less amortization of all executed grant agreements equals the value of the original credit line deed of trust, a new credit line deed of trust will be required. The new credit line deed of trust must be in place by the submission deadline for capital projects or before a project request is submitted for any program under the Aviation Special Fund.

4.2.2 Credit Line Deed of Trust Note

The credit line deed of trust note is the instrument that is used to track funding from the original credit line deed of trust. A trust note is required for each grant offer made to a privately-owned, public-use airport. DOAV will provide a trust note with each grant offer and grant amendment offer.

When a grant amount is increased or decreased or a project has an underrun at closing, DOAV will provide a revised credit line deed of trust note to the sponsor.

4.2.3 Assumption Agreements

When ownership of an airport changes, the new owner must assume responsibility for all existing agreements or reimburse the Commonwealth the balance of the amortization. Examples of such agreements are grant agreements and credit line deeds of trust.

The department will draft an assumption instrument that denotes the conditions of the agreement. The new owner must complete the assumption agreement within 60 calendar days of the purchase of the airport. Failure by the new owner to execute the assumption agreement will jeopardize the transfer of the airport license and future funding eligibility.

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5.0 Commonwealth Aviation Fund and the Airport Capital Program

The *Code of Virginia* §33.2-1526.6 *Commonwealth Aviation Fund* created in the Department of the Treasury a special non-reverting fund that shall be part of the Transportation Trust Fund and shall be known as the Commonwealth Aviation Fund (CAF). The CAF is established on the books of the comptroller and any funds remaining in such funds at the end of a biennium do not revert to the general fund but remain in the CAF. Interest earned on the funds is credited to the CAF. The funds shall be allocated by the Commonwealth Transportation Board to the Virginia Aviation Board (VAB). The funds are allocated by the VAB to any Virginia airport which is owned by the Commonwealth; a governmental subdivision thereof; or a private entity to which the public has access for the purposes enumerated in *Code of Virginia* §5.1-2.16; or is owned or leased by the Metropolitan Washington Airports Authority.

The VAB is responsible for allocating CAF funds to eligible airports. The amount of CAF funding available by airport category for the VAB to allocate is determined by the following formula prescribed in §33.2-1526.6:

> Any new funds in excess of $12.1 million which are available for allocation by the VAB shall be allocated as follows: 40 percent to air carrier airports as provided in subdivision 1 and 60 percent to MWAA, up to a maximum annual amount of $2 million. Except for adjustments due to changes in enplaned passengers, no air carrier airport sponsor, excluding MWAA, shall receive less funds identified under subdivision 1 than it received in fiscal year 1994-1995.
>
> Of the remaining amount:
>
> 1. Forty percent of the funds shall be allocated to air carrier airports, except airports owned or leased by MWAA, based upon the percentage of enplanements for each airport to total enplanements at all air carrier airports, except airports owned or leased by MWAA. No air carrier airport sponsor, however, shall receive less than $50,000 nor more than $2 million per year from this provision.
>
> 2. Sixty percent of the funds shall be allocated as follows:
> (a) For the first six months of each fiscal year, the funds shall be allocated as follows:
> (1) Forty percent of the funds shall be allocated by the VAB for air carrier and reliever airports on a discretionary basis, except airports owned or leased by MWAA.; and
> (2) Twenty percent of the funds shall be allocated by the VAB for general aviation airports on a discretionary basis; and
> (b) For the second six months of each fiscal year, all remaining funds shall be allocated by the VAB for all eligible airports on a discretionary basis, except airports owned or leased by MWAA.

The funds described in §33.2-1526.6.B1 are known as entitlement funds, and the funds described in §§33.2-1526.6.B2 are known as discretionary funds.

The Airport Capital Program utilizes the CAF, through entitlement and discretionary funds, to provide funding for planning and engineering projects that focus on airport facility development. In general, these projects include master plan and airport layout plan studies, environmental studies, land acquisition, airside facility design and construction, and terminal building design and construction.

5.1 State Discretionary Funds Under the Airport Capital Program

The *Code of Virginia* §33.2-1526.6.B2 provides funding to the VAB for allocation to air carrier, reliever, and general aviation airports on a discretionary basis to fund capital projects. The VAB considers discretionary funding requests at its meetings as advertised to sponsors.

For the first 6 months of each fiscal year, sponsors of air carrier and reliever airports will apply for the funds designated under §33.2-1526.6.B2a(1) for air carrier and reliever airports, and sponsors of general aviation airports will apply for funds designated under §33.2-1526.6.B2a(2) for general aviation airports. For the second 6 months of each fiscal year, sponsors of all airports will apply for the remaining discretionary funds under §33.2-1526.6.B2b.

The VAB allocates discretionary funds for two types of capital grants.

- For federally funded projects, the VAB allocates 8 percent discretionary funding to match the FAA 90 percent share and the sponsor two percent share of the grant.
- For state-funded projects, the VAB allocates 80 percent discretionary funding to match the sponsor's 20 percent share of the grant.

5.2 State Entitlement Funds Under the Airport Capital Program

From the CAF, state entitlement funds are allocated annually to sponsors of airports that have scheduled air carrier service in accordance with *Code of Virginia* §33.2-1526.6. This allocation is based on each airport's enplanements as a percentage of all air carrier airport enplanements within the state during the previous calendar year. Initial calculations will be made using the draft annual enplanement data published in the Federal Aviation Administration's (FAA) Passenger Boarding and Air Cargo Data, which is extracted from the Air Carrier Activity Information System provided by the Research and Innovative Technology Administration of the Bureau of Transportation Statistics. The percentages will be revised when the final annual enplanement data is published. *Code of Virginia* §33.2-1526.6B1 specifies that no air carrier airport sponsor shall receive less than $50,000 or more than $2 million per fiscal year in state entitlement funds.

Sponsors of Part 139 airports must maintain entitlement funds in an independent interest-bearing account to be eligible to receive entitlement funds. The sponsor shall deposit state entitlement funds only into this account and provide documentation for that account that clearly reports the annual interest earned.

It is the intent of the General Assembly under *Code of Virginia* §5.1-2.16 that state moneys allocated pursuant to §33.2-1526.6 shall not be used for:

- operating costs unless otherwise approved by the VAB; or
- purposes related to supporting the operation of an airline, either directly or indirectly, through grants, credit enhancement, or other related means.

Sponsors eligible for state entitlement funds must submit an *Entitlement Utilization Report and Plan* (*EURP*) for VAB approval each year to qualify for state discretionary funding. These reports provide an annual accounting of the previous fiscal year's state entitlement fund expenditures and plans for the use of entitlement funds in future years. *EURPs* shall be filed in accordance with section 5.2.2 *Entitlement Utilization Report and Plan*; revisions to the *EURP* shall be filed in accordance with the same section. The

Virginia Department of Aviation (DOAV) form must be used for reporting by sponsors. Reporting submitted on other forms will be returned to sponsors.

DOAV reviews the *EURPs* and makes separate recommendations to the VAB on expenditure and planned projects. DOAV will not disburse the entitlement funds until VAB approval is given for both the expenditure and planned projects. DOAV will notify sponsors of the VAB's decisions regarding the *EURPs*. **Both portions of the *EURP* must be approved before sponsors may spend entitlement funds.**

5.2.1 Utilization of State Entitlement and Discretionary Funds for Air Carrier Airports

Sponsors of air carrier airports may also use the discretionary funds set forth under the CAF. The sponsors must totally obligate their state entitlement fund balance prior to being eligible to receive any state discretionary funds through the competitive process. The balance includes unexpended state entitlement funds from previous fiscal years, interest earned on state entitlement funds, and passenger facility charges (PFCs) used to reimburse state entitlement fund accounts.

Sponsors must list entitlement and discretionary projects on their annual Entitlement Utilization Report and Plan and ACIP as noted in 5.2.2 *Entitlement Utilization Report and Plan* and 5.3 Airport Capital Improvement Plan to be eligible for state discretionary funding. All projects will be prioritized, and entitlement and discretionary funds will be approved and disbursed based on the prioritization.

DOAV encourages sponsors to use other available federal, state, and local funding options, such as PFCs, before applying for state discretionary funds. If a sponsor uses state entitlement funds for a project and later receives reimbursement for the project from PFCs, the sponsor must credit its state entitlement balance with the reimbursement amount. The PFC reimbursement must be recorded on the annual *Entitlement Utilization Report and Plan*.

State entitlement funds can be used for any project eligible under the Airport Capital Program; Facilities and Equipment Program; and Maintenance Program. Operational costs are not eligible under any state funding program. If a sponsor uses state entitlement funds for projects eligible under the Facilities and Equipment Program or Maintenance Program, the sponsor shall not be eligible to receive any funding from those programs during the fiscal year in which the state entitlement funds are spent.

If it is determined that a sponsor used entitlement funds for eligible facilities and equipment or maintenance projects and also used funds from the Facilities and Equipment Program or Maintenance Program for other eligible projects, the sponsor must repay the state for Facilities and Equipment Program or Maintenance Program funds reimbursed within that fiscal year.

5.2.2 *Entitlement Utilization Report and Plan*

The Virginia General Assembly promulgated requirements for the VAB, DOAV, and sponsors regarding state entitlement funds. The following provisions of the *Code of Virginia* §5.1-2.2:3, enacted during the 2017 session of the Virginia General Assembly, address the use and reporting of entitlement funding:

> §5.1-2.2:3 B, Each year prior to the release of entitlement funds allocated pursuant to subdivision A 3 a of §33.2-1526.6, each air carrier airport shall submit a plan that outlines the planned use of such funds for the upcoming fiscal year to the Board for review and approval. The Board shall approve such plan provided that the use of funds is in accordance with Board policies. An airport may modify its plan during a fiscal year by submitting a revised plan to the Board for review.

§5.1-2.2:3 C, The Board shall have the right to withhold entitlement funds allocated pursuant to subdivision A 3 a of §33.2-1526.6 in the event that the entitlement utilization plan is not approved by the Board or the airport uses the funds in a manner that is inconsistent with the approved plan.

5.2.2.1 Preparation and Submission of EURP A sponsor shall use the *Entitlement Utilization Report and Plan* (*EURP*) to report entitlement expenditures for the previous fiscal year and its plan for the use of entitlement funds for the new fiscal year. The *EURP* is divided into three parts: Part 1 - Entitlement Utilization Report; Part 2 - Entitlement Utilization Plan; Part 3 - Certification. **Sponsors must submit the *EURP* form and supporting documents to DOAV 15 calendar days from the end of the fiscal year for consideration at the first VAB meeting of the next fiscal year.**

Each year, DOAV will provide an *EURP* form in Excel format to each sponsor with airport-specific data. Only the form provided by DOAV will be accepted for the submission of the *EURP*; other forms will be returned to sponsors. Instructions and an example of a completed *EURP* will be provided with the *EURP* form.

As part of the supporting documentation, sponsors must provide complete copies of all FAA-approved PFC applications on which PFCs are currently being collected and the last available four quarterly FAA SOAR reports of PFC collections and disbursements.

If sponsors have questions regarding project eligibility, they should contact DOAV.

5.2.2.1.1 *EURP* Part 1 - Entitlement Utilization Report In Part 1 of the *EURP*, sponsors must provide information on expenditures utilizing entitlement, discretionary, PFC, and local funding.

5.2.2.1.2 *EURP* Part 2 - Entitlement Utilization Plan Future projects and related funding are to be reported in Part 2. For each project listed, the plan must include a project narrative that describes the justification for the project, work to be conducted and the deliverable; estimated year of completion; a list of all funding sources and amounts; the percentage of state entitlement funding; federal and state grant numbers, if applicable; and an indication of whether the sponsor plans to reimburse its state entitlement funds with PFCs. Sponsors must include planned discretionary projects in Part 2. The future projects identified should make use of all of the sponsor's entitlement balance, including the new fiscal year entitlement funds.

Part 2 must be accompanied with a sketch that graphically depicts the proposed projects as they relate to the airport layout plan. The format of a sketch must:

- be legible;
- be sized to 8 ½ by 11 inches; and
- have a maximum file size of 250 kb.

It is preferred that a sketch be at gray scale and not use aerial photography. If color and photos are used in a sketch, they must have a maximum file size of 250 kb. Multiple projects may be shown on one sketch.

For project requests for equipment that is eligible under existing guidance, such as an aircraft rescue and fire fighting (ARFF) truck, a project specification sheet should be provided in place of a sketch. A photo or vendor illustration should be provided with the specification sheet if the sheet does not include such.

The sponsor shall not include projects for operating costs unless otherwise approved by the VAB. No projects will be accepted for purposes related to supporting the operation of an airline, either directly or indirectly through grants, credit enhancements, or related means.

5.2.2.1.3 *EURP* Part 3 - Certification Part 3 of the *EURP* must be certified by the sponsor's executive director and the chief financial officer. Sponsors must submit the *EURP* with original signatures.

5.2.2.2 Evaluation and Approval of *EURP* As part of the evaluation of the previous fiscal year's expenditures listed in Part 1 of the *EURP*, DOAV will evaluate project eligibility; review state percentages; and confirm FAA funds reimbursed to the sponsor for a project. For the planned use of funds for the following fiscal year reported in Part 2, DOAV will evaluate project eligibility and the information requested in 5.2.2.1.2 *EURP* Part 2 - Entitlement Utilization Plan.

The VAB approval process involves the following two-step process:

- In the first step, DOAV will recommend to the VAB the approval or disapproval of the information provided in Part 1. If the VAB approves the expenditures in Part 1, the process moves to the second step. If the VAB does not approve the expenditures in Part 1, then the new projects in Part 2 will not be considered.
- In the second step, as the VAB has approved the expenditures in Part 1, DOAV will recommend the approval or disapproval of planned expenditures in Part 2.

If the VAB does not approve the expenditures in Part 1 or the new projects planned in Part 2, DOAV will not disburse the entitlement funds for the upcoming fiscal year to the sponsor until the issues preventing approval are resolved; and the planned projects in Part 2 will be considered by the VAB at a subsequent board meeting.

DOAV will notify sponsors of the VAB's decisions regarding the *EURPs*. If the VAB does not approve the expenditures in Part 1 or the new projects planned in Part 2, the sponsor should work with DOAV to resolve issues and prepare for resubmission of the *EURP* a minimum of 30 calendar days prior to the next VAB meeting.

5.2.2.3 *EURP* Implementation **Both Part 1 - Entitlement Utilization Report and Part 2 - Entitlement Utilization Plan of the *EURP* must be approved before sponsors may spend entitlement funds.**

If at any time DOAV determines that an airport sponsor has expended state entitlement funds in a manner inconsistent with *Code of Virginia* §5.1-2.2:3.C, DOAV will recommend that the VAB withhold future entitlement fund disbursements until the funds are repaid and Part 2 is approved.

5.2.2.4 *EURP* Revisions In accordance with *Code of Virginia* §5.1-2.2:3.B, an airport sponsor may revise Part 2 after the initial VAB approval. Changes to Part 2 must be submitted to DOAV for review a minimum of 30 calendar days prior to the next VAB meeting. The revisions must be added to the previously approved *EURP* and must include the information described in 5.2.2.1.2 *EURP* Part 2 - Entitlement Utilization Plan.

For a project included in a previously approved *EUP*, no further approval is required if the anticipated project cost increases up to 25 percent. If the anticipated project cost increases more than 25 percent, the increase must be presented to DOAV for consideration and approval. Such DOAV approval must be obtained prior to a cost increase being incurred. The increase must be included in a revised *EUP* to be

presented to the VAB for ratification at its next meeting. Notwithstanding the above, if the scope of work has not changed subsequent to VAB approval, no further approval is required for any increase solely due to higher-than-planned proposals or bids for the project. Any increase shall be reflected on the *EUR* for the fiscal year in which the project is closed.

An *EURP* revision to reflect ACIP changes made during the annual ACIP update, as described in 5.3 Airport Capital Improvement Plan, is not needed for the last board meeting of a fiscal year. These changes do need to be in the *EURP* submitted for the first board meeting of the following fiscal year.

If an audit of a sponsor's records identifies incorrect data reflected in the Part 1, the sponsor must revise Part 1 and submit the revision for approval by the VAB. Revisions to Part 1 must be submitted to DOAV for review a minimum of 30 calendar days prior to the next VAB meeting.

5.3 Airport Capital Improvement Plan

It is the intent of the Virginia Aviation Board that sponsors properly plan for airport development. Long-range planning, typically for a 20-year horizon, is conducted through the development of airport master and layout plans. Planning for the near term is guided by the 6-year Airport Capital Improvement Plan (ACIP) that identifies and prioritizes projects for facility development. The ACIP phases the proposed projects over a 6-year period and provides cost estimates; anticipated sources of funding; and justifications for project implementation. The projects listed in the 6-year ACIP must be included on the airport layout plan and meet federal and state regulatory requirements. Sponsors may list projects related to facilities and equipment; general aviation security; maintenance; and aviation and airport promotion as part of the 6-year ACIP.

The VAB requires a sponsor to have a current 6-year ACIP on file with DOAV to be eligible to receive state entitlement or discretionary funds. The information contained in these plans is important to the development and maintenance of a strong statewide airport system as the plans:

- establish an accurate assessment of Virginia's airport needs;
- provide DOAV with specific information to use in developing an accurate and comprehensive 6-year budgetary program;
- assist DOAV in leveraging maximum federal funding for eligible sponsors and projects; and
- provide the VAB with specific requests for state funding.

Normally, sponsors undertake 6-year ACIP coordination during the third and fourth quarters of each fiscal year. Prior to the preparation of an ACIP, sponsors should hold a capital improvement planning meeting simultaneously with both DOAV and FAA, as appropriate. Sponsors may update their ACIP at anytime through ASM. A sponsor eligible to receive entitlement funds must change its ACIP when the sponsor changes its EUP.

The VAB considers the majority of the eligible project requests during its first meeting of the fiscal year. Project requests may also be funded at subsequent VAB meetings during the fiscal year.

5.3.1 Filing of Airport Capital Improvement Plans

Sponsors are responsible for filing and maintaining their ACIPs in Airport System Manager. Each project entry in an ACIP must include the fiscal year in which the project is to be undertaken and the estimated project costs. Projects that will not involve state funding, such as a revenue-producing building funded with federal and local money or only with local money, may be included to provide a more complete

description of capital improvement activity at an airport. Sponsors are urged to print a copy of their ACIP from Airport System Manager for their records.

Sponsors will need to maintain their 6-year ACIP by adding projects and estimated project costs for a sixth fiscal year at the end of each current fiscal year. If a sponsor does not have projects identified for outlying fiscal years, such as the fifth and sixth years of the 6-year cycle, the sponsor should create an entry in Airport System Manager with "No Projects" as the project name for each of those years. Revisions to ACIPs can be made at any time. A copy of an airport's ACIP and any revisions should be provided to the FAA Washington Airports District Office.

5.4 Project Eligibility

A wide range of development projects is eligible for the Airport Capital Program. Examples of eligible projects are listed in Table 2 Eligible Airport Capital Project Examples, divided into general categories for reference. Details on specific projects are provided in Appendix A Airport Capital Program Eligible Projects; information on terminal buildings is provided in Appendix B Terminal Buildings; and information on access and perimeter roads is provided in Appendix C Access Roads.

Table 2
Eligible Airport Capital Project Examples

General Category	Specific Projects
planning studies	• master plans • airport layout plans
environmental studies	• environmental assessments • wetlands delineations • environmental due-diligence audits
land acquisition	• appraisals • negotiation services • fee-simple purchase and easements • administrative and legal costs
design and construction of airside facilities	• grading, paving, and drainage for public-use, non-revenue producing facilities • clearing and grubbing for construction, obstruction removal, and equipment installation • aircraft rescue and fire fighting buildings • utilities for public-use facilities • maintenance equipment storage buildings • site preparation for hangar construction • construction, installation, and removal activities for fueling systems for aircraft
design and construction of landside facilities	• grading, paving, and drainage for public-use, non-revenue producing facilities • access roads • relocation of non-airport related facilities
terminal buildings	• conceptual studies • design • construction

Projects that are revenue producing or will develop facilities for exclusive use by airport management or tenants are not eligible under the Airport Capital Program. Examples of ineligible projects include, but are not limited to:

- operational costs;
- restaurants and cocktail lounges;
- concessionaire facilities;
- airline ticketing areas;
- baggage handling areas exclusively leased or controlled by airlines;
- airport management offices;
- day facilities for sleeping accommodations; and
- office space and air traffic control facilities for lease to the Federal Aviation Administration (FAA), Transportation Safety Administration (TSA), or a fixed base operator (FBO).

Reasonable legal fees pertaining to land and easement acquisition and obstruction removal are eligible. Legal fees for grant administration are not eligible unless part of a federally funded project.

5.4.1 Eligible Projects After the Fact

The process for capital project development typically flows from planning; through environmental coordination, property acquisition, if needed, and design; to construction. It is not always possible for a portion of an overall development objective to move forward in the normal development process, most often due to the lack of available matching funds and timing to meet project completion schedules.

To assist sponsors dealing with a situation as described above, the following project types may be considered as eligible for reimbursement after the project has begun and with advance coordination with DOAV:

- categorical exclusions and coastal zone consistency determinations;
- acquisition of land or easements necessary for approved airport development where the land is acquired in accordance with state and federal requirements; and the services for such acquisition;
- field surveys;
- geotechnical work including soil borings;
- preliminary engineering work needed to develop a final scope of work for a planning or engineering project, including wetland delineation, solicitation of proposals, fee negotiation costs, and DBE-related costs as part of federally funded projects;
- plans and specifications if not a stand-alone design grant;
- project-level safety risk management analysis;
- sponsor administrative expenses;
- P3 projects; and
- construction and equipment procurement costs, such as bid advertisement.

The VAB cannot guarantee that funding will be available for the project. If a sponsor elects to move forward with an approved project, the sponsor assumes the risk that it may not be reimbursed for project costs.

For this type of project to be eligible for state reimbursement, coordination among the sponsor, DOAV, and FAA, if applicable, must take place. The scope package for the project must be approved by DOAV and FAA, if applicable, prior to implementation of the project; and coordination with the agencies must be maintained during the implementation of the project. The project may be combined with another

eligible project in a request for state funding. Sponsors should maintain records needed for reimbursement so the reimbursement requests can be processed upon execution of a grant offer. Failure to coordinate with DOAV and FAA, if applicable, could jeopardize the project funding.

The provisions of this section apply to the use of discretionary funds only for both federally and state-funded projects.

5.4.2 Entitlement-Only Projects

Certain projects have been determined to be eligible only for the expenditure of state entitlement funds, referred to as entitlement-only projects. Sponsors cannot request state discretionary funds for these projects, unless state discretionary funds are used as the state participation for a federally funded project as described in 5.5 State Participation. Projects that are eligible as entitlement-only projects include, but are not limited to:

- debt service retirement;
- construction of ARFF simulator facilities and the provision of their related equipment, such as simulator pad, airfield access, and propane; and
- emergency generator at ARFF and snow-removal equipment buildings.

Sponsors should contact DOAV if they have a question on the eligibility of a project before expending entitlement funds.

The project priority score for entitlement-only projects is zero, with the exception of debt service retirement. When the sponsor of an air carrier airport needs to request state discretionary funding, the project request evaluation process would begin with the scoring of all of the projects in the airport's ACIP for the appropriate fiscal year. The state entitlement funds available to the airport would be allocated to the highest-scoring projects. The remaining projects would then compete for air carrier/reliever discretionary funds to be allocated by the VAB. From those allocated state discretionary funds, deductions would be taken equal to the state's share of expenditures made for any entitlement-only project already undertaken within the fiscal year.

5.4.3 Basic Eligibility Requirements

Each project must meet the following basic eligibility requirements:

- The proposed project must be shown on an airport layout plan approved by DOAV and FAA, as appropriate.
- A sponsor shall provide documentation of environmental coordination and the findings and acceptance from the appropriate authorities on all environmental actions for a project as required by federal or state law. This documentation could be a Categorical Exclusion (CAT EX); a Finding of No Significant Impact (FONSI); a Record of Decision (ROD); or a Coastal Zone Resource Management (CZRM) determination, if applicable.
- If a sponsor is applying for state funds to match a federal project that requires a benefit-cost analysis, the analysis must be approved by FAA before DOAV will offer a favorable recommendation on the project.
- A sponsor must ensure that a project is consistent with local zoning ordinances and building codes.

Projects to bring an airport into compliance with the state's minimum airport licensing standards as stated in *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing* are eligible.

Some elements of projects that are planned and designed to meet locality requirements or sponsor preferences may not be eligible for state funding. Examples of these elements include, but are not limited to, certain signage on access roads and signature architecture for buildings. Projects for operational activities and/or revenue-producing facilities on an airport are not eligible for state funding under any of the programs under the authority of the VAB or DOAV.

5.5 State Participation

Due to the limited availability of public funds and in an attempt to make funding available to as many sponsors as possible, the VAB has placed a limit on the total dollar amount of allocations an airport sponsor may receive in the first six months of a fiscal year. No single airport sponsor may receive allocations totaling more than 25 percent of a current fiscal year's CAF-adjusted resources as determined by DOAV. After January 1, this funding limit is removed.

Air carrier airport sponsors may use their state entitlement funds to cover 100 percent of the non-federal share of an Airport Improvement Program (AIP) grant. If state discretionary funds are combined with state entitlement funds for the non-federal share of an AIP grant, the total amount of state funds allocated to a project cannot exceed 80 percent of the non-federal share.

When a project is not eligible for federal funds or federal funds are not available, state entitlement funds may be used for state-funded projects. For most state-funded projects, state entitlement funds may be used for a maximum of 80 percent of eligible project costs. Local funds must be used for the remaining costs. A summary of state participation rates by general project categories is provided in Appendix F State Participation Rates.

Airport sponsors should maximize the availability of federal funding; therefore, sponsors shall request funding for federally eligible projects through the FAA AIP. For a federally funded project where state discretionary funds will be used to match currently available federal funds, the state participates at the rate of 80 percent of the non-federal share of eligible project costs. The current federal share of these projects is 90 percent, resulting in the state share of 8 percent and the local share of 2 percent. For federally eligible projects that FAA has determined not to include in the AIP, the project may be eligible for funding at the state participation rate of 80 percent.

When an airport sponsor or project is not eligible for federal funds or federal funds are not available, the VAB may allocate state discretionary funds to eligible projects. The participation rate varies depending on the type of project. For most state-funded projects, the state participation is 80 percent of the eligible project costs. A summary of state participation rates by general project categories is provided in Appendix F State Participation Rates.

5.5.1 Insufficient FAA Funding

When there are insufficient federal funds to complete programming of a federally funded project and the airport sponsor desires to use additional state discretionary or entitlement funds to finance the project, the project as a whole shall be separated into two grants.

5.5.2 Application of Other Funding Sources

Sponsors should maximize all other funding sources before applying for CAF entitlement or discretionary funding. Examples of other funding sources include, but are not limited to:

- federal agencies, such as the Department of Homeland Security;
- FAA;
- PFCs;
- state agencies and entities, such as VDOT and the Tobacco Commission;
- Virginia Resources Authority; and
- local funds.

Sponsors seeking funding for access roads should maximize VDOT funds to the greatest extent possible prior to applying for federal and state aviation funding. VDOT funds are considered a state funding source and cannot be used as the local share of a project. The department will work with the sponsor to determine the overall funding levels for these projects.

5.6 Project Scoping

Every project needs some level of scoping for all parties involved in the project to have a clear understanding of what is to be accomplished by the project and how the project is to be undertaken. When a sponsor will utilize both state entitlement and discretionary funds for a project, project scoping must be conducted. A scope of work shall be approved by the sponsor, and the sponsor shall submit the scope to DOAV along with confirmation of its approval.

During the scoping process, many issues should be considered, including, but not limited to:

- substance of a project, such as the number of parcels for land acquisition, amount of square yardage for an apron, or audience for the distribution of a promotional brochure;
- extent of state participation based on facility size, activity, and other considerations;
- participants needed to implement the project and their roles;
- coordination with federal, state, and local agencies for reviews and public meetings as needed;
- content and format of deliverables;
- schedule of tasks, reviews, submission of deliverables, and reimbursements;
- eligible costs, including sponsor administrative fees;
- type of contract;
- need for an independent fee review; and
- inclusion of a Disadvantaged Business Enterprise plan as part of a federally funded project.

The contractors participating in projects must be appropriately licensed and/or certified.

DOAV encourages sponsors to hold scoping meetings for all projects to identify precise work tasks and estimated costs. Participants in the scoping meetings can include representatives from FAA, DOAV, the sponsor, a contractor team, and local government representatives.

A scope package for a project utilizing any discretionary funds should be prepared for approval by DOAV and applicable federal agencies as appropriate. A project scope package should include the following:

- a narrative description of the tasks to be accomplished, with reference to the parties who will be handling the tasks;
- a description of the deliverables that specifies the format, quantities, and recipients for each deliverable;
- a schedule for the project by tasks or milestones, either by the number of days or months for the identified schedule components or by estimated dates;

- a detailed man-hour estimate by task and subtask as appropriate that is directly correlated to the narrative;
- a detailed estimate of costs, including reimbursable expenses, such as travel, printing, reproduction, and shipping; as well as a list of line items and costs for sponsor administrative fees;
- a copy of a proposal or quote containing the descriptions and estimates as noted above from all contractors who will be involved in the project; and
- a completed A/E Fee Proposal Worksheet.

Eligible project costs related to planning and engineering efforts by contractors may include travel; per diem for meals while traveling; and lodging. The maximum reimbursable costs for travel and per diem will be based on U.S. General Services Administration (GSA) rates at the time of travel. GSA rates will be used for lodging reimbursement; DOAV may approve up to 150 percent of the GSA lodging rate in areas where the contractors are unable to obtain GSA rates. For state-funded projects, DOAV will fund only architect and engineer (A/E) work authorizations prepared on a unit-priced-plus-a-fixed fee, not to exceed contract method unless it is deemed not appropriate to the project type. For state-funded projects, costs associated with assumption of risk are not eligible.

In the absence of state guidance on procurement, contract, task order and scope of work elements, including items such as net fees, federal guidance may be used by DOAV.

For federally funded projects with a total estimated cost of at least $100,000, the independent fee estimate and record of negotiation will become part of the scope package when they have been completed. FAA Advisory Circular 150/5100-14 *Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects* provides information on the independent fee estimate process and examples of man-hour estimate and negotiation record documents.

When a sponsor is utilizing contractor services for a project, the contract between the sponsor and contractor must be valid when the scopes, plans and specifications, and reimbursement requests are submitted for review. A contract for professional services is considered valid if the sponsor signs a project task order before a contract expires and/or has been renewed in accordance with the *Virginia Public Procurement Act*.

5.7 Application Process

When a sponsor will utilize discretionary funds for a project, either alone or with entitlement funds, the sponsor must submit project requests from its 6-year ACIP on file through Airport System Manager. DOAV will provide updated reference information pertaining to the preparation of ACIPs and project request submissions for an upcoming fiscal year to airport sponsors in the third quarter of each fiscal year.

5.7.1 Submission of Project Scopes

Sponsors must submit the following required documentation for review at least 30 calendar days prior to a submission deadline.

- For planning studies, environmental studies, and engineering designs, a sponsor must provide a scope of work, including fee estimates and man-hours by task.
- For construction projects, a sponsor shall provide as-bid plans and specifications, bids, and construction management fee estimates and man-hours by task.

For state-funded projects, sponsors must ensure that scopes of work and related documents are approved by DOAV prior to the project request submission deadline. A sponsor shall provide bids for state-funded construction projects at least 30 calendar days prior to the scheduled board meeting.

The required documentation must be approved for DOAV to make a recommendation for funding to the VAB.

Actual proposals must be presented when the scopes are submitted to DOAV for review and approval, including costs and man-hours for all contractors. Should a contractor's costs and man-hours justifiably change after funding has been approved by the VAB, sponsors can request an increase as described in 5.7.3 Submission of Requests for Increases, 5.10.2 Amendments, and 5.10.3 Change Orders.

When a sponsor is utilizing contractor services for a project, the contract between the sponsor and contractor must be valid when scopes, plans and specifications, and reimbursement requests are submitted for review.

Project scope packages for federally-funded projects must be provided to DOAV no later than the time of submission of the state grant application. DOAV encourages sponsors to submit the project scope packages earlier to increase efficiency in the application and agreement processes described in 5.9 Agreement Processes.

5.7.2 Submission of Project Requests

When a sponsor is ready for a project to be presented to the VAB for consideration, the project needs to be submitted for evaluation through Airport System Manager. The submission process involves revising the ACIP project entry as needed and providing the required supporting documentation.

Each project request entry must include the fiscal year in which the project is to be undertaken and the estimated project cost, listed by federal, state, and local funding sources, as appropriate. Cost estimates should be as accurate as possible so a sponsor does not have to seek additional funding from the VAB at a later date or that the VAB does not obligate more funds than those needed to complete a project. A sponsor's administrative costs are required to be included in the cost estimate. Eligible sponsor administrative costs include, but are not limited to, advertising for bids and project review by a locality. Sponsor staff time is not an eligible sponsor administrative cost.

Sponsors may submit project requests for consideration at regularly scheduled meetings of the VAB at any time during the fiscal year, except for the 72-hour period after the due dates for capital project request submissions. The submissions must be completed by midnight of the due date. A schedule of submission due dates and the dates of the VAB meetings is provided to sponsors in the annual instructions for CAF project request submissions and is posted on DOAV's website.

With the exception of emergency requests and missed opportunities as described in 5.11 Special Requests for Airport Capital Program Funding, project requests received after a submission deadline will not be considered for funding at the upcoming VAB meeting. The sponsor will need to submit the project request for a subsequent meeting.

When federal funds are not available for an eligible project as originally included in the federal AIP, a sponsor may request state funds for the project at the normal state share applicable to the project type with the intent to pursue federal funding at a later date. Prior to requesting such a state-funded project, the sponsor must ensure that the project is included in the federal AIP.

After a project request has been submitted, the only change DOAV will accept is a project cost change, either an increase or decrease. A sponsor needs to notify DOAV in writing of a project cost decrease as soon as it is known so the cost difference can be available for other projects. If a sponsor identifies an error after the project has been submitted, the sponsor needs to provide DOAV with a written notification of the error. DOAV will make the appropriate changes and corrections to the project request. If a sponsor wants to withdraw a project request after it has been submitted to DOAV for evaluation, the sponsor must provide DOAV with a written withdrawal request, submitted by regular mail or email.

Projects included in ACIPs that will not involve state funding, such as a revenue-producing building funded with federal and local money or only with local money, should not be submitted for consideration.

5.7.2.1 Supporting Documents for Project Requests The following supporting documentation must be submitted with the project request:

- a project narrative;
- a sketch; and
- documentation of environmental coordination and findings.

Additional supporting documents may be needed for some project requests. They will be noted in project descriptions in the appendices. For a privately-owned, public-use airport, a sponsor must have a valid credit line deed of trust, as described in 4.2.1 Credit Line Deed of Trust, to be eligible to receive a grant agreement. The credit line deed of trust must be in place by the submission deadline and must have a sufficient balance to cover all phases of the overall development objective.

All supporting documents must be submitted through Airport System Manager. The documents may be in Word, Excel, or PDF formats.

5.7.2.1.1 Narrative The narrative shall provide the justification for the project and information on the work required to implement the project. Sponsors are strongly urged to provide focused and factual information in the narrative so the review process can proceed in a timely manner and priority scoring can be as accurate as possible. A sponsor's administrative costs should be noted in a narrative. When multiple projects are being requested for a VAB meeting, the sponsor may provide all the project narratives in one document.

5.7.2.1.2 Sketch The sketch needs to show the location of a project as presented on the airport layout. The format of a sketch must:

- be legible;
- be sized to 8 ½ by 11 inches; and
- have a maximum file size of 250kb.

It is preferred that a sketch be at gray scale and not use aerial photography. If color and photos are used in a sketch, they must have a maximum file size of 250 kb. When multiple projects are being requested for a VAB meeting, the sponsor may show all projects on one sketch.

For project requests for eligible equipment, such as an ARFF truck, a project specification sheet should be provided in place of a sketch. A photo or vendor illustration should be provided with the specification sheet if the sheet does not include such.

5.7.2.1.3 Documentation of Environmental Findings Documentation of environmental findings is needed for design, construction, and design/construction projects, including projects for land acquisition, terminal buildings, signage, and landscaping. For environmental documents, such as an Environmental Assessment, the sponsor should submit the Finding of No Significant Impact with the project request. The finding for a determination on coastal zone consistency must be part of this documentation when an airport is located in an area under the Virginia Coastal Zone Management Program.

5.7.2.1.4 Documents for Federal Funding Eligibility When a project is eligible for federal funding and the project request is being submitted to DOAV as a state-funded request, the sponsor must provide DOAV with confirmation that federal funding was requested and not included in FAA's AIP within one fiscal year. The most recent annual AIP request from a sponsor to FAA will suffice as proof of a request for federal funding. If a project is not in the most recent annual AIP, a sponsor must copy DOAV on the updated request for FAA funding, dated prior to the state funding request submission deadline. If FAA has denied a project request, the sponsor must provide DOAV with confirmation of that denial.

5.7.3 Submission of Requests for Increases

If the project request is for an increase to an existing tentative allocation or an existing grant, the project request must include the amount of the increase for federal, state, and local funding sources as appropriate, not just the increase in the state funding.

When a sponsor has an existing tentative allocation or an existing grant and needs an increase that exceeds 10 percent of the original grant amount, a project request must be submitted to the Virginia Aviation Board for approval. This request needs to include the increase in all the applicable funding sources. If federal, state, and local funds are utilized, the projected cost of the increase can be used in the request. If state and local funds are to be utilized, the amount of the increase, along with supporting scope changes or bids, must be approved by DOAV and used in the request.

The supporting documentation noted in 5.7.2.1 Supporting Documents for Project Requests must be provided for this type of request.

5.7.4 Submission of Requests for Scope Modifications

If a need is identified that requires a change in scope for a state-funded project for which a tentative allocation has been awarded or a grant agreement is effective, a request for the change needs to be submitted so it can be evaluated and presented to the VAB. Increases in quantities or areas to projects require VAB approval.

The supporting documentation noted in 5.7.2.1 Supporting Documents for Project Requests must be provided for this type of request. The narrative needs to describe the issue that is generating the need for change and the actions to be taken to address the issue. If the change in scope increases the cost of the project, the increased amount in state and local funding sources must be provided with the project request.

Changes in scope to federally funded projects where the change is initiated or has been approved by FAA do not need to be submitted through Airport System Manager for DOAV evaluation or presented to the VAB if the cost does not increase. These changes must be coordinated with DOAV.

If a sponsor wants to use an existing tentative allocation for another eligible project, the sponsor must return the tentative allocation to the CAF and submit a project request for the new project. If a sponsor

wants to use an existing grant for another eligible project, the sponsor must return the balance of the grant amount to the CAF and submit a project request for the new project.

5.8 Evaluation and Selection Process

DOAV carefully reviews each project request and prioritizes project requests as part of the evaluation process. Recommendations are made to the VAB for action.

5.8.1 DOAV Review of Project Requests

DOAV will review each submitted project request upon receipt for initial eligibility and will contact the sponsor if required supporting documentation is missing. A sponsor's failure to provide any of the required supporting documentation so requested by DOAV within 5 business days of notification will result in a departmental recommendation to disapprove a project request.

DOAV will then review the submitted project requests to ensure they meet the intent of the VAB policies. This review includes determining if sponsor and project eligibility requirements are satisfied. DOAV uses the checklist in Table 3 DOAV Project Review Checklist as a guide for its review. Sponsors should use the checklist as a review tool when preparing project requests and supporting documentation.

Any additional supporting documentation requested by the department as part of this review process shall be provided within 5 business days of the request. A sponsor's failure to provide the additional supporting documentation within 5 business days of the department's request will result in a departmental recommendation to disapprove a project request.

Table 3
DOAV Project Review Checklist

- Is the project shown on the approved ALP, and does it conform to the approved ALP?
- Is environmental coordination required, and if so, has a finding been received?
- Is a determination of coastal zone consistency required, and if so, has the finding been received?
- Is the sponsor eligible for this project, based on the airport's service role?
- Has DOAV approved the scope of work or bids for a state-funded project?
- Has the cost estimate been verified?
- Do approach surfaces meet applicable obstruction standards?
- Does the airport meet minimum standards for licensing?
- What is the rating on pavement condition index, if applicable?

5.8.2 Project Priority Scoring

The next evaluation step utilizes a project priority system that was developed by DOAV and airport sponsors and adopted by the VAB. The intent of the system is to objectively prioritize statewide needs so financial resources can be allocated to the highest priority projects. With this system, each project request is scored on:

- a project's merit, such as safety and capacity;
- an airport's activity and role within the state system;
- a sponsor's responsibility for maintenance and protection of the airport; and
- bonus points as appropriate.

The current scoring criteria and priority points are shown in Appendix D Project Priority System Scoring Values. Discretionary points are awarded to projects for which the local funding participation exceeds the minimum requirement; one point is assigned for each percent that exceeds the minimum requirement.

When an air carrier airport sponsor requests state discretionary funds for a project, either in combination with state entitlement funds or alone, the sponsor must identify the projects on its approved *EUP* that are under contract, have been bid, or will receive an allocation of funds in the current fiscal year. The project priority system will be applied to those project requests submitted as described in 5.2.1 Utilization of State Entitlement and Discretionary Funds for Air Carrier Airports, resulting in a prioritized list of projects. All of the sponsor's available state entitlement funds will be allocated to the project requests with the highest priority scores. State discretionary funds will then be allocated to the remaining project requests in order of scored priority points. Funding amounts will be adjusted in accordance with 5.4.2 Entitlement-Only Projects. All of the project requests will be presented to the VAB for consideration. If a project is not initiated as indicated on the *EUP*, DOAV shall adjust future entitlement disbursements to recover the associated discretionary funds.

5.8.3 Recommendations

DOAV uses the scoring from the project priority system, individual project request evaluations, and compliance with 4.0 Sponsor Eligibility to prepare recommendations for the VAB. In addition, when any sponsor requests discretionary funding for a federally funded project, DOAV will recommend approval to the board only if FAA has the project programmed in the federal fiscal year corresponding to the state fiscal year. For example, if a project is in the state program for Fiscal Year 2017 and the federal program for Fiscal Year 2016, DOAV would recommend the project. If the project is listed two years out in the FAA program, DOAV would not recommend matching the federal funding.

DOAV is required to provide the recommendations to members of the VAB at least 10 business days prior to regular VAB meetings.

DOAV recommendations are formally presented to the VAB at its regular meetings. VAB approval of a project request constitutes the issuance of a tentative allocation of funds, contingent on the sponsor certifying that local funds are available to support the cost of the proposed project. The VAB may disapprove project requests due to the lack of available state funding; incomplete technical elements of the project request; or unmet eligibility criteria. All disapproved project requests will be returned to sponsors through ASM. For project requests disapproved due to incomplete technical elements of the request or unmet eligibility criteria, the sponsor should work with DOAV to resolve outstanding issues prior to submitting the revised project requests and supporting documentation for a subsequent VAB meeting. For disapprovals based on funding limitations, sponsors should resubmit the project requests and supporting documentation for the next scheduled VAB meeting. The project request and supporting documentation should be revised as needed.

5.9 Agreement Process

The agreement process begins with the award of a tentative allocation and ends with the sponsor's execution of DOAV's grant offer.

5.9.1 Tentative Allocations

After each VAB meeting, DOAV sends to sponsors a notification memorandum listing the projects that were approved and disapproved. The award of a tentative allocation is not an authorization to proceed

with a project. The grant agreement must be in effect prior to the sponsor initiating any work or obtaining goods.

For federally funded projects, if a sponsor finds that the amount of the tentative allocation is not sufficient to produce a usable deliverable from the project's scope of work, the sponsor should contact the assigned DOAV planner or engineer immediately. If a project's cost increases after the VAB has awarded a tentative allocation and before a grant agreement is executed, a sponsor may request an increase in the allocation. DOAV will review the justification for the cost change and may increase the tentative allocation by up to 10 percent, contingent on the availability of state funds. Requests for tentative allocation increases exceeding 10 percent must be presented to the VAB for action at a regularly scheduled meeting. The request must be submitted through ASM as a project request for the amount of the increase only. The appropriate supporting documentation must also be submitted. A sponsor may receive an increase on a state-funded project from either DOAV or the VAB; a sponsor may not receive an increase from both entities for the same tentative allocation.

For all projects, if an airport sponsor determines that it cannot act on an existing tentative allocation, the sponsor must notify DOAV as soon as possible so the funds can be returned to the CAF for allocation to eligible projects.

5.9.2 Grant Applications

For federally funded projects, a sponsor should submit a grant application to DOAV when federal funds have been secured and a federal grant application has been submitted to FAA. Sponsors must use the grant application prescribed by DOAV to provide a description of the project; a summary of funding sources with amounts; a summary of project costs; and a completion date for the project. The application form must be signed and dated. Project scope packages described in 5.6 Project Scoping must be submitted for approval with the application unless such submission already has been made.

For state-funded projects, sponsors do not need to submit grant applications.

5.9.3 Grant Agreements

For federally funded projects, DOAV will prepare a grant offer for a project after a properly completed grant application and supporting documentation have been received from the sponsor and approved. For state-funded projects, DOAV will prepare a grant offer upon the VAB's award of a tentative allocation for a project.

The purpose of a grant agreement, that when executed becomes a contract between the sponsor and the Commonwealth of Virginia, is:

- to meet the requirements of *Virginia Administrative Code 24VAC5-20-330 Aviation facilities constructed in whole or in part with state funds*;
- to ensure that all parties are aware of their respective responsibilities; and
- to ensure that grant funds are properly controlled and returned if not required to complete a project.

Each grant agreement contains an offer and acceptance. The offer identifies the sponsor, airport, project name, and project number. It also states the specific terms and conditions for a project grant, including the amount of state participation, the amount of federal participation if applicable, grant term, and grant obligation term. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* is incorporated by reference in each grant offer. Grant offers are valid for 60 calendar days; the expiration date is stated in the offer.

When a sponsor accepts the grant offer and agrees to the terms and conditions contained in the grant offer, the sponsor must sign and date the acceptance portion of the grant agreement. The sponsor's attorney must sign the certification within the acceptance. A grant agreement becomes effective upon the completion of the acceptance portion of the grant agreement, and the sponsor may begin work or obtain goods.

For a design and construction project, the sponsor may begin preliminary design work required to develop a final scope after a tentative allocation is awarded. Final design may not begin until DOAV has approved the preliminary design. Upon DOAV approval of the final design and receipt of acceptable bids, a grant offer will be issued for the design and construction project.

The grant obligation term for projects under the Airport Capital Program is typically 20 years. The grant obligation term for materials purchased under the program, such as fire extinguishers and furniture, will be based on the life expectancy of the materials. For some projects, such as a Stormwater Pollution Prevention Plan or Spill Prevention Control and Countermeasures Plan, the grant obligation term will be based on the effective longevity of the deliverable. For land and easement acquisition projects, the grant obligation term is in perpetuity.

5.10 Project Implementation

Once a grant agreement becomes effective, work on a project may begin. All supplemental agreements and change orders must be approved by the department prior to the subject work being initiated.

5.10.1 Design and Construction Standards

For federally funded projects, FAA standards and specifications shall be used in the design of airport infrastructure, including facilities and equipment, unless modifications are approved by FAA.

For state-funded projects, VDOT standards and specifications shall be used in the design of airport infrastructure, including facilities and equipment. FAA standards and specifications shall apply only when VDOT does not have a standard or specification for a portion of a project, unless modifications are approved by DOAV.

The state's minimum airport licensing standards for airports are provided in Appendix E Minimum Standards for Licensing, and the VDOT construction standards can be found online at www.virginiadot.org.

5.10.2 Amendments

When a sponsor becomes aware of conditions that will necessitate a change to a grant agreement, the sponsor should immediately submit a grant amendment request to DOAV. The approval of a grant amendment is not guaranteed, and all increases are contingent on the availability of funds. **All grant amendments must be approved by DOAV prior to the subject work being initiated.**

The purpose of the grant amendment is to modify the terms and conditions of a grant agreement. At any time during the course of a project, the grant agreement between the sponsor and the Commonwealth of Virginia may be amended for justifiable cause, such as a change in the grant amount; a change in the scope of work; or an extension of the expiration date. The grant amendment becomes part of the contract between the sponsor and the Commonwealth of Virginia.

Each grant amendment contains an offer and acceptance. The offer identifies the sponsor, airport, project name, project number, and modifications to the grant agreement. Grant amendment offers are valid for 60 calendar days; the expiration date is stated in the offer. When a sponsor accepts the grant amendment offer, the sponsor must sign and date the acceptance portion of the grant amendment. A grant amendment becomes effective upon the completion of the acceptance portion of the grant amendment.

For a grant amendment request, the sponsor shall provide the following information in the format required by DOAV:

- project number and project name;
- current expiration date if time extension is part of the request;
- reason for the request; and
- plan of action and revised project schedule for completion of the project.

DOAV will review the amendment request. After acceptance of the request and confirmation of funding availability, DOAV will prepare a grant amendment offer.

When the VAB awards an increase to an existing grant, DOAV will prepare a grant amendment offer. The sponsor does not need to submit a grant amendment request.

DOAV can approve an administrative cost increase up to 10 percent of the total grant amount, except in the case of multi-year funding. If a requested funding increase exceeds 10 percent or modifications to the original scope of work for a state-funded project are needed, the request must be presented to the VAB for action at a regularly scheduled meeting as described in 5.7.3 Submission of Requests for Increases. A sponsor may receive an increase from either DOAV or the VAB; a sponsor may not receive an increase from both entities for the same grant. All increases are contingent on the availability of funds.

The VAB has given DOAV the authority to approve changes in the original scope of work for a federally funded project as long as the grant amount does not increase.

5.10.3 Change Orders

As soon as the need for a change order is identified, the sponsor should coordinate the activities needed to address the issues with DOAV and FAA as appropriate. Examples of these issues include drainage problems or the discovery of underground tanks, unmarked graves, unsuitable materials, or utility lines. Once DOAV and FAA, as appropriate, provide written approval of a change order, work related to the change order may begin. The sponsor needs to make sure the proper supporting documents are prepared and submitted to DOAV and FAA, as appropriate. Eligible costs related to the change order cannot be reimbursed unless this supporting documentation is provided. DOAV will reimburse only those costs associated with change orders that have been approved by DOAV.

5.10.4 Reimbursement

Services completed or goods ordered prior to the execution of the grant agreement will not be eligible for reimbursement, with the exception of projects discussed in 5.4.1 Eligible Projects After the Fact.

Requests for reimbursements shall be made in a timely manner. A sponsor may request reimbursement for partial payments based on the percentage of work completed or actual costs incurred. A reimbursement request for less than $1,000 shall not be submitted unless it is a final reimbursement request. Final or one-time reimbursement requests do not have a minimum dollar amount limit. The requests must be made in the format required by DOAV. The reimbursement request must bear the

sponsor's original signature and date to certify acceptance of the costs from contractors. The reimbursement request must be submitted with the required supporting documentation, such as a contractor invoice.

DOAV will review the reimbursement request and supporting documentation for cost eligibility and completeness. DOAV reserves the right to require copies of invoices and expense details of any or all costs prior to approving reimbursement. It should be noted that reimbursement for Virginia sales tax is not eligible for any sponsor that is considered a political subdivision of the Commonwealth of Virginia.

If the submittal is acceptable, payment will be approved. If the submittal is incomplete or not acceptable, DOAV will contact the sponsor to discuss errors or omissions. If the sponsor does not respond within 10 business days to requests for information or supporting documents, DOAV will:

- consider the reimbursement request status as pending;
- send the sponsor written notification of such; and
- take no action until in receipt of outstanding information or documents.

If DOAV is not able to contact the sponsor within 10 business days, DOAV will return the reimbursement request to the sponsor with a written notice explaining outstanding issues.

For federally funded capital projects, DOAV will reimburse a sponsor up to 97.5 percent of a grant amount for projects deemed substantially complete. For state-funded capital projects, DOAV will reimburse a sponsor up to 95 percent of a grant amount for projects deemed substantially complete. After the receipt of acceptable deliverables or final acceptable deliverables or final acceptance of construction, DOAV will accept a reimbursement request for the remainder of a project's cost.

Reimbursement requests will be accepted by DOAV during the grant term specified in the grant agreement or as modified under an amendment. Sponsors are encouraged to submit reimbursement requests as soon as they have all relevant cost figures and supporting documentation. The final reimbursement request for a project must be received by DOAV no later than the last day of the grant term. The final reimbursement request will be processed as noted above. If DOAV returns the reimbursement request due to unresolved outstanding issues, DOAV will offer the sponsor an amendment for a 60-day extension on the grant term. After the amendment becomes effective, the sponsor may resubmit the revised reimbursement request for processing.

Additional guidance on reimbursement payments includes:

- For federally funded construction projects, contractual work to be accomplished up to 30 business days in advance may be included in a reimbursement request. This may include costs for construction materials bonded and delivered to a job site.
- For state-funded land and easement acquisition projects, reimbursement up to 95 percent of the grant amount will be made to the sponsor prior to closing. The balance will be reimbursed, upon request, after deeds are recorded and certificates of title have been provided to DOAV.
- For projects at air carrier airports for which both state entitlement and discretionary funding have been approved, sponsors must spend all of their state entitlement funds before they may submit a reimbursement request for the state discretionary funds.
- For federally funded projects, the final state request for reimbursement will be processed upon verification of the final FAA-approved project cost.

5.10.5 Project Close-out

A grant will be closed 30 calendar days after the final reimbursement request has been processed. If a grant has an outstanding balance, the balance will be returned to the CAF. Underruns in one project may not be administratively applied to another project.

DOAV will provide close-out letters to sponsors on a quarterly basis. The written notification confirms that the project is complete and all payments have been made, unless an audit will be performed as described below. Final inspections will be required prior to project close-out for construction projects.

An audit may be conducted on a project. If an audit is conducted, the sponsor will receive written notification of the outcome and any adjustments that need to be made. For federally funded projects, DOAV accepts the audit conducted by the federal Office of the Inspector General.

5.11 Special Requests for Airport Capital Program Funding

An airport sponsor can make a special request for state financial assistance after the submission due date or for complex projects that will take several years to complete. The VAB and DOAV have adopted the following procedures to accommodate these special requests.

5.11.1 Emergency Request

An emergency is defined as an occurrence or event that threatens or may threaten life or property. The sponsor should notify DOAV of an emergency as soon as possible and provide all relevant information for an emergency request. Upon receipt of an emergency request from a sponsor, DOAV's director has the authority to declare that an emergency exists and will notify the VAB chair and the member who represents the sponsor. From this notification, the director shall initiate, per *Code of Virginia* §2.2-3708.2, an electronic meeting of the VAB, that should include the chair and the representative VAB member, during which, if at all possible, a tentative allocation can be awarded. In the event that the emergency is dire, and so documented in the meeting minutes, and a quorum cannot be obtained, any two VAB members may authorize the director to issue a tentative allocation with a requirement that the tentative allocation be placed on the agenda of the next regularly scheduled VAB meeting so the tentative allocation can be noted formally as awarded by the VAB. A sponsor may begin eligible work upon the award of the tentative allocation.

A project request with appropriate supporting documentation will need to be submitted through ASM for presentation at the following VAB meeting. Scopes and bids as appropriate must also be submitted. After the VAB meeting, DOAV will issue a grant offer in accordance with 5.9.3 Grant Agreements. The grant offer will specify that eligible costs incurred after the award of the tentative allocation and before the grant agreement becomes effective will be reimbursed.

5.11.2 Missed Opportunity

An airport sponsor may not be aware of a need to request financial assistance until after the submittal due date. The situation generating the need may result in a missed opportunity, such as attracting an industry; the need is not an emergency as described in 5.11.1 Emergency Request. The sponsor must provide to DOAV a written explanation of the cause of the missed opportunity and submit the appropriate supporting documentation through Airport System Manager. In addition, for state-funded projects, a scope of work or bids shall be submitted for approval. Upon receipt of a missed opportunity request by a sponsor, DOAV will contact the VAB chair and member who represents the sponsor. They will determine if the project request justifies consideration by the VAB at its next regularly scheduled meeting. The sponsor will be notified of this decision. If the decision is to let the project be considered by the VAB,

DOAV will evaluate the project in accordance with 5.8 Evaluation and Selection Process and present the request to the VAB.

The late submittal of a project request from a sponsor does not constitute a missed opportunity. The VAB has directed DOAV to return late project request submittals to sponsors.

5.11.3 Multi-Year Funding

To provide financial assistance for projects that are of such a magnitude that they would exceed maximum allowable annual funds, VAB policy allows for multi-year programming of state entitlement and discretionary funds. Multi-year allocations are based on estimated revenues and allocations to the CAF. If revenues do not meet estimates or if future year estimates are revised, a multi-year allocation may be adjusted. The funding limit for a single airport sponsor as a percentage of a fiscal year as described in 5.5 State Participation is still applicable when a multi-year project is involved.

When state discretionary funds are requested for multi-year funding, the project request shall be made through ASM, using the first year of funding as the estimated project cost. The narrative for the project request shall include the funding strategy for the life of the project. Upon the VAB's approval of a multi-year project request, a tentative allocation will be issued that specifies the years for which funding is approved and the amount approved for each year. For federally funded projects, the sponsor shall submit a grant application for the first year of the project that includes actual costs, and DOAV will issue a grant offer for only the first year of the project in accordance with 5.9.3 Grant Agreements. For state-funded projects, DOAV will issue a grant offer for only the first year of the project in accordance with 5.9.3 Grant Agreements.

A project evaluation will be conducted each year of the multi-year time period. In the evaluations, the scope of work will be reviewed and compared with actual work accomplishments; cost information will be updated; and available funding will be determined. For federally-funded projects, the grant agreement will be amended for subsequent year allocations upon sponsor request. For state-funded projects, DOAV will issue a grant amendment upon the VAB's award of the tentative allocation. Amendments will be based on the annual project evaluations.

5.11.4 Facilities and Equipment, Security, and Maintenance Project Requests

When funds are not available under the Facilities and Equipment Program, the Voluntary Security Program, or the Maintenance Program or a sponsor has reached its $100,000 fiscal year limit for maintenance allocations, a sponsor may submit project requests under the Airport Capital Program for consideration by the Virginia Aviation Board. The projects must meet the eligibility requirements of the appropriate program, and the required supporting documents for the Airport Capital Program must be provided as part of the project request submission. The state participation rate for these projects will be the same when a project request is made under the Airport Capital Program. For example, if the state participation rate for a security lighting project under the Voluntary Security Program is 90 percent, the state participation rate for the same project under the Airport Capital Program will be 90 percent.

5.12 Public-Private Partnerships

The *Public-Private Transportation Act* of 1995, (PPTA) as amended, offers processes for the innovative delivery of transportation improvements; incorporating the attraction of private equity; appropriate transference of risks; incorporation of life-cycle costs; and advancement of projects in a timelier manner. The *PPTA Implementation Manual and Guidelines* provides a delivery framework that identifies, evaluates,

develops, and delivers Virginia's Public-Private Partnership (P3) transportation projects in a consistent, transparent, timely, and cost-effective manner.

To expand procurement and financing opportunities for airport sponsors, the VAB adopted the policies and procedures in the PPTA and incorporated the *PPTA Implementation Manual and Guidelines,* into the DOAV *Airport Program Manual*.

For P3 projects, airport sponsors are eligible to request their project share from the VAB at the state-funding participation rate of 80 percent. The project request will have to compete against other requests before the board.

5.13 Utilization of Insurance Resources

Sponsors shall carry insurance on all airport facilities and equipment for which the state provided funding assistance for a period equal to the obligation term in the grant terms and conditions, unless DOAV agrees to a different term. The insurance coverage should provide for replacement value where available. If a sponsor is having issues obtaining insurance for facilities or equipment, the sponsor should contact DOAV to discuss solutions. The reimbursement of insurance deductibles is not eligible for state funding.

5.14 Sale, Transfer, and Disposal of Property Acquired with State Resources

Sponsors may no longer need property originally acquired with state funds to meet their aeronautical and operating needs. Examples of this property are land, equipment, and loading bridges. If a sponsor disposes of such airport real property, except land, the sponsor must reimburse the state with a portion of the selling price within 60 calendar days after settlement. That portion will be prorated based on the remaining balance of the grant. If the grant obligation term has expired, the sponsor may sell, transfer, or dispose of the property without making any reimbursement to the state.

For the disposal of land at *National Plan of Integrated Airport Systems* (*NPIAS*) airports, the sponsor must follow FAA and DOAV policy on land release and revenue use. For the disposal of land at airports not in the *NPIAS*, the sponsor must request the release of property from DOAV and use proceeds on the airport. Income from the sale of land or an easement shall be reimbursed to the state, with the amount calculated using the current market value at the time of sale by the sponsor and the state's participation rate in the original purchase. Any time a sponsor alters an airport layout plan or property map, the sponsor must obtain approval from DOAV and FAA, if appropriate.

When a sponsor transfers property, such as equipment, that was acquired with state funds to another Virginia airport that has a need and the sponsor receives compensation, the sponsor must provide DOAV with 50 percent of the value of the compensation within 30 calendar days of its receipt.

When a sponsor uses a piece of equipment as a trade-in towards the purchase of equipment, the credit given by the vendor must be applied to the state’s share of the purchase. The percentage applied to the state’s share must match the state’s participation rate in the purchase of the original equipment.

6.0 Facilities and Equipment Program

The Facilities and Equipment Program provides funding for the installation of electronic communication, navigation, and information systems that enhance the safety of flight and the utilization of Virginia's air transportation system. The Virginia Department of Aviation (DOAV) will own and maintain some of these systems, and, for others, a sponsor will have ownership and responsibility for system maintenance.

The Virginia Aviation Board (VAB) has delegated the authority to review and approve funding requests for the Facilities and Equipment Program to DOAV.

6.1 Project Eligibility

Eligible projects for the Facilities and Equipment Program are DOAV-owned or sponsor-owned systems or equipment; operational costs are not eligible for funding under the program. For DOAV-owned equipment, a project must be identified in DOAV's current *Virginia Facilities and Equipment Plan* to be eligible for this program. The types of systems and equipment eligible to be purchased and installed using Facilities and Equipment Program funds include, but are not limited to, the following listing:

DOAV Owned	Sponsor Owned
• localizer • glideslope to complete a Category I instrument landing system (ILS) • distance measuring equipment (DME) • non-directional beacon (NDB) • medium-intensity approach lighting system with runway alignment indicator lights (MALSR) • automated weather observing system networking system (AWOS) • UNICOM transceivers	• visual aids such as: ○ obstruction marking and lighting ○ retro-reflective markers for taxiways and ramps ○ centerline retro-reflective markers ○ visual approach guidance aids ○ rotating beacons ○ wind cones ○ segmented circles ○ precision approach path indicators (PAPIs) ○ runway end identifier lights (REILs) ○ omni-direction approach light system (ODALS) ○ medium-intensity runway lights (MIRLs) ○ high-intensity runway lights (HIRLs) ○ medium-intensity taxiway lights (MITLs) ○ runway or taxiway closure lighted marking ("X") ○ automated weather observing system (AWOS) • pilot weather briefing systems • ground communication outlets (GCO) • pilot-controlled lighting (PCL) systems

6.1.1 *Virginia Facility and Equipment Plan*

The *Virginia Facility and Equipment Plan* is a component of *Virginia Air Transportation System Plan* (VATSP). The plan assists DOAV, the Federal Aviation Administration (FAA), and sponsors by identifying new navigational aid improvements, along with the replacement and decommissioning of existing NAVAID equipment, over a 20-year period. The plan also addresses instrument-approach criteria by airport role and the development of approach procedures for airports.

If an airport sponsor identifies a facilities and equipment (F&E) need that is not addressed in the current plan, the sponsor may submit a written request to DOAV asking that the project be added to the plan. The request must provide justification and details for the project. DOAV will evaluate the request and, as appropriate, include the project as an addendum to the current plan.

6.1.2 Basic Eligibility Requirements

Each project must meet the following basic eligibility requirements:

- The proposed project must be shown on an airport layout plan approved by DOAV and FAA as appropriate.
- A sponsor shall provide documentation of environmental coordination and the findings and acceptance from the appropriate authorities on all environmental actions for a project as required by federal or state law. This documentation could be a Categorical Exclusion (CAT EX); a Finding of No Significant Impact (FONSI); a Record of Decision (ROD); or a Coastal Zone Resource Management (CZRM) determination if applicable.
- If a sponsor is applying for state funds to match a federal project that requires a benefit cost analysis, the analysis must be approved by FAA before DOAV will offer a favorable recommendation on the project.
- A sponsor must ensure that a project is consistent with local zoning ordinances and building codes.

6.2 State Participation

The state's participation in an F&E project depends on whether the system/equipment will be owned and maintained by DOAV or by the sponsor.

6.2.1 DOAV-Owned and Maintained Systems

When DOAV will own and maintain the F&E system/equipment, the department will pay 100 percent of costs associated with DOAV responsibilities. The sponsor will pay 100 percent of costs associated with sponsor responsibilities. DOAV and the sponsor have the following responsibilities for each project:

DOAV Responsibilities	Sponsor Responsibilities
• conduct the pre-design conference • design the system equipment • procure the system equipment • install the system • conduct the final acceptance inspection • conduct periodic inspections • conduct ground inspections, flight inspections, and commissioning • maintain the system equipment	• attend the pre-design conference • provide an acceptable source of electrical power and communications service to the site as specified by DOAV • acquire all land necessary for the facility and its operation, either by purchase or lease

6.2.2 Sponsor-Owned and Maintained Systems/Equipment

When the sponsor will own and maintain the F&E system/equipment, the state's funding share of the costs associated with the sponsor's responsibilities is 80 percent for state-funded projects and 8 percent for federally funded projects. The state's funding share of an AWOS installation or upgrade is 95 percent. DOAV and the sponsor have the following responsibilities for each project:

DOAV Responsibilities	Sponsor Responsibilities
• attend the pre-design conference • review and approve engineering agreements • review and approve design plans • conduct inspections of the installation as required • approve requests for reimbursement	• conduct the pre-design conference • design the system equipment • procure the system equipment • install the system • conduct the final acceptance inspection • conduct periodic inspections • conduct ground inspections, flight inspections, and commissioning • maintain the system equipment • provide an acceptable source of electrical power and communications service to the site as specified by DOAV

6.2.3 Additional Sponsor Responsibilities

Regardless of the ownership of the system/equipment, the sponsor is responsible for:

- maintenance of the site, such as mowing, tree trimming and cutting, and removing snow;
- recurring power and communications costs; and
- adequate insurance coverage of the system.

6.2.4 Utilization of Airport Capital Program Funds

When funds are not available under the Facilities and Equipment Program, a sponsor may submit project requests under the Airport Capital Program for consideration by the Virginia Aviation Board. The projects must meet the eligibility requirements of the Facilities and Equipment Program, and the required supporting documents for the Airport Capital Program must be provided as part of the project request submission.

6.2.5 Utilization of State Entitlement Funds

Sponsors of FAR Part 139 airports may use state entitlement funds for all projects eligible under the Facilities and Equipment Program. If a sponsor uses state entitlement funds for eligible projects under the program, the sponsor shall not be eligible to receive any funding from the program during the fiscal year in which the state entitlement funds are spent. If it is determined that a sponsor used entitlement funds for eligible facilities and equipment projects and also used funds from the Facilities and Equipment Program for other eligible projects, the sponsor must repay the state for Facilities and Equipment Program funds reimbursed within that fiscal year.

6.3 Project Scoping

Every project needs some level of scoping for all parties involved in the project to have a clear understanding of what is to be accomplished by the project and how the project is to be undertaken. A scope of work shall be approved by the sponsor, and the sponsor shall submit the scope to DOAV along with confirmation of its approval.

During the scoping process, many issues should be considered, including, but not limited to:

- substance of a project, such as component replacement vs. completed replacement of an AWOS system and installation of a lighting system;
- extent of state participation based on facility size, activity, and other considerations;

- participants needed to implement the project and their roles;
- coordination with federal, state, and local agencies for reviews and public meetings as needed;
- content and format of deliverables;
- schedule of tasks, reviews, submission of deliverables, and reimbursements;
- eligible costs, including sponsor administrative fees;
- type of contract;
- need for an independent fee review; and
- inclusion of a Disadvantaged Business Enterprise plan as part of a federally funded project.

The contractors participating in projects must be appropriately licensed and/or certified.

DOAV encourages sponsors to hold scoping meetings for all projects to identify precise work tasks and estimated costs. Participants in the scoping meetings can include representatives from FAA, DOAV, the sponsor, a contractor team, and local government representatives.

A project scope package should be prepared for approval by DOAV and applicable federal agencies, as appropriate. A project scope package should include the following:

- a narrative description of the tasks to be accomplished, with reference to the parties who will be handling the tasks;
- a description of the deliverables that specifies the format, quantities, and recipients for each deliverable;
- a schedule for the project by tasks or milestones, either by the number of days or months for the identified schedule components or by estimated dates;
- a detailed man-hour estimate by task and subtask as appropriate that is directly correlated to the narrative;
- a detailed estimate of costs, including reimbursable expenses, such as travel, printing, reproduction, and shipping, as well as a list of line items and costs for sponsor administrative fees;
- a copy of a proposal or quote containing the descriptions and estimates as noted above from all contractors who will be involved in the project; and
- a completed A/E Fee Proposal Worksheet.

Eligible project costs related to planning and engineering efforts by contractors may include travel, per diem for meals while traveling, and lodging. The maximum reimbursable costs for travel and per diem will be based on U.S. General Services Administration (GSA) rates at the time of travel. GSA rates will be used for lodging reimbursement; DOAV may approve up to 150 percent of the GSA lodging rate in areas where the contractors are unable to obtain GSA rates. For state-funded projects, DOAV will fund only architect and engineer (A/E) work authorizations prepared on a unit-priced-plus-a-fixed fee, not to exceed contract method unless it is deemed not appropriate to the project type. For state-funded projects, costs associated with assumption of risk are not eligible.

In the absence of state guidance on procurement, contract, task order and scope of work elements, including items, such as net fees, federal guidance may be used by DOAV.

For federally funded projects with a total estimated cost of at least $100,000, the independent fee estimate and record of negotiation will become part of the scope package when they have been completed. FAA Advisory Circular 150/5100-14 *Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects* provides information on the independent fee estimate process and examples of man-hour estimate and negotiation record documents.

When a sponsor is utilizing contractor services for a project, the contract between the sponsor and contractor must be valid when the scopes, plans and specifications, and reimbursement requests are submitted for review. A contract for professional services is considered valid if the sponsor signs a project task order before a contract expires and/or has been renewed in accordance with the *Virginia Public Procurement Act*.

6.4 Application Process

Sponsors will submit project requests for funding through Airport System Manager. Each project request entry must include a project description and estimated cost, listed by state- and local-funding sources as appropriate. A sponsor's administrative costs are required to be included in the cost estimate. Eligible sponsor administrative costs include, but are not limited to, advertising for bids and project review by a locality. Sponsor staff time is not an eligible sponsor administrative cost.

The following supporting documentation must be submitted with the project request, as appropriate to the project type:

- scope of work;
- quote or bid;
- project schedule;
- sketch; and
- documentation of environmental finding as needed.

For project requests for eligible equipment, a project specification sheet should be provided in place of a sketch. A photo or vendor illustration should be provided with the specification sheet if the sheet does not include such.

Actual proposals must be presented when the scopes are submitted to DOAV for review and approval, including costs and man-hours for contractors. Should a contractor's costs and man-hours justifiably change after funding has been approved, sponsors can request an increase as described in 6.7.2 Amendments and 6.7.3 Change Orders. For DOAV-owned system/equipment, DOAV will obtain the cost estimate.

For a privately-owned, public-use airport, a sponsor must have a valid credit line deed of trust, as described in 4.2.1 Credit Line Deed of Trust, to be eligible to receive a grant agreement. The credit line deed of trust must be in place when a project request is submitted and must have a sufficient balance to cover all phases of the overall development objective.

Project requests may be submitted at any time during the fiscal year, except for the 72-hour period after the due dates for Airport Capital Program submissions.

6.5 Evaluation and Selection Process

Upon receipt of a project request, DOAV will review the project request for project eligibility and completeness. If the criteria are met and funds are available within the program, DOAV will approve the project request.

DOAV will notify sponsors of its decision. The notification will specify the amount of funding allocated to the project and identify the scope of work in which DOAV will participate. For projects where DOAV will own and maintain the system, the notification will also include a schedule of work.

6.6 Agreement Process

For approved projects, a written notification will be sent to the sponsor. The notification will include a description of the work to be undertaken, the amount of funding allocated to the project, and funding termination date.

6.6.1 Allocations

For projects where the state's participation is less than $10,000, an allocation will be issued. The purpose of an allocation is to award funding to a project request that, by its nature, does not need to follow the grant process. Such projects need to be implemented quickly or are smaller in nature.

After an allocation is offered for a project, DOAV will issue a written notification to the sponsor. The notification confirms the scope of work for the project, project number, and the state funding amount. This notification also provides the effective and expiration dates for the allocation. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* applies to allocations. The issuance of the written notification constitutes a notice to proceed, and a sponsor may begin work upon receipt of the notification.

6.6.2 Grant Agreements

For projects where the state's participation is equal to or greater than $10,000, either a tentative allocation will be awarded or a grant offer will be issued, based on the scope of work.

The purpose of a grant agreement, that when made effective becomes a contract between the sponsor and the Commonwealth of Virginia, is:

- to meet the requirements of *Virginia Administrative Code 24VAC5-20-330 Aviation facilities constructed in whole or in part with state funds*;
- to ensure that all parties are aware of their respective responsibilities; and
- to ensure that grant funds are properly controlled and returned if not required to complete a project.

Each grant agreement contains an offer and acceptance. The offer identifies the sponsor, airport, project name, and project number. It also states the specific terms and conditions for a project grant, including the amount of state participation; the amount of federal participation if applicable; grant term; and grant obligation term. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* is incorporated by reference in each grant offer. Grant offers are valid for 60 calendar days; the expiration date is stated in the offer.

When a sponsor accepts the grant offer and agrees to the terms and conditions contained in the grant offer, the sponsor must sign and date the acceptance portion of the grant agreement. The sponsor's attorney must sign the certification within the acceptance. A grant agreement becomes effective upon the completion of the acceptance portion of the grant agreement.

For the Facilities and Equipment Program, the timing of the grant offer depends on the ownership of the system/equipment and type of project:

- When the sponsor will own the system/equipment and the project is for design work only, a design grant offer will be sent to the sponsor.
- When the sponsor will own the system/equipment and the project is for design and construction, the sponsor may begin preliminary design work required to develop a final scope. Final design may not begin until DOAV has approved the preliminary design. Upon DOAV approval of the final design and receipt of acceptable bids, a grant offer will be issued for the design and construction project.
- When DOAV will own the system/equipment, a grant offer will be sent to the sponsor for each phase of the project. The phases are design; the purchase of equipment; and construction, which includes construction administration.

The grant agreement must be in effect prior to the sponsor initiating any design work for a design-only project, construction work, or purchases.

The sponsor's responsibilities as they relate to the operation and maintenance of the equipment and site are provided in the *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources*. If the specifics of a project generate the need for additional terms and conditions, those terms and conditions will be stated in the grant agreement for the project.

The grant obligation term for projects under the Facilities and Equipment Program varies, based on the type of project. Examples of grant obligation terms include:

Project Type	Grant Obligation Term
• new lighting system • new Navaids • new REILs • new AWOS • new beacon	20 years
• wind cone • supplemental wind cone • ground communication outlets • partial weather observing systems	10 years
• computer for weather observing system	5 years

6.7 Project Implementation

Once an allocation has been awarded or a grant agreement has been executed by all parties, work may begin. Based on the type of project, DOAV may inspect a project as it progresses and/or when it is complete.

The timing of work elements and reimbursement depends on the ownership of the system/equipment and type of project:

- When the sponsor will own the system/equipment and the project is only for design, design work and bidding will begin after the grant agreement becomes effective. Reimbursements may be requested throughout the design and bidding process.

- When the sponsor will own the system/equipment and the project is for design and construction, preliminary design work and bidding may begin after the sponsor has received the tentative allocation notification. Construction may begin after the grant agreement becomes effective. Reimbursement for work beginning in the design phase may be requested after the grant agreement becomes effective.
- When DOAV will own the system/equipment, DOAV will handle the design, equipment purchase, and bid advertisement for the project. The sponsor needs to coordinate its construction responsibilities for electricity and communications service with the department's construction work so conflicts and delays are avoided.

6.7.1 Design and Construction Standards

For federally funded projects, FAA standards and specifications shall be used in the design of airport infrastructure, including facilities and equipment, unless modifications are approved by FAA.

For state-funded projects, VDOT standards and specifications shall be used in the design of airport infrastructure, including facilities and equipment. FAA standards and specifications shall apply only when VDOT does not have a standard or specification for a portion of a project, unless modifications are approved by DOAV.

The state's minimum airport licensing standards for airports are provided in Appendix E Minimum Standards for Licensing; and the VDOT construction standards can be found online at www.virginiadot.org.

6.7.2 Amendments

When a sponsor becomes aware of conditions that will necessitate a change to an allocation or grant agreement, the sponsor should immediately submit an amendment request to DOAV. The approval of an allocation or grant amendment is not guaranteed, and all increases are contingent on the availability of funds. **All allocation and grant amendments must be approved by DOAV prior to the subject work being initiated.**

6.7.2.1 Projects Under Allocation

For a project for which an allocation was awarded, DOAV will issue a written notification of change when the request for the amendment is approved and funds are available for any requested change to the state funding amount. An allocation will not be increased in excess of 10 percent of the original allocations without prior written approval by DOAV.

If the increase to an allocation brings the total state participation to $10,000 or more and DOAV approves the increase, DOAV will issue a grant offer for the project. The grant offer will include language regarding the existing allocation and the eligibility for reimbursement of work done since the allocation was approved.

6.7.2.2 Projects Under Grant Agreement

For a project for which a grant was issued, DOAV will prepare a grant amendment offer when the request for the amendment is approved and funds are available for any requested change to the amount of state participation.

The purpose of the grant amendment is to modify the terms and conditions of a grant agreement. At any time during the course of a project, the grant agreement between the sponsor and the Commonwealth of Virginia may be amended for justifiable cause, such as a change in the grant amount; a change in the scope of work; or an extension of the expiration date. The grant amendment becomes part of the contract between the sponsor and the Commonwealth of Virginia.

Each grant amendment contains an offer and acceptance. The offer identifies the sponsor, airport, project name, project number, and modifications to the grant agreement. Grant amendment offers are valid for 60 calendar days; the expiration date is stated in the offer. When a sponsor accepts the grant amendment offer, the sponsor must sign and date the acceptance portion of the grant amendment. A grant amendment becomes effective upon the completion of the acceptance portion of the grant amendment.

For a grant amendment request, the sponsor shall provide the following information in the format required by DOAV:

- project number and project name;
- current expiration date if time extension is part of the request;
- reason for the request; and
- plan of action and revised project schedule for completion of the project.

DOAV will review the amendment request. After acceptance of the request and confirmation of funding availability, DOAV will prepare a grant amendment offer.

6.7.3 Change Orders

As soon as the need for a change order is identified, the sponsor should coordinate the activities needed to address the issues with DOAV and FAA, as appropriate. Examples of these issues include changes in material quantities and field conditions. Once DOAV and FAA, as appropriate, provide written approval of a change order, work related to the change order may begin. The sponsor needs to make sure the proper supporting documents are prepared and submitted to DOAV and FAA, as appropriate. Eligible costs related to the change order cannot be reimbursed unless this supporting documentation is provided. DOAV will reimburse only those costs associated with change orders that have been approved by DOAV.

6.7.4 Reimbursement

For projects where an allocation was issued, services completed or goods ordered prior to the written notification of allocation approval will not be eligible for reimbursement. For projects where a grant agreement was issued, services completed or goods ordered prior to the execution of the grant agreement will not be eligible for reimbursement.

Requests for reimbursements shall be made in a timely manner. A sponsor may request reimbursement for partial payments based on the percentage of work completed or actual costs incurred. A reimbursement request for less than $1,000 shall not be submitted unless it is a final reimbursement request. Final or one-time reimbursement requests do not have a minimum dollar-amount limit. The requests must be made in the format required by DOAV. The reimbursement request must bear the sponsor's original signature and date to certify acceptance of the costs from contractors. The reimbursement request must be submitted with the required supporting documentation, such as a contractor invoice.

DOAV will review the reimbursement request and supporting documentation for cost eligibility and completeness. DOAV reserves the right to require copies of invoices and expense details of any or all costs prior to approving reimbursement. It should be noted that reimbursement for Virginia sales tax is not eligible for any sponsor that is considered a political subdivision of the Commonwealth of Virginia.

If the submittal is acceptable, payment will be approved. If the submittal is incomplete or not acceptable, DOAV will contact the sponsor to discuss errors or omissions. If the sponsor does not respond within 10 business days to requests for information or supporting documents, DOAV will:

- consider the reimbursement request status as pending;
- send the sponsor written notification of such; and
- take no action until in receipt of outstanding information or documents.

If DOAV is not able to contact the sponsor within 10 business days, DOAV will return the reimbursement request to the sponsor with a written notice explaining outstanding issues.

For state-funded projects, DOAV will reimburse a sponsor up to 95 percent of a grant amount for projects deemed substantially complete. For federally funded projects, DOAV will reimburse a sponsor up to 97.5 percent of a grant amount for projects deemed substantially complete. After the receipt of acceptable deliverables or final acceptable deliverables or final acceptance of construction, DOAV will accept a reimbursement request for the remainder of a project's cost.

For a project for which a grant was issued, reimbursement requests will be accepted by DOAV during the grant term specified in the grant agreement or as modified under an amendment. For projects for which an allocation was awarded, reimbursement requests will be accepted by DOAV before the allocation expiration. Sponsors are encouraged to submit reimbursement requests as soon as they have all relevant cost figures and supporting documentation. The final reimbursement request for a project must be received by DOAV no later than the last day of the grant term or allocation expiration. The final reimbursement request will be processed as noted above. If DOAV returns the reimbursement request due to unresolved outstanding issues, DOAV will offer the sponsor an amendment for a 60-day extension on the grant term or allocation expiration. After the amendment becomes effective, the sponsor may resubmit the revised reimbursement request for processing.

Additional guidance on reimbursement payments includes:

- For federally funded construction projects, contractual work to be accomplished up to 30 calendar days in advance may be included in a reimbursement request. This may include costs for construction materials bonded and delivered to a job site.
- For federally funded projects, the final state request for reimbursement will be processed upon verification of the final FAA-approved project cost.

6.7.5 Project Close-out

A grant will be closed 30 calendar days after the final reimbursement request has been processed. If a grant has an outstanding balance, the balance will be returned to the Facilities and Equipment Program.

For projects placed under a grant, DOAV will provide close-out letters to sponsors on a quarterly basis. The written notification confirms that the project is complete and all payments have been made, unless an audit will be performed as described below. Final inspections will be required prior to project close-out for construction projects.

An audit may be conducted on a project. If an audit is conducted, the sponsor will receive written notification of the outcome and any adjustments that need to be made. For federally funded projects, DOAV accepts the audit conducted by the federal Office of the Inspector General.

6.8 Public-Private Partnerships

The *Public-Private Transportation Act* of 1995, (PPTA) as amended, offers processes for the innovative delivery of transportation improvements; incorporating the attraction of private equity; appropriate transference of risks; incorporation of life-cycle costs; and advancement of projects in a timelier manner. The *PPTA Implementation Manual and Guidelines* provides a delivery framework that identifies, evaluates, develops, and delivers Virginia's Public-Private Partnership (P3) transportation projects in a consistent, transparent, timely, and cost-effective manner.

To expand procurement and financing opportunities for airport sponsors, the VAB adopted the policies and procedures in the PPTA and incorporated the *PPTA Implementation Manual and Guidelines,* into the DOAV *Airport Program Manual*.

For P3 projects, airports sponsors are eligible to request their project share from the VAB at the state funding participation rate of 80 percent. The project request will have to compete against other requests before the board.

6.9 Utilization of Insurance Resources

Sponsors shall carry insurance on all airport facilities and equipment for which the state provided funding assistance for a period equal to the obligation term in the grant terms and conditions and in accordance with the current *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources*, unless DOAV agrees to a different term. The insurance coverage should provide for replacement value where available. If a sponsor is having issues obtaining insurance for facilities or equipment, the sponsor should contact DOAV to discuss solutions. The reimbursement of insurance deductibles is not eligible for state funding.

6.10 Sale, Transfer, and Disposal of Property Acquired with State Resources

Sponsors may no longer need property, such as navigational equipment, originally acquired with state funds to meet their aeronautical and operating needs. If a sponsor disposes of such property before the grant obligation term expires and receives a payment from the sale of the property, the sponsor must reimburse the state with a portion of the selling price within 60 calendar days after closing. That portion will be prorated based on the remaining balance of the grant. If the grant obligation term has expired, the sponsor may sell, transfer, or dispose of the property without making any reimbursement to the state.

When a sponsor transfers property, such as equipment, that was acquired with state funds to another Virginia airport that has a need and the sponsor receives compensation, the sponsor must provide DOAV with 50 percent of the value of the compensation within 30 calendar days of its receipt.

When a sponsor uses a piece of equipment as a trade-in towards the purchase of equipment, the credit given by the vendor must be applied to the state’s share of the purchase. The percentage applied to the state’s share must match the state’s participation rate in the purchase of the original equipment.

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7.0 Voluntary Security Program

The Voluntary Security Program provides funding for projects to enhance the security of public-use general aviation airports in Virginia.

The Virginia Aviation Board (VAB) has delegated the authority to review and approve funding requests for the Voluntary Security Program to the Virginia Department of Aviation (DOAV).

7.1 Project Eligibility

Before a general aviation airport sponsor can receive funding for a security improvement project, the airport must first be declared a "Secure Virginia Airport" as described in Chapter 11 General Aviation Airport Voluntary Security Certification Program. In addition, a security improvement project must be identified on the sponsor's approved airport security plan to be eligible for state funding. Voluntary Security Program does not require prerequisites for projects to conduct security audits and develop security plans. The following are examples of eligible projects for Voluntary Security Program funding:

- airport security audit;
- airport security plan;
- terminal area fencing, including 500 feet of vinyl-coated fence;
- perimeter fencing;
- electronically controlled entry gates;
- external and internal surveillance systems;
- security signage;
- security lighting; and
- security barriers.

A fence-clearing project is eligible one time only. The continuing maintenance of the terminal area and perimeter fence lines is a sponsor's responsibility. Operational costs, such as the hiring of security guards, are not eligible.

Sponsors should contact DOAV to discuss the eligibility of other security improvements under this program.

7.1.1 Basic Eligibility Requirements

Each project must meet the following basic eligibility requirements:

- The proposed project must be shown on an airport layout plan approved by DOAV and Federal Aviation Administration (FAA), as appropriate.
- A sponsor shall provide documentation of environmental coordination and the findings and acceptance from the appropriate authorities on all environmental actions for a project as required by federal or state law. This documentation could be a Categorical Exclusion (CAT EX); a Finding of No Significant Impact (FONSI); a Record of Decision (ROD); or a Coastal Zone Resource Management (CZRM) determination if applicable.
- If a sponsor is applying for state funds to match a federal project that requires a benefit-cost analysis, the analysis must be approved by FAA before DOAV will offer a favorable recommendation on the project.
- A sponsor must ensure that a project is consistent with local zoning ordinances and building codes.

Some elements of projects that are planned and designed to meet locality requirements or sponsor preferences may not be eligible for state funding. An example of these elements is special fencing.

7.2 State Participation

Voluntary Security Program funds 100 percent of projects to conduct security audits and develop security plans. The program funds 90 percent of the design and installation of security improvements that address deficiencies identified in plans and audits.

DOAV will review security audits and plans and will review and approve engineering agreements, plans, and specifications for security improvements.

7.2.1 Utilization of Airport Capital Program Funds

When funds are not available under the Voluntary Security Program, a sponsor may submit project requests under the Airport Capital Program for consideration by the VAB. The projects must meet the eligibility requirements of the Voluntary Security Program, and the required supporting documents for the Airport Capital Program must be provided as part of the project request submission.

7.3 Project Scoping

Every project needs some level of scoping for all parties involved in the project to have a clear understanding of what is to be accomplished by the project and how the project is to be undertaken. A scope of work shall be approved by the sponsor; and the sponsor shall submit the scope to DOAV along with confirmation of its approval.

During the scoping process, many issues should be considered, including, but not limited to:

- substance of a project, such as the length of fencing and number of security cameras;
- extent of state participation based on facility size, activity, and other considerations;
- participants needed to implement the project and their roles;
- coordination with federal, state, and local agencies for reviews and public meetings as needed;
- content and format of deliverables;
- schedule of tasks, reviews, submission of deliverables, and reimbursements;
- eligible costs, including sponsor administrative fees;
- type of contract;
- need for an independent fee review; and
- inclusion of a Disadvantaged Business Enterprise plan as part of a federally funded project.

The contractors participating in projects must be appropriately licensed and/or certified.

DOAV encourages sponsors to hold scoping meetings for all projects to identify precise work tasks and estimated costs. Participants in the scoping meetings can include representatives from FAA, DOAV, the sponsor, a contractor team, and local government representatives.

A project scope package should be prepared for approval by DOAV and applicable federal agencies, as appropriate. A project scope package should include the following:

- a narrative description of the tasks to be accomplished, with reference to the parties who will be handling the tasks;
- a description of the deliverables that specifies the format, quantities, and recipients for each deliverable;
- a schedule for the project by tasks or milestones, either by the number of days or months for the identified schedule components or by estimated dates;
- a detailed man-hour estimate by task and subtask as appropriate that is directly correlated to the narrative;
- a detailed estimate of costs, including reimbursable expenses, such as travel, printing, reproduction, and shipping, as well as a list of line items and costs for sponsor administrative fees;
- a copy of a proposal or quote containing the descriptions and estimates as noted above from all contractors who will be involved in the project; and
- a completed A/E Fee Proposal Worksheet.

Eligible project costs related to planning and engineering efforts by contractors may include travel; per diem for meals while traveling; and lodging. The maximum reimbursable costs for travel and per diem will be based on U.S. General Services Administration (GSA) rates at the time of travel. GSA rates will be used for lodging reimbursement; DOAV may approve up to 150 percent of the GSA lodging rate in areas where the contractors are unable to obtain GSA rates. For state-funded projects, DOAV will fund only architect and engineer (A/E) work authorizations prepared on a unit-priced-plus-a-fixed fee, not to exceed contract method unless it is deemed not appropriate to the project type. For state-funded projects, costs associated with assumption of risk are not eligible.

In the absence of state guidance on procurement, contract, task order and scope of work elements, including items, such as net fees, federal guidance may be used by DOAV.

For federally funded projects with a total estimated cost of at least $100,000, the independent fee estimate and record of negotiation will become part of the scope package when they have been completed. FAA Advisory Circular 150/5100-14 *Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects* provides information on the independent fee estimate process and examples of man-hour estimate and negotiation record documents.

When a sponsor is utilizing contractor services for a project, the contract between the sponsor and contractor must be valid when the scopes; plans and specifications; and reimbursement requests are submitted for review. A contract for professional services is considered valid if the sponsor signs a project task order before a contract expires and/or has been renewed in accordance with the *Virginia Public Procurement Act*.

7.4 Application Process

Sponsors will submit project requests for funding through Airport System Manager. Each project request entry must include a project description and estimated cost, listed by state- and local-funding source. A sponsor's administrative costs are required to be included in the cost estimate. Eligible sponsor administrative costs include, but are not limited to, advertising for bids and project review by a locality. Sponsor staff time is not an eligible sponsor administrative cost.

The following supporting documentation must be submitted with the project request, as appropriate to the project type:

- scope of work;
- quote or bid;
- project schedule;
- sketch; and
- documentation of environmental finding as needed.

For project requests for eligible equipment, a project specification sheet should be provided in place of a sketch. A photo or vendor illustration should be provided with the specification sheet if the sheet does not include such.

Actual proposals must be presented when the scopes are submitted to DOAV for review and approval, including costs and man-hours for contractors. Should a contractor's costs and man-hours justifiably change after funding has been approved, sponsors can request an increase as described 7.7.2 Amendments and 7.7.3 Change Orders.

For a privately-owned, public-use airport, a sponsor must have a valid credit line deed of trust, as described in 4.2.1 Credit Line Deed of Trust, to be eligible to receive a grant agreement. The credit line deed of trust must be in place when a project request is submitted and must have a sufficient balance to cover all phases of the overall development objective.

Project requests may be submitted at any time during the fiscal year, except for the 72-hour period after the due dates for Airport Capital Program submissions.

7.5 Evaluation and Selection Process

Upon receipt of a project request, DOAV will review the project request for project eligibility and completeness. DOAV will prioritize the project(s) in consideration of existing Voluntary Security Program requests and the availability of funds within the program to make a determination regarding funding.

DOAV will notify sponsors of its decision. The notification will specify the amount of funding allocated to the project and identify the scope of work in which DOAV will participate.

7.6 Agreement Process

For approved projects, a written notification will be sent to the sponsor. The notification will include a description of the work to be undertaken; the amount of funding allocated to the project; and funding termination date.

7.6.1 Allocations

For projects where the state's participation is less than $10,000, an allocation will be issued. The purpose of an allocation is to award funding to a project request that, by its nature, does not need to follow the grant process. Such projects need to be implemented quickly or are smaller in nature.

After an allocation is offered for a project, DOAV will issue a written notification to the sponsor. The notification confirms the scope of work for the project, project number, and the state-funding amount. This notification also provides the effective and expiration dates for the allocation. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* applies to allocations. The

issuance of the written notification constitutes a notice to proceed, and a sponsor may begin work upon receipt of the notification.

7.6.2 Grant Agreements

For projects where the state's participation is equal to or greater than $10,000, either a tentative allocation will be awarded or a grant offer will be issued, based on the scope of work.

The purpose of a grant agreement, that when made effective becomes a contract between the sponsor and the Commonwealth of Virginia, is:

- to meet the requirements of *Virginia Administrative Code 24VAC5-20-330 Aviation facilities constructed in whole or in part with state funds*;
- to ensure that all parties are aware of their respective responsibilities; and
- to ensure that grant funds are properly controlled and returned if not required to complete a project.

Each grant agreement contains an offer and acceptance. The offer identifies the sponsor, airport, project name, and project number. It also states the specific terms and conditions for a project grant, including the amount of state participation; the amount of federal participation if applicable; grant term; and grant obligation term. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* is incorporated by reference in each grant offer. Grant offers are valid for 60 calendar days; the expiration date is stated in the offer.

When a sponsor accepts the grant offer and agrees to the terms and conditions contained in the grant offer, the sponsor must sign and date the acceptance portion of the grant agreement. The sponsor's attorney must sign the certification within the acceptance. A grant agreement becomes effective upon the completion of the acceptance portion of the grant agreement.

The timing of the grant offer depends on the type of project:

- For a design-only or construction-only project, DOAV will issue a grant offer after a tentative allocation is awarded.
- For a design and construction project, the sponsor may begin preliminary design work to develop a final scope after a tentative allocation is awarded. Final design may not begin until DOAV has approved the preliminary design. Upon DOAV approval of the final design and receipt of acceptable bids, a grant offer will be issued for the design and construction project.

The grant agreement must be in effect prior to the sponsor initiating any design work for a design-only project, construction work, or purchases.

The grant obligation term for projects under the Voluntary Security Program varies, based on the type of project. Examples of grant obligation terms include:

Project Type		Grant Obligation Term
• fencing • gates		20 years
• security plan • security lighting • security barriers		10 years
• security audit • security signage	• internal surveillance system • external surveillance system	5 years

7.7 Project Implementation

Once an allocation has been awarded or a grant agreement has been executed by all parties, work may begin. Based on the type of project, DOAV may inspect a security improvement project as it progresses and/or when it is complete.

7.7.1 Design and Construction Standards

For federally funded projects, FAA standards and specifications shall be used in the design of airport infrastructure, including facilities and equipment, unless modifications are approved by FAA.

For state-funded projects, VDOT standards and specifications shall be used in the design of airport infrastructure, including facilities and equipment. FAA standards and specifications shall apply only when VDOT does not have a standard or specification for a portion of a project, unless modifications are approved by DOAV.

The state's minimum airport licensing standards for airports are provided in Appendix E Minimum Standards for Licensing; and the VDOT construction standards can be found online at www.virginiadot.org.

7.7.2 Amendments

When a sponsor becomes aware of conditions that will necessitate a change to an allocation or grant agreement, the sponsor should immediately submit an amendment request to DOAV. The approval of an allocation or grant amendment is not guaranteed, and all increases are contingent on the availability of funds. **All allocation and grant amendments must be approved by DOAV prior to the subject work being initiated.**

7.7.2.1 Projects Under Allocation

For a project for which an allocation was awarded, DOAV will issue a written notification of change when the request for the amendment is approved and funds are available for any requested change to the state funding amount. An allocation will not be increased in excess of 10 percent of the original allocations without prior written approval by DOAV.

If the increase to an allocation brings the total state participation to $10,000 or more and DOAV approves the increase, DOAV will issue a grant offer for the project. The grant offer will include language regarding the existing allocation and the eligibility for reimbursement of work done since the allocation was approved.

7.7.2.2 Projects Under Grant Agreement

For a project for which a grant was issued, DOAV will prepare a grant amendment offer when the request for the amendment is approved and funds are available for any requested change to the amount of state participation.

The purpose of the grant amendment is to modify the terms and conditions of a grant agreement. At any time during the course of a project, the grant agreement between the sponsor and the Commonwealth of Virginia may be amended for justifiable cause, such as a change in the grant amount; a change in the scope of work; or an extension of the expiration date. The grant amendment becomes part of the contract between the sponsor and the Commonwealth of Virginia.

Each grant amendment contains an offer and acceptance. The offer identifies the sponsor, airport, project name, project number, and modifications to the grant agreement. Grant amendment offers are valid for 60 calendar days; the expiration date is stated in the offer. When a sponsor accepts the grant amendment

offer, the sponsor must sign and date the acceptance portion of the grant amendment. A grant amendment becomes effective upon the completion of the acceptance portion of the grant amendment.

For a grant amendment request, the sponsor shall provide the following information in the format required by DOAV:

- project number and project name;
- current expiration date if time extension is part of the request;
- reason for the request; and
- plan of action and revised project schedule for completion of the project.

DOAV will review the amendment request. After acceptance of the request and confirmation of funding availability, DOAV will prepare a grant amendment offer.

7.7.3 Change Orders

As soon as the need for a change order is identified, the sponsor should coordinate the activities needed to address the issues with DOAV and FAA, as appropriate. Examples of these issues include changes in material quantities and field conditions. Once DOAV and FAA, as appropriate, provide written approval of a change order, work related to the change order may begin. The sponsor needs to make sure the proper supporting documents are prepared and submitted to DOAV and FAA, as appropriate. Eligible costs related to the change order cannot be reimbursed unless this supporting documentation is provided. DOAV will reimburse only those costs associated with change orders that have been approved by DOAV.

7.7.4 Reimbursement

For projects where an allocation was issued, services completed or goods ordered prior to the written notification of allocation approval will not be eligible for reimbursement. For projects where a grant agreement was issued, services completed or goods ordered prior to the execution of the grant agreement will not be eligible for reimbursement.

Requests for reimbursements shall be made in a timely manner. A sponsor may request reimbursement for partial payments based on the percentage of work completed or actual costs incurred. A reimbursement request for less than $1,000 shall not be submitted unless it is a final reimbursement request. Final or one-time reimbursement requests do not have a minimum dollar-amount limit. The requests must be made in the format required by DOAV. The reimbursement request must bear the sponsor's original signature and date to certify acceptance of the costs from contractors. The reimbursement request must be submitted with the required supporting documentation, such as a contractor invoice.

DOAV will review the reimbursement request and supporting documentation for cost eligibility and completeness. DOAV reserves the right to require copies of invoices and expense details of any or all costs prior to approving reimbursement. It should be noted that reimbursement for Virginia sales tax is not eligible for any sponsor that is considered a political subdivision of the Commonwealth of Virginia.

If the submittal is acceptable, payment will be approved. If the submittal is incomplete or not acceptable, DOAV will contact the sponsor to discuss errors or omissions. If the sponsor does not respond within 10 business days to requests for information or supporting documents, DOAV will:

- consider the reimbursement request status as pending;
- send the sponsor written notification of such; and
- take no action until in receipt of outstanding information or documents.

If DOAV is not able to contact the sponsor within 10 business days, DOAV will return the reimbursement request to the sponsor with a written notice explaining outstanding issues.

For state-funded projects, DOAV will reimburse a sponsor up to 95 percent of a grant amount for projects deemed substantially complete. For federally funded projects, DOAV will reimburse a sponsor up to 97.5 percent of a grant amount for projects deemed substantially complete. After the receipt of acceptable deliverables or final acceptable deliverables or final acceptance of construction, DOAV will accept a reimbursement request for the remainder of a project's cost.

For a project for which a grant was issued, reimbursement requests will be accepted by DOAV during the grant term specified in the grant agreement or as modified under an amendment. For projects for which an allocation was awarded, reimbursement requests will be accepted by DOAV before the allocation expiration. Sponsors are encouraged to submit reimbursement requests as soon as they have all relevant cost figures and supporting documentation. The final reimbursement request for a project must be received by DOAV no later than the last day of the grant term or allocation expiration. The final reimbursement request will be processed as noted above. If DOAV returns the reimbursement request due to unresolved outstanding issues, DOAV will offer the sponsor an amendment for a 60-day extension on the grant term or allocation expiration. After the amendment becomes effective, the sponsor may resubmit the revised reimbursement request for processing.

Additional guidance on reimbursement payments includes:

- For federally funded construction projects, contractual work to be accomplished up to 30 calendar days in advance may be included in a reimbursement request. This may include costs for construction materials bonded and delivered to a job site.
- For federally funded projects, the final state request for reimbursement will be processed upon verification of the final FAA-approved project cost.

7.7.5 Project Close-out

A grant will be closed 30 calendar days after the final reimbursement request has been processed. If a grant has an outstanding balance, the balance will be returned to the Voluntary Security Program.

For projects placed under a grant, DOAV will provide close-out letters to sponsors on a quarterly basis. The written notification confirms that the project is complete and all payments have been made, unless an audit will be performed as described below. Final inspections will be required prior to project close-out for construction projects.

An audit may be conducted on a project. If an audit is conducted, the sponsor will receive written notification of the outcome and any adjustments that need to be made. For federally funded projects, DOAV accepts the audit conducted by the federal Office of the Inspector General.

7.8 Public-Private Partnerships

The *Public-Private Transportation Act* of 1995, (PPTA) as amended, offers processes for the innovative delivery of transportation improvements; incorporating the attraction of private equity; appropriate

transference of risks; incorporation of life-cycle costs; and advancement of projects in a timelier manner. The *PPTA Implementation Manual and Guidelines* provides a delivery framework that identifies, evaluates, develops, and delivers Virginia's Public-Private Partnership (P3) transportation projects in a consistent, transparent, timely, and cost-effective manner.

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For P3 projects, airports sponsors are eligible to request their project share from the VAB at the state funding participation rate of 80 percent. The project request will have to compete against other requests before the VAB.

7.9 Utilization of Insurance Resources

Sponsors must carry insurance on all airport facilities and equipment for which the state provided funding assistance for a period equal to the obligation term in the grant terms and conditions, unless DOAV agrees to a different term. The insurance coverage should provide for replacement value where available. If a sponsor is having issues obtaining insurance for facilities or equipment, the sponsor should contact DOAV to discuss solutions. The reimbursement of insurance deductibles is not eligible for state funding.

7.10 Sale, Transfer, and Disposal of Property Acquired with State Resources

Sponsors may no longer need property originally acquired with state funds to meet their aeronautical and operating needs. An example of this property is a security system. If a sponsor disposes of such property before the grant obligation term expires and receives a payment from the sale of the property, the sponsor must reimburse the state with a portion of the selling price within 60 calendar days after settlement. That portion will be prorated based on the remaining balance of the grant. If the grant obligation term has expired, the sponsor may sell, transfer, or dispose of the property without making any reimbursement to the state.

When a sponsor transfers property, such as equipment, that was acquired with state funds to another Virginia airport that has a need and the sponsor receives compensation, the sponsor must provide DOAV with 50 percent of the value of the compensation within 30 calendar days of its receipt.

When a sponsor uses a piece of equipment as a trade-in towards the purchase of equipment, the credit given by the vendor must be applied to the state’s share of the purchase. The percentage applied to the state’s share must match the state’s participation rate in the purchase of the original equipment.

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8.0 Maintenance Program

The Maintenance Program provides funding for non-recurring maintenance to existing airport facilities to keep the facilities in a safe and economical operating condition. The program is also designed to encourage and assist airport sponsors with the implementation of preventative maintenance programs that will extend the useful life of the facilities and reduce the frequency of their replacement or reconstruction.

The Virginia Aviation Board (VAB) has delegated the authority to review and approve funding requests for the Maintenance Program to the Virginia Department of Aviation (DOAV).

8.1 Project Eligibility

Eligible maintenance is identified as scheduled inspections; scheduled and unscheduled maintenance; and unscheduled repairs that are necessary to preserve existing airport facilities and operations.

Maintenance funds cannot be used to upgrade, enhance, or expand facilities. In addition, *Code of Virginia* §5.1-55 does not allow Aviation Special Funds to be spent on recurring maintenance, which has been identified as work that must be performed daily, weekly, or monthly to maintain a facility's appearance or operational use. Recurring maintenance involves activities, such as grass cutting, pavement sweeping, and snow removal. The replacement or repair of items damaged or lost due to negligence, accident, theft, or vandalism is not eligible for reimbursement. Operational costs are not eligible for state funding under the Maintenance Program.

8.1.1 Facility Maintenance Projects

Eligible maintenance projects may be performed on airport facilities and infrastructure that were properly designed and constructed. Maintenance of certain airport facilities is not eligible where the original design and construction were not approved by DOAV. If a sponsor wishes to apply for maintenance funding for such a facility, DOAV must assess the original design, structural integrity, and maintenance history of the facility and determine its eligibility for the program.

Eligible projects include:

- obstruction removal on airport property or on property where the sponsor has the rights to top or completely remove the obstruction;
- pavement maintenance and repairs, including pothole repair, grass removal, crack seal, and pavement surface treatments, such as slurry seals;
- removal of vegetation that causes pavement deterioration, impedes drainage, causes deterioration of facilities, and obstructs the visibility of fenced areas;
- replacement of pavement markings;
- repairs of airport lighting systems, visual aids, automated weather observing systems (AWOS), ground communication outlets, and pilot-briefing systems;
- emergency repairs of a facility that will prevent its destruction or deterioration if not performed immediately;
- replacement of lamps, gaskets, transformers, cables, wind cones, and such used in eligible lighting and visual aid devices;
- repairs to fueling systems including repairs to electrical systems, pumping systems and lines, containment systems, rust removal, and painting;

- repairs to terminal buildings and maintenance equipment storage buildings, as well as associated systems and equipment that are eligible for funding under the Airport Capital Program;
- scheduled inspections of airport lighting systems, visual aids, AWOS, and emergency generators;
- obstruction removal and replacement of cones due to normal wear for grass runways; and
- preservation, maintenance, and obstruction removal projects for runways not supported by the Federal Aviation Administration (FAA).

Sponsors should contact DOAV with questions on whether maintenance projects not listed here may be eligible under this program. If a facility is eligible for state funding under the Airport Capital Program, the Facilities and Equipment Program, and the Voluntary Security Program, maintenance of the facility or equipment is generally eligible under the Maintenance Program. The maintenance and replacement of landscaping provided through a project funded by the state are considered operational costs and are not eligible under the Maintenance Program.

It is the intent of the VAB that the state should provide financial assistance for the clearing of obstructions once and a sponsor should have the capability to maintain such areas without seeking further funding under the Maintenance Program. In areas where a sponsor has acquired adequate property interest, either through ownership or easement, and clear cutting or clearing-and-grubbing activities have been done using state funding, the sponsor is responsible for maintaining these areas free and clear of obstructions without any additional state financial support. Maintenance of areas where the sponsor has acquired only the right to top trees is eligible for state funding. Cost-effective methods of limiting tree growth, such as controlled spraying, are eligible under this program. Obstruction removal projects must meet the environmental requirements noted in 8.1.5 Basic Eligibility Requirements.

8.1.2 Building and Associated Systems Maintenance Projects

Maintenance and repairs may be performed on eligible buildings and associated systems and equipment, such as plumbing and electrical systems; roofs; and structural elements, that are eligible for funding under the Airport Capital Program. Eligible activities include exterior and interior painting.

Items and activities that are not eligible include, but are not limited to, janitorial services; wallpapering; window treatments; lamp replacement; and exterior power washing.

When a project request is for the replacement of whole systems, such as carpeting, heating, ceiling tiles, roof bladders, and air conditioning, DOAV may request a detailed professional analysis of the current system or will inspect the site and use that review to determine need and eligibility.

8.1.3 Purchase of Maintenance Equipment

So that sponsors have the necessary equipment to handle recurring maintenance, the VAB has identified the purchase of certain pieces of maintenance equipment and their upkeep as eligible for funding assistance. Listed below are examples of maintenance equipment eligible and ineligible for purchase under the Maintenance Program.

Eligible Equipment	Ineligible Equipment
• self-propelled mowers • tractors • mower attachments • spray attachments for vegetation control • sweeper attachments • snow blades • front-end loader vehicles • trucks, new or used, with gross vehicle weight of 15,000 to 30,000 pounds, single axle, dual rear tires, dump body, and cab to seat a maximum of three people • small utility vehicles and attachments specifically made for those vehicles where the vehicle may be two or four wheel drive and shall not exceed gross vehicle weight of 2,600 pounds nor 133 inches in length and 65 inches in width	• chain saws, weed trimmers, etc. • hand tools • fuel trucks • courtesy vehicles • aircraft tugs • snowblowers not included in a snow removal equipment plan for a FAR Part 139 airport

Equipment acquired under this program shall be exclusively operated and properly stored on airport property, except for instances where off-site repairs to the equipment are required. Such equipment must not be sold; used for trade-in value; traded; or donated without prior DOAV approval.

Sponsors of publicly owned airports may purchase maintenance equipment through contracts established for the Commonwealth of Virginia. For information about this service, sponsors should contact the Virginia Department of General Services, www.dgs.virginia.gov.

8.1.3.1 Purchase of Used Maintenance Equipment

Sponsors may choose to purchase used equipment, after having considered life-cycle operational and maintenance costs; availability of warranties; and the availability of spare parts. While care must be used in acquiring used equipment, some items have a substantial operating life remaining; and the cost is significantly lower than that of new equipment. Used equipment may be obtained through surplus sales, auctions, or other sources approved by DOAV.

Many pieces of equipment may be available for purchase through the state and federal surplus property systems. While care must be used in acquiring such items, some surplus items have a substantial operating life remaining, and the cost is significantly lower than that of new equipment. To access the state system, sponsors should contact the Virginia Department of General Services, www.dgs.virginia.gov. For eligibility and access information for the federal system, sponsors should contact the Federal Aviation Administration Washington Airports District Office at 703-661-1354.

Surplus equipment is also available from airport sponsors around the state.

8.1.4 Maintenance of Equipment

Repairs to eligible equipment and replacement of worn equipment components are eligible for state funding. Periodic preventative maintenance for eligible maintenance equipment, such as fluid changes and tune-ups, is not eligible for state funding.

8.1.5 Basic Eligibility Requirements

Each project must meet the following basic eligibility requirements:

- A sponsor shall provide documentation of environmental coordination and the findings and acceptance from the appropriate authorities on all environmental actions for a project as required by federal or state law. This documentation could be a Categorical Exclusion (CAT EX); a Finding of No Significant Impact (FONSI); a Record of Decision (ROD); or a Coastal Zone Resource Management (CZRM) determination if applicable.
- A sponsor must ensure that a project is consistent with local zoning ordinances and building codes.

Projects to bring an airport into compliance with the state's minimum airport licensing standards as stated in *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing* are eligible.

8.2 State Participation

The state's participation rate for projects under the Maintenance Program is 80 percent, except for AWOS equipment; fueling systems; terminal buildings; the purchase of maintenance equipment; and the maintenance of equipment. The state's participation in the maintenance of sponsor-owned AWOS equipment will be 95 percent. Maintenance for fueling systems will be funded at the ratio the state originally used to install the system as described in Appendix A, item A.12 Fueling Systems for Aircraft. Maintenance for terminal buildings will be based on the amount of public-use space as described in Appendix B, B.6.1 Terminal Building Maintenance. The funding rates for the purchase of maintenance equipment and the maintenance of equipment are described in 8.2.2 Purchase of Maintenance Equipment and 8.2.3 Maintenance of Equipment, respectively.

Each airport sponsor may receive up to $100,000 per fiscal year for eligible maintenance projects, contingent on the availability of state funds.

8.2.1 Facility Maintenance Projects

As airport sponsors have varying financial resources for maintenance activities, DOAV offers three approaches for funding eligible maintenance projects, based on who performs the work and what expenses will be submitted for reimbursement:

- When a private contractor is used to perform the work and reimbursement will be based on labor, equipment, and materials, DOAV will fund up to 80 percent of the eligible project cost for work performed by a private contractor. For scheduled inspections and maintenance for AWOS equipment, DOAV will fund 95 percent of the eligible project cost for work performed by a private contractor.
- When a sponsor performs the work using its own employees and reimbursement will be based on the cost of materials and the use of the sponsor's employees and equipment at a predetermined rate approved by the department, DOAV will fund up to 80 percent of the eligible project cost for work performed by a sponsor.
- When a sponsor performs the work using its own labor and equipment and seeks reimbursement for materials only, DOAV will fund 100 percent of the cost of eligible materials. Sponsors should contact DOAV regarding the eligibility of materials.

The supporting documentation needed for reimbursement is described in 8.7.4 Reimbursement.

When a private contractor will be hired or where the cost of sponsor-installed materials or equipment will meet or exceed $5,000, the sponsor shall solicit a minimum of three bids for a project or a combination

of projects. Similar projects should be combined whenever possible. Copies of all the bids shall be submitted to DOAV for review and concurrence. When warranted, DOAV may waive the requirement for three bids. When the total cost of a project is less than $5,000, only one bid is required. If a private contractor is already under contract with a sponsor in accordance with the *Virginia Public Procurement Act*, a sponsor may use that contractor instead of soliciting bids for contractor services.

8.2.1.1 Obstruction Removal When federal funding will be used for an obstruction-removal project, the state will participate at the prevailing rate for federally funded projects. When federal funding will not be used for an obstruction-removal project, a sponsor needs to use the balance of the sponsor's fiscal year maintenance allocation, up to $100,000, for the obstruction removal. If the cost of the project exceeds that balance, the sponsor will need to apply to the VAB for Airport Capital Program funds for the state's participation in the remainder of the project. Obstruction removal projects will be considered as regular maintenance projects, and the state's participation rate will be 80 percent.

DOAV's participation in the removal of trees that have been determined to be obstructions is dependent on whether the sponsor owns the property or has an avigation easement for the property.

- When the sponsor owns the property, DOAV will reimburse the sponsor one time to remove the trees. DOAV encourages the sponsor to clear and grub the area to a condition suitable for mowing. The state's participation rate will be 80 percent.
- When the sponsor's avigation easement or agreement permits only the topping of trees, DOAV will reimburse the sponsor to top the trees on an as-needed basis in accordance with easements and agreements. The easements and agreements must specify that the trees will be topped at least 10 feet below the applicable surface. The state's participation rate will be 80 percent.
- When the sponsor's avigation easement permits the sponsor to clear cut the trees to ground level, DOAV will reimburse the sponsor one time to cut the trees. DOAV encourages the sponsor to clear and grub the area to a condition suitable for mowing if the avigation easement so permits. The state's participation rate will be 80 percent.
- When the obstruction area cannot be routinely maintained due to environmental sensitivity, limited physical access, and/or restrictions on equipment and clearing allowed in the area, DOAV may reimburse the sponsor to cut trees more than one time.

Sponsors of FAR Part 139 airports may use state entitlement funds for obstruction removal projects.

8.2.2 Purchase of Maintenance Equipment

A sponsor may receive up to $50,000 over a 5-year period to purchase eligible maintenance equipment. The dollar limit and time period begin with the final reimbursement date for the first grant related to an equipment purchase and will begin again at the end of every 5 years.

The department will fund 50 percent of the acquisition of eligible maintenance equipment. The funds that can be used to purchase maintenance equipment are part of the $100,000 fiscal year limit for maintenance allocation.

If a sponsor uses state entitlement funds to purchase maintenance equipment as noted in 8.2.5 Utilization of State Entitlement Funds, the state's participation rate is 80 percent. The dollar limits and time period do not apply to such purchases.

8.2.2.1 Purchase of New Maintenance Equipment

In bid solicitations, sponsors may use minimum specifications for equipment or list a specific manufacturer and product; however, if a specific piece of equipment is listed, the solicitation must also include a condition allowing for bids on equivalent equipment. When the total cost of a project is less than $5,000, only one bid is required. When the cost of equipment will meet or exceed $5,000, the sponsor shall solicit a minimum of three bids for the equipment. When warranted, DOAV may waive the requirement for three bids. Copies of all the bids shall be submitted to DOAV for review and concurrence.

8.2.2.2 Purchase of Used Maintenance Equipment

If a sponsor chooses to purchase used equipment, the sponsor will determine the specifications for the equipment and submit the specifications to the assigned DOAV Security and Facilities engineer for approval prior to any further action being taken. The sponsor will then acquire three quotes for equipment meeting the specifications. DOAV will issue a 60-day tentative allocation to the sponsor for the purchase of equipment based on the three quotes. Within this 60-day period, if the sponsor chooses to purchase the equipment through a surplus sale, auction, or other source approved by DOAV, the sponsor can use the tentative allocation at the 50 percent state participation rate to set its maximum purchase price or bid for the equipment; the sponsor may exceed this maximum amount but would be responsible for all costs over that amount. The equipment must meet or exceed the specifications approved by DOAV. After the equipment is purchased, DOAV will issue a grant agreement as it does for the purchase of new equipment. If the sponsor does not purchase the equipment within the 60-day period, the tentative allocation will revert back to the Maintenance Program for reallocation.

8.2.3 Maintenance of Equipment

Repairs to eligible equipment and the replacement of worn equipment components are eligible for state funding at a 50 percent participation rate. The costs of repairs accumulate toward the $100,000 fiscal year limit for maintenance allocations. Equipment eligible for repair using Maintenance Program funds includes, but is not limited to:

- maintenance equipment purchased under the Maintenance Program;
- aircraft rescue and fire fighting equipment (ARFF) for air carrier airports;
- snow removal equipment for air carrier airports; and
- snow removal attachments for general aviation airports.

The cost to make surplus or used equipment operational at the time of purchase is eligible for state funding at a 50 percent participation rate and accumulates toward the total state share of $50,000 for equipment purchases.

8.2.4 Utilization of Airport Capital Program Funds

When a sponsor has reached the $100,000 fiscal year limit for maintenance allocations per airport or when funds are not available under the Maintenance Program, a sponsor may submit project requests under the Airport Capital Program for consideration by the VAB. The projects must meet the eligibility requirements of the Maintenance Program, and the required supporting documents for the Airport Capital Program must be provided as part of the project request submission.

8.2.5 Utilization of State Entitlement Funds

Sponsors of FAR Part 139 airports may use state entitlement funds for all projects eligible under the Maintenance Program. In addition, these sponsors may use state entitlement funds to secure maintenance contracts and repairs related to systems and equipment. Eligible systems and equipment include, but are not limited to:

- elevators;
- escalators;
- security access systems;
- CCTV systems;
- terminal HVAC systems; and
- systems not generally maintained by airport personnel.

Multi-year maintenance contracts would need to be programmed for each year of the contract. Maintenance contracts would receive no project priority scoring as noted in 5.3.2 Entitlement-Only Projects.

Sponsors of FAR Part 139 airports may use state entitlement funds to purchase maintenance equipment related to compliance with FAR Part 139 or to the safety and security of the airport. FAR Part 139 projects eligible for state participation are those directly related to meeting safety and performance standards established by FAR Part 139. All of the equipment eligible under the Maintenance Program may be purchased with state entitlement funds. The dollar limits and associated time period, described in 8.2 State Participation and 8.2.2 Purchase of Maintenance Equipment, do not apply to this type of purchase. In addition, the state's participation rate is 80 percent for this type of purchase.

Other types of eligible maintenance equipment include, but are not limited to:

- crackseal equipment;
- large embankment mowers;
- mobile and fixed lifts;
- bucket trucks;
- FOD collectors;
- runway sweepers;
- friction testers; and
- airfield rubber and paint removal equipment.

If sponsors use state entitlement funds for maintenance projects, maintenance contracts, or the purchase of maintenance equipment, the sponsor shall not be eligible to receive approval for any funding from the Maintenance Program during the fiscal year in which the state entitlement funds are spent If it is determined that a sponsor used entitlement funds for eligible maintenance projects and also used funds from the Maintenance Program for other eligible projects, the sponsor must repay the state for Maintenance Program funds reimbursed.

8.3 Project Scoping

Every project needs some level of scoping for all parties involved in the project to have a clear understanding of what is to be accomplished by the project and how the project is to be undertaken. A scope of work shall be approved by the sponsor, and the sponsor shall submit the scope to DOAV along with confirmation of its approval.

During the scoping process, many issues should be considered, including, but not limited to:

- substance of a project, such as the linear footage of crackseal and the number of trees being removed;
- extent of state participation based on facility size, activity, and other considerations;
- participants needed to implement the project and their roles;

- coordination with federal, state, and local agencies for reviews and public meetings as needed;
- content and format of deliverables;
- schedule of tasks, reviews, submission of deliverables, and reimbursements;
- eligible costs, including sponsor administrative fees;
- type of contract;
- need for an independent fee review; and
- inclusion of a Disadvantaged Business Enterprise plan as part of a federally funded project.

The contractors participating in projects must be appropriately licensed and/or certified.

DOAV encourages sponsors to hold scoping meetings for all projects to identify precise work tasks and estimated costs. Participants in the scoping meetings can include representatives from FAA, DOAV, the sponsor, a contractor team, and local government representatives.

A project scope package should be prepared for approval by DOAV and applicable federal agencies, as appropriate. A project scope package should include the following:

- a narrative description of the tasks to be accomplished, with reference to the parties who will be handling the tasks;
- a description of the deliverables that specifies the format, quantities, and recipients for each deliverable;
- a schedule for the project by tasks or milestones, either by the number of days or months for the identified schedule components or by estimated dates;
- a detailed man-hour estimate by task and subtask as appropriate that is directly correlated to the narrative;
- a detailed estimate of costs, including reimbursable expenses, such as travel, printing, reproduction, and shipping, as well as a list of line items and costs for sponsor administrative fees;
- a copy of a proposal or quote containing the descriptions and estimates as noted above from all contractors who will be involved in the project; and
- a completed A/E Fee Proposal Worksheet.

Eligible project costs related to planning and engineering efforts by contractors may include travel, per diem for meals while traveling, and lodging. The maximum reimbursable costs for travel and per diem will be based on U.S. General Services Administration (GSA) rates at the time of travel. GSA rates will be used for lodging reimbursement; DOAV may approve up to 150 percent of the GSA lodging rate in areas where the contractors are unable to obtain GSA rates. For state-funded projects, DOAV will fund only architect and engineer (A/E) work authorizations prepared on a unit-priced-plus-a-fixed fee, not to exceed contract method unless it is deemed not appropriate to the project type. For state-funded projects, costs associated with assumption of risk are not eligible.

In the absence of state guidance on procurement, contract, task order and scope of work elements, including items, such as net fees, federal guidance may be used by DOAV.

For federally funded projects with a total estimated cost of at least $100,000, the independent fee estimate and record of negotiation will become part of the scope package when they have been completed. FAA Advisory Circular 150/5100-14 *Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects* provides information on the independent fee estimate process and examples of man-hour estimate and negotiation record documents.

When a sponsor is utilizing contractor services for a project, the contract between the sponsor and contractor must be valid when the scopes, plans and specifications, and reimbursement requests are submitted for review. A contract for professional services is considered valid if the sponsor signs a project task order before a contract expires and/or has been renewed in accordance with the *Virginia Public Procurement Act*.

8.4 Application Process

Sponsors will submit project requests for funding through Airport System Manager. Each project request entry must include a project description and estimated cost, listed by state- and local-funding sources. A sponsor's administrative costs are required to be included in the cost estimate. Eligible sponsor administrative costs include, but are not limited to, advertising for bids and project review by a locality. Sponsor staff time for administrative activities is not an eligible sponsor administrative cost.

The following supporting documentation must be submitted with the project request, as appropriate to the project type:

- scope of work;
- quote or bid;
- project schedule;
- sketch; and
- documentation of environmental finding as needed.

For project requests for eligible equipment, such as a dump truck, a project specification sheet should be provided in place of a sketch. A photo or vendor illustration should be provided with the specification sheet if the sheet does not include such.

Actual proposals must be presented when the scopes are submitted to DOAV for review and approval, including costs and man-hours for contractors. Should a contractor's costs and man-hours justifiably change after funding has been approved, sponsors can request an increase as described 8.7.2 Amendments and 8.7.3 Change Orders.

For a privately-owned, public-use airport, a sponsor must have a valid credit line deed of trust, as described in 4.2.1 Credit Line Deed of Trust, to be eligible to receive a grant agreement. The credit line deed of trust must be in place when a project request is submitted and must have a sufficient balance to cover all phases of the overall development objective.

When submitting the request, sponsors should provide as much justification and supporting information about their project as possible. Failure to provide adequate information will result in disapproval of a project request.

Project requests may be submitted at any time during the fiscal year, except for the 72-hour period after the due dates for Airport Capital Program submissions.

8.5 Evaluation and Selection Process

Upon receipt of a project request either for facility maintenance or maintenance equipment, DOAV will review the project request for project eligibility and completeness and will confirm the sponsor’s fiscal year balance to date. If the criteria are met and funds are available within the program, DOAV will approve

the project request. Goods ordered and services contracted for facility and equipment maintenance projects and maintenance equipment purchased prior to DOAV approval will not be eligible for reimbursement.

DOAV will notify sponsors of its decision. The notification will specify the amount of funding allocated to the project and identify the scope of work in which DOAV will participate.

8.6 Agreement Process

The agreement process for the Maintenance Program depends on whether the project is for facility maintenance; the purchase of equipment; or the maintenance of equipment.

8.6.1 Facility Maintenance Projects

After a facility maintenance project is approved, DOAV will issue an allocation to the sponsor. The purpose of an allocation is to award funding to a project request that, by its nature, does not need to follow the grant process. Such projects need to be implemented quickly or are smaller in nature.

After an allocation is offered for a project, DOAV will issue a written notification to the sponsor. The notification confirms the scope of work for the project, project number, and the state funding amount. This notification also provides the effective and expiration dates for the allocation. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* applies to allocations. The issuance of the written notification constitutes a notice to proceed, and a sponsor may begin work upon receipt of the notification.

8.6.2 Purchase of Maintenance Equipment

After the procurement of maintenance equipment is approved, DOAV will prepare a grant offer for the project. The purpose of a grant agreement, that when made effective becomes a contract between the sponsor and the Commonwealth of Virginia, is:

- to meet the requirements of *Virginia Administrative Code 24VAC5-20-330 Aviation facilities constructed in whole or in part with state funds*;
- to ensure that all parties are aware of their respective responsibilities; and
- to ensure that grant funds are properly controlled and returned if not required to complete a project.

Each grant agreement contains an offer and acceptance. The offer identifies the sponsor, airport, project name, and project number. It also states the specific terms and conditions for a project grant, including the amount of state participation; the amount of federal participation if applicable; grant term; and grant obligation term. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* is incorporated by reference in each grant offer. Grant offers are valid for 60 calendar days; the expiration date is stated in the offer.

When a sponsor accepts the grant offer and agrees to the terms and conditions contained in the grant offer, the sponsor must sign and date the acceptance portion of the grant agreement. The sponsor's attorney must sign the certification within the acceptance. A grant agreement becomes effective upon the completion of the acceptance portion of the grant agreement.

The grant agreement must be in effect before a sponsor may purchase equipment.

The grant obligation term for projects under the Maintenance Program varies, based on the type of maintenance equipment purchased. Examples of grant obligation terms include:

Type of Maintenance Equipment	Grant Obligation Term
• tractors • trucks	20 years
• mowers, large • sweepers • small utility vehicles • herbicide sprayers	10 years
• self-propelled mowers • snow blades	5 years

A sponsor is responsible for the upkeep of maintenance equipment funded through DOAV's Maintenance Program for the term specified in the grant agreement. If the equipment is sold or traded, the sponsor shall compensate DOAV in accordance with 8.10 Sale, Transfer, and Disposal of Property Acquired with State Resources.

8.6.3 Maintenance of Equipment

After an equipment maintenance project is approved, DOAV will issue an allocation to the sponsor. The purpose of an allocation is to award funding to a project request that, by its nature, does not need to follow the grant process. Such projects need to be implemented quickly or are smaller in nature.

After an allocation is offered for a project, DOAV will issue a written notification to the sponsor. The notification confirms the scope of work for the project, project number, and the state funding amount. This notification also provides the effective and expiration dates for the allocation. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* applies to allocations. The issuance of the written notification constitutes a notice to proceed, and a sponsor may begin work upon receipt of the notification. Grant agreements are not utilized for equipment maintenance projects.

8.7 Project Implementation

Once a notification is received for a facility maintenance project or maintenance of equipment project or a grant agreement has been executed by all parties, work may begin. Based on the type of project, DOAV may inspect a facility maintenance project as it progresses and/or when it is complete.

8.7.1 Design and Construction Standards

For federally funded projects, FAA standards and specifications shall be used in the design of airport infrastructure, including facilities and equipment, unless modifications are approved by FAA.

For state-funded projects, VDOT standards and specifications shall be used in the design of airport infrastructure, including facilities and equipment. FAA standards and specifications shall apply only when VDOT does not have a standard or specification for a portion of a project, unless modifications are approved by DOAV.

The state's minimum airport licensing standards for airports are provided in Appendix E Minimum Standards for Licensing, and the VDOT construction standards can be found online at www.virginiadot.org.

8.7.2 Amendments

When a sponsor becomes aware of conditions that will necessitate a change to an allocation or grant agreement, the sponsor should immediately submit an amendment request to DOAV. The approval of an allocation or grant amendment is not guaranteed; and all increases are contingent on the availability of funds. **All** allocation and **grant amendments must be approved by DOAV prior to the subject work being initiated.**

8.7.2.1 Projects Under Allocation

For a project for which an allocation was awarded, DOAV will issue a written notification of change when the request for the amendment is approved and funds are available for any requested change to the state funding amount. An allocation will not be increased in excess of 10 percent of the original allocations without prior written approval by DOAV.

8.7.2.2 Projects Under Grant Agreement

For a project for which a grant was issued, DOAV will prepare a grant amendment offer when the request for the amendment is approved and funds are available for any requested change to the amount of state participation.

The purpose of the grant amendment is to modify the terms and conditions of a grant agreement. At any time during the course of a project, the grant agreement between the sponsor and the Commonwealth of Virginia may be amended for justifiable cause, such as a change in the grant amount; a change in the scope of work; or an extension of the expiration date. The grant amendment becomes part of the contract between the sponsor and the Commonwealth of Virginia.

Each grant amendment contains an offer and acceptance. The offer identifies the sponsor, airport, project name, project number, and modifications to the grant agreement. Grant amendment offers are valid for 60 calendar days; the expiration date is stated in the offer. When a sponsor accepts the grant amendment offer, the sponsor must sign and date the acceptance portion of the grant amendment. A grant amendment becomes effective upon the completion of the acceptance portion of the grant amendment.

For a grant amendment request, the sponsor shall provide the following information in the format required by DOAV:

- project number and project name;
- current expiration date if time extension is part of the request;
- reason for the request; and
- plan of action and revised project schedule for completion of the project.

DOAV will review the amendment request. After acceptance of the request and confirmation of funding availability, DOAV will prepare a grant amendment offer.

8.7.3 Change Orders

As soon as the need for a change order is identified, the sponsor should coordinate the activities needed to address the issues with DOAV and FAA, as appropriate. Examples of these issues include changes in material quantities and field conditions. Once DOAV and FAA, as appropriate, provide written approval of a change order, work related to the change order may begin. The sponsor needs to make sure the proper supporting documents are prepared and submitted to DOAV and FAA, as appropriate. Eligible costs related to the change order cannot be reimbursed unless this supporting documentation is provided. DOAV will reimburse only those costs associated with change orders that have been approved by DOAV.

8.7.4 Reimbursement

For projects where an allocation was issued, services completed or goods ordered prior to the written notification of allocation approval will not be eligible for reimbursement. For projects where a grant agreement was issued, services completed or goods ordered prior to the execution of the grant agreement will not be eligible for reimbursement.

Requests for reimbursements shall be made in a timely manner. A sponsor may request reimbursement for partial payments based on the percentage of work completed or actual costs incurred. A reimbursement request for less than $1,000 shall not be submitted unless it is a final reimbursement request. Final or one-time reimbursement requests do not have a minimum dollar-amount limit. The requests must be made in the format required by DOAV. The reimbursement request must bear the sponsor's original signature and date to certify acceptance of the costs from contractors. The reimbursement request must be submitted with the required supporting documentation, such as a contractor invoice.

For the three approaches for funding eligible maintenance projects described in 8.1.1 Facility Maintenance Projects, the following supporting documentation is needed:

- When a private contractor is used, the sponsor shall provide DOAV with copies of paid invoices from the contractor to be reimbursed.
- When a sponsor uses its own employees, the sponsor must keep all statements and invoices for materials, equipment, and labor to forward to DOAV for reimbursement. Labor and equipment are to be charged to the project at a predetermined rate approved by DOAV.
- When a sponsor will seek reimbursement for materials only, copies of paid invoices for materials shall be sent to DOAV for reimbursement. The sponsor will not be required to keep and submit records for labor and equipment for project reimbursement.

DOAV will review the reimbursement request and supporting documentation for cost eligibility and completeness. DOAV reserves the right to require copies of invoices and expense details of any or all costs prior to approving reimbursement. It should be noted that reimbursement for Virginia sales tax is not eligible for any sponsor that is considered a political subdivision of the Commonwealth of Virginia.

If the submittal is acceptable, payment will be approved. If the submittal is incomplete or not acceptable, DOAV will contact the sponsor to discuss errors or omissions. If the sponsor does not respond within 10 business days to requests for information or supporting documents, DOAV will:

- consider the reimbursement request status as pending;
- send the sponsor written notification of such; and
- take no action until in receipt of outstanding information or documents.

If DOAV is not able to contact the sponsor within 10 business days, DOAV will return the reimbursement request to the sponsor with a written notice explaining outstanding issues.

For state-funded projects, DOAV will reimburse a sponsor up to 95 percent of a grant amount for projects deemed substantially complete. For federally funded projects, DOAV will reimburse a sponsor up to 97.5 percent of a grant amount for projects deemed substantially complete. After the receipt of acceptable deliverables or final acceptable deliverables or final acceptance of construction, DOAV will accept a reimbursement request for the remainder of a project's cost.

For a project for which a grant was issued, reimbursement requests will be accepted by DOAV during the grant term specified in the grant agreement or as modified under an amendment. For projects for which an allocation was awarded, reimbursement requests will be accepted by DOAV before the allocation expiration. Sponsors are encouraged to submit reimbursement requests as soon as they have all relevant cost figures and supporting documentation. The final reimbursement request for a project must be received by DOAV no later than the last day of the grant term or allocation expiration. The final reimbursement request will be processed as noted above. If DOAV returns the reimbursement request due to unresolved outstanding issues, DOAV will offer the sponsor an amendment for a 60-day extension on the grant term or allocation expiration. After the amendment becomes effective, the sponsor may resubmit the revised reimbursement request for processing.

Additional guidance on reimbursement payments includes:

- For federally funded construction projects, contractual work to be accomplished up to 30 business days in advance may be included in a reimbursement request. This may include costs for construction materials bonded and delivered to a job site.
- For federally funded projects, the final state request for reimbursement will be processed upon verification of the final FAA-approved project cost.

8.7.5 Project Close-out

A grant will be closed 30 calendar days after the final reimbursement request has been processed. If a grant has an outstanding balance, the balance will be returned to the Maintenance Program.

For projects placed under a grant, DOAV will provide close-out letters to sponsors on a quarterly basis. The written notification confirms that the project is complete and all payments have been made, unless an audit will be performed as described below. Final inspections will be required prior to project close-out for construction projects.

An audit may be conducted on a project. If an audit is conducted, the sponsor will receive written notification of the outcome and any adjustments that need to be made. For federally funded projects, DOAV accepts the audit conducted by the federal Office of the Inspector General.

8.8 Emergency Maintenance Request

If circumstances occur on a weekend or holiday where a delay in repairs will create an unsafe condition; result in an airport closure; or cause a significant loss of revenue; a sponsor may follow this procedure to qualify for DOAV reimbursement:

- determine if the repair is eligible, to the best of the sponsor's knowledge;
- follow the normal procurement procedure established by the local governing body;
- contact DOAV on the next business day to seek confirmation of eligibility and begin the approval process; and
- submit a project request through Airport System Manager.

DOAV does not guarantee it will approve reimbursement for these special circumstances. Approval is more likely if a sponsor follows the proper procedure.

DOAV encourages airport sponsors to keep a minimal stock of parts that have to be replaced regularly to avoid having to make purchases during such a circumstance. DOAV will participate in the purchase of a reasonable quantity of these items.

8.9 Utilization of Insurance Resources

Sponsors shall carry insurance on all airport facilities and equipment for which the state provided funding assistance for a period equal to the obligation term in the grant terms and conditions, unless DOAV agrees to a different term. The insurance coverage should provide for replacement value where available. If a sponsor is having issues obtaining insurance for the facilities or equipment, the sponsor should contact DOAV to discuss solutions. The reimbursement of insurance deductibles is not eligible for state funding.

8.10 Sale, Transfer, and Disposal of Property Acquired with State Resources

Sponsors may no longer need property originally acquired with state funds to meet their aeronautical and operating needs. Examples of this property are tractors and mowers. If a sponsor disposes of such property before the grant obligation term expires and receives a payment from the sale of the property, the sponsor must reimburse the state with a portion of the selling price within 60 calendar days after settlement. That portion will be prorated based on the remaining balance of the grant. If the grant obligation term has expired, the sponsor may sell, transfer, or dispose of the property without making any reimbursement to the state.

When a sponsor transfers property that was acquired with state funds to another Virginia airport that has a need and the sponsor receives compensation, the sponsor must provide DOAV with 50 percent of the value of the compensation within 30 calendar days of its receipt.

When a sponsor uses a piece of equipment as a trade-in towards the purchase of equipment, the credit given by the vendor must be applied to the state's share of the purchase. The percentage applied to the state's share must match the state's participation rate in the purchase of the original equipment.

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9.0 Aviation and Airport Promotion Program

The Aviation and Airport Promotion Program helps stimulate aeronautical activity and promote aviation across the state by raising awareness in the business and public sectors about the programs and services provided and the economic benefits generated by Virginia airports. The program provides funding to airport sponsors for the promotion of commercial aviation services and general aviation activities.

The Virginia Aviation Board has delegated the authority to review and approve funding requests for the Aviation and Airport Promotion Program to Virginia Department of Aviation (DOAV).

9.1 Project Eligibility

Promotion programs should feature public relations activities; advertising; educational activities; publications; and the development of business, strategic, marketing, and financial plans. Programs for general aviation airports cover a wide spectrum of projects based on the diverse needs of each community and an airport's target audience. Projects for air carrier airports can include airline visits; air service data subscriptions; consulting services; and marketing surveys. Projects must be approved in advance. A new project request can be submitted only after the final reimbursement request for a previous project has been received by DOAV. Sponsors should contact DOAV to discuss the eligibility of proposed projects not listed below.

9.1.1 Advertising and Promotion

Advertising and promotion projects and items eligible under the Aviation and Airport Promotion Program include, but are not limited to:

- air time on radio, television, and digital services;
- airport and aviation displays used for promotion;
- airport flight guides;
- annual reports;
- billboards, banners, print and digital media, and promotional signs for airport buildings and airport buildings and airport events;
- brochures, fliers, and other airport promotional items;
- newsletters, both in print and digital formats;
- on-line services including website design, hosting, and maintenance; and
- promotional videos.

The topics of eligible advertising and promotion projects are limited to the airport and its services. Projects shall not include advertising and/or promotion for the benefit of a single, privately-owned business, such as a fixed-based operator or airline. An example of this ineligible project is an advertisement for a flight provided by one airline if that airline is identified in print or by a photo. Identifiable photos include those where the name or logo of an airline or business is visible. A photo may be used if only a paint scheme is visible.

An airport website may list privately-owned businesses that are airport tenants and airlines that provide service to that airport as long as all businesses and airlines associated with the airport have equal listings.

9.1.2 Airport Promotion at Conventions

Projects and items eligible under the Aviation and Airport Promotion Program for the promotion of airports at conventions include, but are not limited to:

- attendance at conventions and trade shows, such as the NBAA Schedulers and Dispatch Conference, as an exhibitor to promote an airport;
- door prize for a convention or similar event where an airport is exhibiting, limited to one item up to a maximum purchase price of $200.00; and
- attendance at conferences that include airline meetings.

9.1.3 Aviation Education

Aviation education projects and items eligible under the Aviation and Airport Promotion Program include, but are not limited to:

- aviation educational activities; and
- educational supply acquisition.

9.1.4 Consultants, Subscriptions, and Data Collection for Air Carrier Airports

Projects and items eligible under the Aviation and Airport Promotion Program for consultants, subscriptions, and data collection for the air carrier airports include, but are not limited to:

- airline visits including presentation preparation; consultant services; travel and lodging for airport sponsor representatives; and administrative, legal, and incidental costs;
- training courses in air service development, marketing, and enhancement;
- consulting services;
- air service data subscriptions and/or memberships;
- component market research services, such as surveys and data analysis; and
- flight information display systems including data subscription, but not including monitors or other hardware.

9.1.5 Services or Goods Contracted for Special Events

Services or goods contracted for the public's use and benefit at special events, such as airport appreciation days, fly-ins, and air shows, that are eligible under the Aviation and Airport Promotion Program include, but are not limited to:

- promotional items;
- recognition certificates and awards for competitions, such as best antique aircraft, held to encourage static exhibitors and public attendance at airport events, given in lieu of compensation for participation;
- performer fees and expenses;
- event insurance;
- temporary security measures, such as snow fencing and security personnel;
- temporary infrastructure improvements, such as rental tents, tables, and audiovisual equipment;
- temporary parking areas and transportation to and from temporary parking areas, such as buses or shuttles;
- temporary event signage;
- temporary health and safety items, such as portable toilets and water stations;
- volunteer needs, such as T-shirts or hats used for identification purposes;
- attendance at International Council of Air Shows (ICAS) training in support of an airshow; and

- meetings specifically held for promotional activities, including administrative, legal, and incidental costs incurred.

9.1.6 Sponsorships

Sponsorships of community events that provide promotional benefits to an airport, with the provision that for benefit events requiring a purchased ticket, such as charity dinners, all profits must go to a 501(c)3 charity, are eligible under the Aviation and Airport Promotion Program.

9.1.7 Studies

Study projects and items eligible under the Aviation and Airport Promotion Program include, but are not limited to:

- strategic, business and financial plans that must include a description of the business, financial data, and supporting documents that verify up-to-date master and airport layout plans; and
- marketing plans.

9.1.8 Ineligible Projects

Ineligible projects and items for the Aviation and Airport Promotion Program include, but are not limited to:

- project that promotes privately-owned businesses by name;
- promotional, advertising, or marketing project that supports the operation of an airline, either directly or indirectly, such as promotion of an air service by using an air carrier's name or featuring photos of an identifiable carrier's aircraft in promotional or marketing campaigns;
- billboard or newspaper advertising services outside of the airport's service area;
- promotional item or activity that has the specific purpose of attracting business or passengers from another Virginia airport, including advertising or activities referencing the name, services, or economic advantages of one airport over a neighboring Virginia airport;
- attendance at air service conferences or events unless airline meetings are scheduled;
- directional sign to an airport or on airport property that is eligible under another funding program;
- purchase, lease purchase, or long-term lease of office equipment, presentation equipment, audio-visual equipment, vehicles, uniforms, or similar items;
- physical enhancement, beautification, decoration, or improvement of airport facilities;
- promotional item, service, or event that is not available to the public, such as a volunteer appreciation dinner held during a fly-in event;
- gifts, plaques, or similar recognition items for event volunteers, sponsors, or other specially recognized persons;
- expense related to the reimbursement of salaries paid to airport staff or the hiring of additional paid airport staff or fixed-base operator staff for an event;
- purchase of promotional items for resale, such as T-shirts;
- repairs or replacement of rented equipment;
- cash incentives or subsidies;
- planning, design, or construction of capital projects; and
- operational costs.

9.2 State Participation

Under the Aviation and Airport Promotion Program, the annual ceiling per airport on state financial participation for air carrier airports is $35,000, and the annual ceiling per airport on state financial participation for general aviation airports is $10,000. The state's maximum participation rate for air carrier airports is based on annual enplanements for the most recent calendar year, as shown in Table 4 Promotional Funding Levels for Air Carrier Airports. The state's maximum participation rate for a general aviation airport is determined by the number of based aircraft reported on the airport's annual based aircraft survey, as shown in Table 5 Promotional Funding Levels for Reliever and General Aviation Airports. After January 1, funding ceilings are removed for the remainder of the fiscal year.

Table 4
Promotional Funding Levels for Air Carrier Airports

Annual Enplanements	State Participation
≤ 25,000	67% of project cost up to $35,000
> 25,001	50% of project cost up to $35,000

Table 5
Promotional Funding Levels for Reliever and General Aviation Airports

Based Aircraft	State Participation
≤ 25	67% of project cost up to $10,000
> 25	50% of project cost up to $10,000

DOAV provides technical assistance to airport sponsors in the design of promotion program planning and submission of project requests.

9.3 Project Scoping

Every project needs some level of scoping for all parties involved in the project to have a clear understanding of what is to be accomplished by the project and how the project is to be undertaken. A scope of work shall be approved by the sponsor, and the sponsor shall submit the scope to DOAV along with confirmation of its approval.

During the scoping process, many issues should be considered, including, but not limited to:

- description of a project, including the audience for the distribution of a promotional brochure or, if the project involves planning an event, attending training or a conference, or holding an education program, the name, location, and date(s) of an event (using tentative information if that is all that is available);
- extent of state participation based on facility size, activity, and other considerations;
- participants needed to implement the project and their roles;
- coordination with federal, state, and local agencies for reviews and public meetings as needed;
- content and format of deliverables;
- schedule of tasks, reviews, submission of deliverables, and reimbursements;
- eligible costs, including sponsor administrative fees; and
- type of contract.

If the sponsor uses the services of contractors, then the contractors participating in projects must be appropriately licensed and/or certified.

DOAV encourages sponsors to hold scoping meetings for all projects to identify precise work tasks and estimated costs. Participants in the scoping meetings can include representatives from the sponsor, partnering organizations, local government representatives, DOAV, and the Federal Aviation Administration (FAA).

A project scope package should be prepared for approval by DOAV and include the following, as appropriate, for the project type:

- a narrative description of the tasks to be accomplished, with reference to the parties who will be handling the tasks;
- a description of the deliverables that specifies the format, quantities, and recipients for each deliverable;
- a schedule for the project by tasks or milestones, either by the number of days or months for the identified schedule components or by estimated dates;
- a detailed man-hour estimate by task and subtask as appropriate that is directly correlated to the narrative;
- a detailed estimate of costs, including reimbursable expenses, such as travel, printing, reproduction, and shipping, as well as a list of line items and costs for sponsor administrative fees;
- a copy of a proposal or quote containing the descriptions and estimates as noted above from all contractors who will be involved in the project; and
- a completed A/E Fee Proposal Worksheet.

Eligible project costs may include travel; per diem for meals while traveling; and lodging. The maximum reimbursable costs for travel and per diem will be based on U.S. General Services Administration (GSA) rates at the time of travel. GSA rates will be used for lodging reimbursement; DOAV may approve up to 150 percent of the GSA lodging rate in areas where the project participants are unable to obtain GSA rates. For state-funded projects, DOAV will fund only contractor authorizations prepared on a unit-priced-plus-a-fixed fee, not to exceed contract method unless it is deemed not appropriate to the project type. For state-funded projects, costs associated with assumption of risk are not eligible.

When a sponsor is utilizing contractor services for a project, the contract between the sponsor and contractor must be valid when the scopes, plans and specifications, and reimbursement requests are submitted for review. A contract for professional services is considered valid if the sponsor signs a project task order before a contract expires and/or has been renewed in accordance with the *Virginia Public Procurement Act*.

9.4 Application Process

Sponsors will submit project requests for funding through Airport System Manager. Each project request entry must include:

- project description, including the date of an event if the project involves an event; and
- estimated cost, entered by state- and local-funding sources along with the sponsor's administrative costs.

The following supporting documentation must be submitted with the project request:

- approved scope of work; and
- estimated budget, using the Aviation and Airport Promotion Program Project Estimate Budget form.

For a privately-owned, public-use airport, a sponsor must have a valid credit line deed of trust, as described in 4.2.1 Credit Line Deed of Trust, to be eligible to receive a grant agreement. The credit line deed of trust must be in place when a project request is submitted and must have a sufficient balance to cover all phases of a project.

Actual proposals must be presented when the scopes are submitted to DOAV for review and approval, including costs and man-hours for contractors. Should a contractor's costs and man-hours justifiably change after funding has been approved, sponsors can request an increase as described in 9.7.1 Amendments.

Project requests may be submitted at any time during the fiscal year, except for the 72-hour period after the due dates for Airport Capital Program submissions.

9.5 Evaluation and Selection Process

When a project request is received, DOAV will review it for completeness and compliance with eligibility criteria and the purpose of the program. If the criteria are met and funds are available within the program, the project request will be approved.

DOAV will notify sponsors of its decision. The notification will specify the amount of funding allocated to the project and identify the scope of work in which DOAV will participate.

9.6 Agreement Process

DOAV will prepare a grant offer for a promotion project after the request has been approved.

The purpose of a grant agreement, that when made effective becomes a contract between the sponsor and the Commonwealth of Virginia, is:

- to meet the requirements of *Virginia Administrative Code 24VAC5-20-330 Aviation facilities constructed in whole or in part with state funds*;
- to ensure that all parties are aware of their respective responsibilities; and
- to ensure that grant funds are properly controlled and returned if not required to complete a project.

Each grant agreement contains an offer and acceptance. The offer identifies the sponsor, airport, project, and project number. It also states the specific terms and conditions for a project grant, including the amount of state participation, grant term, and grant obligation term. The *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* is incorporated by reference in each grant offer. Grant offers are valid for 60 calendar days; the expiration date is stated in the offer.

When a sponsor accepts the grant offer and agrees to the terms and conditions contained in the grant offer, the sponsor must sign and date the acceptance portion of the grant agreement. The sponsor's attorney must sign the certification within the acceptance. A grant agreement becomes effective upon

the completion of the acceptance portion of the grant agreement. Eligible services and items procured from that date forward may be reimbursed.

The grant agreement must be in effect prior to the sponsor initiating any work or making any purchases.

The grant obligation term for projects under the Aviation and Airport Promotion Program varies, based on the grant amount:

Grant Amount	Grant Obligation Term
$10,001-$35,000	5 years
$10,00 or less	2 years

9.7 Project Implementation

DOAV will provide technical assistance for promotion projects. The department will also review and provide comments on project deliverables, such as brochures, videos, web sites, and event plans.

9.7.1 Amendments

When a sponsor becomes aware of conditions that will necessitate a change to a grant agreement, the sponsor should immediately submit a grant amendment request to DOAV. The approval of a grant amendment is not guaranteed, and all increases are contingent on the availability of funds. **All grant amendments must be approved by DOAV prior to the subject work being initiated.**

The purpose of the grant amendment is to modify the terms and conditions of a grant agreement. At any time during the course of a project, the grant agreement between the sponsor and the Commonwealth of Virginia may be amended for justifiable cause, such as a change in the grant amount; a change in the scope of work; or an extension of the expiration date. The grant amendment becomes part of the contract between the sponsor and the Commonwealth of Virginia.

Each grant amendment contains an offer and acceptance. The offer identifies the sponsor, airport, project name, project number, and modifications to the grant agreement. Grant amendment offers are valid for 60 calendar days; the expiration date is stated in the offer. When a sponsor accepts the grant amendment offer, the sponsor must sign and date the acceptance portion of the grant amendment. A grant amendment becomes effective upon the completion of the acceptance portion of the grant amendment.

For a grant amendment request, the sponsor shall provide the following information in the format required by DOAV:

- project number and project name;
- current expiration date if time extension is part of the request;
- reason for the request; and
- plan of action and revised project schedule for completion of the project.

For the Aviation and Airport Promotion Program, if part of the project was not originally included in the project request and resulting grant agreement, a sponsor must submit a grant amendment application form to add the change in scope of the project. If an event is involved in a change of scope, the dates of the event must be provided.

DOAV will review the amendment request. After acceptance of the request and confirmation of funding availability, DOAV will prepare a grant amendment offer.

9.7.2 Reimbursement

Requests for reimbursements shall be made in a timely manner. A sponsor may request reimbursement for partial payments based on the percentage of work completed or actual costs incurred. Final or one-time reimbursement requests do not have a minimum dollar-amount limit. The requests must be made in the format required by DOAV. The reimbursement request must bear the sponsor's original signature and date to certify acceptance of the costs from consultants from contractors and in-kind donations. The reimbursement request must be submitted with the required supporting documentation, such as a contractor invoice.

DOAV will review the reimbursement request and supporting documentation for cost eligibility and completeness. It should be noted that reimbursement for Virginia sales tax is not eligible for any sponsor that is considered a political subdivision of the Commonwealth of Virginia. DOAV reserves the right to require copies of invoices and expense details of any or all costs prior to approving reimbursement.

If the submittal is acceptable, payment will be approved. If the submittal is incomplete or not acceptable, DOAV will contact the sponsor to discuss errors or omissions. If the sponsor does not respond within 10 business days to requests for information or supporting documents, DOAV will:

- consider the reimbursement request status as pending;
- send the sponsor written notification of such; and
- take no action until in receipt of outstanding information or documents.

If DOAV is not able to contact the sponsor within 10 business days, DOAV will return the reimbursement request to the sponsor with a written notice explaining outstanding issues.

For state-funded projects, DOAV will reimburse a sponsor up to 95 percent of a grant amount for projects deemed substantially complete. After the receipt of acceptable deliverables or final acceptable deliverables, DOAV will accept a reimbursement request for the remainder of a project's cost.

Reimbursement requests will be accepted by DOAV during the grant term specified in the grant agreement or as modified under an amendment. Sponsors are encouraged to submit reimbursement requests as soon as they have all relevant cost figures and supporting documentation. The final reimbursement request for a project must be received by DOAV no later than the last day of the grant term. The final reimbursement request will be processed as noted above. If DOAV returns the reimbursement request due to unresolved outstanding issues, DOAV will offer the sponsor an amendment for a 60-day extension on the grant term. After the amendment becomes effective, the sponsor may resubmit the revised reimbursement request for processing.

Additional guidance on supporting documents for reimbursement payments includes:

- The descriptions on submitted invoices must clearly identify the invoices as supporting items or services approved for the grant.
- DOAV suggests highlighting the amount of payment on each invoice and/or including a summary of invoices submitted to help expedite the review process.

- For services and goods provided by a third party, the dated vendor, consultant or contractor invoices must clearly and specifically describe the specific service or purchased item provided. The invoice should be marked paid; show a zero balance; or have a cancelled check copy attached.
- If an item was printed in bulk, the sponsor should submit one copy of the printed item.
- If a poster or sign was printed, the sponsor should submit a copy of the design or a photograph of the item.
- If a print advertisement was placed, the sponsor should submit a copy of the design or the medium in which it was printed.
- If a radio advertisement was aired, the sponsor should submit a copy of the script, a digital recording, or the location of the advertisement on the radio station website.
- If a business, strategic, or finance plan or a marketing study was created, the sponsor should submit two copies of the printed item or a digital copy of the study.
- If an advertisement or promotional item was created for digital use, a link to or a copy of the item in PDF format must be submitted.

Supporting documents are subject to the Virginia Freedom of Information Act (FOIA). If a sponsor submits supporting documents or the descriptions to explain the documents that contain information it would not have to release under FOIA, the sponsor must provide DOAV a written notification identifying the basis for non-disclosure, including a specific reference to the provision in FOIA providing the exemption.

9.7.3 Project Close-out

A grant will be closed 30 calendar days after the final reimbursement request has been processed. If a grant has an outstanding balance, the balance will be returned to the Aviation and Airport Promotion Fund. Underruns in one project may not be administratively applied to another project.

DOAV will provide close-out letters to sponsors on a quarterly basis. The written notification confirms that the project is complete and all payments have been made, unless an audit will be performed as described below. Final inspections will be required prior to project close-out for construction projects.

An audit may be conducted on a project. If an audit is conducted, the sponsor will receive written notification of the outcome and any adjustments that need to be made.

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10.0 Virginia Airports Revolving Fund

The Virginia Resources Authority (VRA) partners with the Virginia Aviation Board (VAB) and the Virginia Department of Aviation (DOAV) to provide innovative financing resources to public-use, publicly-owned airports. Airport sponsors are encouraged to contact VRA at 804-644-3100 or www.virginiaresources.org for information about the Virginia Airports Revolving Fund (VARF) or other financing options available through VRA.

10.1 Virginia Airports Revolving Fund

The VARF makes below-market-rate loans to support the implementation of capital improvement plans at public-use, publicly-owned airports in the Commonwealth. The VAB and VRA approve loan applications. VAB determines project appropriateness; VRA approves loans based on financial capability and availability of funding.

Loans are available for eligible projects at governmental airports. Interest rates are reduced 0.50 percent below prevailing AA market rates. Loans are customized to match the airport and project needs, with 25 years from project completion being the maximum term available.

10.2 Project Eligibility

Eligible projects include:

- any airport-related capital project on an airport's approved layout plan, including revenue-producing projects;
- local matching share of projects eligible for funding through other federal and state sources; and
- debt refinancing.

Specific project examples include:

- hangars;
- terminal buildings;
- machinery and equipment;
- lands and rights-in-land;
- roadways;
- parking facilities;
- utilities; and
- fuel farms.

Eligible expenses include:

- administration;
- engineering, such as planning, design, and construction;
- legal and financing fees;
- construction costs;
- equipment;
- land; and
- cost of interim financing.

Funds may not be available for projects that are clearly speculative in nature or a readiness to proceed is not demonstrated.

10.3 Application Process

A request for loan funds should be submitted to DOAV and VRA using the *Virginia Airports Revolving Fund Application*. Both DOAV and VRA will work closely with airport sponsors to answer questions and ensure that applications are complete. Applications will be solicited annually; however, DOAV and VRA will accept application on a rolling basis in each fiscal year to the extent that funds are available. Applications are available at www.virginiaresources.org/airports.shtml.

10.4 Evaluation and Selection Process

DOAV will examine each loan application for completeness, eligibility, and consistency with the airport's planned development and notify the airport sponsor if an apparent problem exists. The notification allows the sponsor to adjust, correct, or withdraw the application. At the same time DOAV is reviewing an application, VRA is reviewing the application and will contact the airport sponsor if a problem is found or additional information is needed to complete the financial capability analysis.

DOAV submits its recommendations to the VAB. The recommendations are given to members of the VAB at least two weeks prior to a regular VAB meeting. The VAB will consider applications at its regularly scheduled meetings. As the VAB considers each loan request, it will ensure that each proposed project is eligible and is necessary for the overall development of the state air transportation system. Loan requests approved by the VAB are forwarded to VRA.

VRA will then complete the necessary due diligence and financial reviews. In the event that approved applications exceed available funding, VRA, in conjunction with DOAV, will prioritize such applications. Variables considered for prioritization are the availability of other funding options, economic impacts, criticality, and readiness to proceed. Additionally, loan applicants must demonstrate a sufficient loan repayment source and a satisfactory credit profile in the context of credit underwriting guidelines approved by VRA's Board of Directors and approved for use in underwriting VARF loans by the VAB.

10.5 Agreement Process

The financial aspects of the VARF are administered by VRA. VRA works with the airport sponsors and their bond counsel towards loan closing and provides sponsors with information on the process.

10.6 Project Implementation

Disbursements of funds and collection of loan payments are arranged through VRA. VRA will coordinate the transfer of funds related to the projects. DOAV may be involved in a project through its normal processes for reviewing and approving plans; conducting inspections; and providing technical assistance as needed.

11.0 General Aviation Airport Voluntary Security Certification Program

The General Aviation Airport Voluntary Security Certification Program assists general aviation airport sponsors improve security and prevent unlawful activity at airports. This assistance includes providing sponsors with education, resources, and technical assistance to evaluate potential security threats; develop security plans to meet their specific needs; and improve upon existing security practices. The goal of the program is to ensure that each airport achieves the appropriate level of security for its service role, physical characteristics, and operational characteristics without undue financial and administrative burdens being placed on sponsors. This program is restricted to sponsors of general aviation airports.

The General Aviation Airport Voluntary Security Certification Program is a voluntary program. To encourage participation, the program does not require any unfunded mandates and offers an easy-to-complete process for certification as a "Secure Virginia Airport". Sponsors of certified airports are eligible to receive funds for security improvements through the Voluntary Security Program. These sponsors also receive project bonus points within the Airport Capital Program project priority system.

The Virginia Aviation Board has assigned the Virginia Department of Aviation (DOAV) the responsibility of approving security audits and security plans.

11.1 Certification Process

For a general aviation airport to be certified as a "Secure Virginia Airport", an initial security audit must be conducted by an outside agency; and a security plan must be prepared. The security audit and plan need to be approved by DOAV. To maintain the secure airport status, a sponsor must have an independent agency conduct a security audit every three years and must continue conducting semi-annual self-audits. Sponsors will update their security plan based on the findings of the audits. An airport can lose its certification as a "Secure Virginia Airport" if the independent audits and self-audits are not conducted and documented accordingly. When an airport loses this certification, the airport sponsor is no longer eligible to apply for new security improvement projects under the Voluntary Security Program; and additional points cannot be received within the Airport Capital Program project priority system. An airport sponsor must satisfactorily complete the delinquent audits to regain the airport's certification.

11.1.1 Security Audits

The airport security audit will be the basis for determining the justification of requested security improvement projects. Airport sponsors should contact local law enforcement agencies; the Virginia State Police; or security specialists experienced with airport security to conduct an airport security audit. If possible, the individuals performing the audit should be familiar with operations at general aviation airports. The audit should address the entire boundary of the airport and issues found within the boundary. Issues associated with property beyond the airport boundaries may also be included in the audit. Security deficiencies and recommendations to mitigate these deficiencies must be identified in the audit. The independent audit should be performed every three years. A template for these security audits is available from DOAV.

DOAV may attend security audits. In addition, DOAV will review audit results and provide comments to sponsors. DOAV reserves the right to review and approve the qualifications of outside individuals conducting security audits.

11.1.2 Security Plans

The airport security plan should address the operational procedures of the airport as they relate to security. In addition to daily procedures, the plan should also include procedures to address special events and closures. Elements that are recommended to be included in the plan can be obtained from DOAV, along with a plan template. A copy of the security audit may be included in the security plan to provide a listing of recommended improvements.

DOAV recommends that a sponsor establish a process to periodically review and update the plan. Plans must be updated by an airport to address changes, such as land acquisition and the construction of a new terminal building or hangar. To assist with reviewing and updating security plans, sponsors may consider establishing an airport security committee or formalizing coordination with local and state law enforcement agencies.

Along with providing sponsors with templates for the development of airport security plans, DOAV will provide technical assistance during the planning process. DOAV reserves the right to review and approve the qualification of organizations preparing airport security plans.

DOAV will review and approve an airport security plan for certification. When reviewing security plans, it will take into consideration:

- the size and complexity of an airport;
- an airport's geographic location and topography;
- airport sponsorship;
- local financial support; and
- *VATSP* service role.

11.1.3 Semi-Annual Self-Audits

Security self-audits should be conducted every six months by the airport sponsor, using the formal checklist developed as part of the airport's security plan. Sponsors must certify that the security self-audits are completed in accordance with their airport security plan. Documentation and results of the security self-audits must be sent to DOAV to receive credit for completion.

11.2 Security Improvements

A variety of physical improvements can be made to increase the overall security of a general aviation airport. Examples of security improvements are provided in Table 6 Examples of Eligible Security Improvements. Airport sponsors will need to identify the most appropriate improvements for their airports based on the characteristics of the airport.

11.3 Project Priority System Points

Besides receiving the direct benefits resulting from security improvements, sponsors of certified airports receive 15 bonus points to be applied to any eligible capital project request. The points are included in the airport category within the Airport Capital Program project priority system, as shown in Appendix D Project Priority System Scoring Values.

To receive these 15 bonus points, an airport sponsor must satisfy the following elements to a degree that is based on the airport's service role, location, and physical constraints:

- security audits conducted every three years by an outside agency;
- security plan developed and updated by the sponsor or an outside agency and approved by DOAV; and
- security self-audits conducted semi-annually by the sponsor using an approved checklist.

It is the sponsor's responsibility to keep DOAV apprised of completed security improvements and to provide DOAV with documentation of semi-annual self-audits for the sponsor to receive the bonus points. The documentation must be provided to DOAV by the submission due date for capital project requests for the sponsor to receive the 15 bonus points.

If a sponsor fails to maintain the "Secure Virginia Airport" certification in accordance with this program, the sponsor will no longer receive bonus points for the priority scoring of capital project requests.

Table 6
Examples of Eligible Security Improvements

Improvements	Eligibility Details
terminal area fencing	Terminal area fencing prevents individuals from having easy access to the flight line and other airport facilities, such as hangars, fuel farms, and navigational aid equipment. This fencing is limited to the terminal area and needs to be depicted on an airport's airport layout plan. If economical, terminal area fencing should be connected to existing perimeter fencing. At a terminal building, the use of 500 feet of vinyl coated fencing is eligible.
perimeter fencing	Perimeter fencing controls access to airport property. Sponsors wanting to use such fencing need to prepare a fencing plan and depict the fencing on their approved airport layout plans.
electronically controlled entry gates	Electronically controlled entry gates control access to aprons and other airport facilities. To be eligible for state funding, a system must provide a means to regulate the distribution and collection of cards, passwords, or the like.
surveillance systems	External and internal surveillance systems monitor, record, and assist with control access to aprons and other airport facilities. The systems must provide a means to function in real time.
security signage	Security signage identifies restricted and limited access areas and helps control movement on the airport. Signs should be legible and illuminated when necessary. The number of signs and the content should correspond to the size and complexity of the airport. Security signs include: • parking signs • directional signs • informational signs • warning signs
security lighting	Security lighting provides additional outside lighting in highly traveled and vulnerable areas of an airport. A lighting plan must be prepared, depicting the location and type of lighting requested.
security barriers	Security barriers can be installed or berms can be constructed to protect: • fueling facilities • hazardous materials storage areas • electrical vaults • navaid equipment • airport access points on airport property

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12.0 Licensing of Public-Use Airports

Public-use airports are required to be licensed with the Virginia Department of Aviation (DOAV) under *Code of Virginia* §5.1-7 and *Virginia Administrative Code* 24VAC5-20-120 et seq. The licensure of an airport does not relieve the sponsor of any compliance responsibilities relating to any law, ordinance, or regulation of any local governmental body. The minimum requirements for licensure and the conditional license process are provided in Appendix E Minimum Requirements for Licensing.

Adequate liability insurance and compliance with state requirements are conditions for the licensing of public-use airports in accordance with *Code of Virginia* §5.1-88.7. The public-use license can be suspended or revoked for any airport for which adequate insurance is not maintained.

12.1 Public-Use Airport License

The public-use airport license identifies a facility that is open to the public on a nondiscriminatory basis; has sufficient financial responsibility to adequately protect public safety and investment; and is eligible to receive public financial support. A public-use airport license, valid for a 7-year period, is issued in two parts, with Part 1 being a formal certificate and Part 2 documenting compliance with runway safety requirements that are in accordance with *Code of Virginia* §5.1-7 and *24VAC5-20-140*.

A fee is charged to initiate, amend, or renew a license for a public-use airport. In accordance with *24VAC5-20-180*, the fee is $25. Licensing fees are placed in the Aviation Special Fund and must be used for aviation purposes.

12.1.1 License Application

Airport sponsors will need to apply for a public-use airport license for a new airport or a license amendment when a runway is added or extended. The completed application form will need to be submitted to DOAV with the following required documentation:

- a signed copy of the resolution of the airport's governing body or owner supporting or requesting a new airport, a new runway, or a runway extension;
- a copy of the airport's property map displaying the proposed airport, runway extension, or new runway, together with a copy of the most recently approved airport master plan or layout plan showing the proposal;
- a letter or other documentation that the proposed airport, new runway, or runway extension complies with local zoning ordinance and requirements;
- a completed copy of Federal Aviation Administration *Form 7480-1: Notice of Landing Area Proposal*;
- an environmental assessment report of analysis prepared pursuant to *Code of Virginia* §5.1-7 if applicable; and
- evidence of financial responsibility in the amounts specified in *Code of Virginia* §5.1-88.8.

12.1.2 License Renewal

DOAV will notify sponsors when their licenses need to be renewed. Renewed licenses are valid for seven years. A staggered schedule for renewals has been established so all renewals are not due at the same time. The renewal of amended licenses will be based on the schedule instead of the date of the amendment.

Sponsors need to complete a *Virginia Public-Use Airport License Renewal Form* and submit it to DOAV along with the license fee and a copy of the annual certification of financial responsibility. If a sponsor does not take action upon notification and the license is not renewed, the sponsor will not be eligible to receive any state funding for a new project.

When changes to an airport's physical infrastructure and approaches deviate from the previous issuance of a license, the license may not be renewed, or it could be revoked.

Appendix A: Airport Capital Program Eligible Projects

This appendix provides details on the most common types of eligible projects under the Airport Capital Program. Unless otherwise specified within the manual or federal regulations as appropriate, these projects are applicable for all airports in the *Virginia Air Transportation System Plan* (*VATSP*) and the state participation rate follows the description in 3.3 Utilization of State and Federal Funding Resources. Sponsors should contact DOAV regarding the eligibility of other projects.

Section	Type of Project
A.27	air traffic control towers
A.30	aircraft rescue and fire fighting building furniture
A.29	aircraft rescue and fire fighting buildings
A.28	aircraft rescue and fire fighting equipment
A.38	cargo area facilities
A.21	communication systems
A.37	debt service retirement
A.17	demolition of facilities
A.23	disadvantaged business enterprise plan
A.9	drainage projects
A.4	easement acquisition
A.15	emergency generators
A.6	engineering projects
A.2	environmental compliance projects
A.1	environmental studies
A.34	FAR Part 139 Airports - airport security facilities, systems, and equipment
A.33	FAR Part 139 Airports - facility and equipment projects
A.36	FAR Part 139 Airports - maintenance equipment purchases
A.35	FAR Part 139 Airports - maintenance of facilities
A.12	fueling systems for aircraft
A.25	fueling systems for airport operation vehicles at FAR Part 139 Airports
A.9	grading projects
A.3	land acquisition
A.5	land release
A.1	land-use studies
A.19	landscaping
A.20	landside entrance and directional signage
A.13	maintenance equipment storage buildings
A.2	mitigation projects
A.18	obstruction removal
A.26	pavement sensor systems
A.9	paving and pavement rehabilitation
A.1	planning studies
A.7	re-design or re-bidding of engineering projects
A.16	relocation of facilities
A.10	runways not supported by FAA
A.24	Safety Management System projects
A.8	sinkholes
A.11	site preparation for aircraft storage hangars
A.31	snow removal equipment
A.32	snow equipment removal buildings
A.22	sustainability initiatives
A.14	utility systems

A.1 Airport Planning, Environmental, and Land-Use Studies

Eligible airport planning, environmental, and land-use studies for the purpose of planning and investigating environmental impacts include, but are not limited to:

- airport master plans and updates;
- airport layout plans and updates;
- regional system planning studies;
- airport feasibility and site selection studies;
- terminal building conceptual studies;
- terminal area plans;
- airport property maps (Exhibit A) ;
- environmental assessments (EA);
- environmental impact statements (EIS);
- FAR Part 150 noise studies;
- FAR Part 106 architectural, archeological, and cultural resources surveys;
- land-use plans;
- airport access studies;
- drainage studies;
- storm water pollution prevention plans (SWPPP);
- spill prevention control and countermeasures plans (SPCC);
- oil discharge contingency plans (ODC);
- wildlife studies;
- non-operational wildlife mitigation measures; and
- benefit-cost analysis.

A.2 Environmental Compliance and Mitigation Projects

The construction of facilities, purchase of equipment, and participation in mitigation activities needed to comply with Virginia Department of Environmental Quality (DEQ) and Environmental Protection Agency (EPA) regulations, as well as Best Management Practices as determined as reasonable by DOAV, are eligible.

Eligible environmental projects include, but are not limited to:

- wash racks;
- oil and water separators;
- deicing fluid containment and treatment systems and equipment;
- silviculture;
- purchase of wetlands credits; and
- stream mitigation.

A.3 Land Acquisition

Land acquisition may be made by fee simple purchase or take the form of a donation, an exchange, or eminent domain (condemnation). In all cases, land must be acquired in accordance with the *Code of Virginia* and the federal *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

Land acquisition for the following safety areas and uses is eligible:

- approach, runway protection, and transitional surfaces in accordance with FAR Part 77 and *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing*;
- airport facilities;
- approach lighting systems;
- airport ground access to the nearest public highway; and
- environmental protection and mitigation.

For land acquisition to be eligible for Airport Capital Program funds:

- the land to be acquired must be shown on the approved airport layout plan as being required for aeronautical purposes, airport development, safety, and/or security purposes;
- the sponsor is required to obtain an appraisal;
- a review appraisal must be made to qualify the original appraisal; and
- just compensation and/or any relocation expenses must be paid to the property owner.

Reimbursable costs for land acquisition and land acquisition services include, but are not limited to:

- appraisal costs;
- costs for environmental due diligence audits;
- survey costs;
- negotiation costs;
- legal costs; and
- court costs and attorney fees in condemnation cases.

A privately-owned, public-use airport must be designated as a reliever airport in the *VATSP* and *NPIAS* to be eligible for state funding for land acquisition.

The purchase of land is not an eligible project for local service airports.

Land acquisition differs from other eligible items as land value will generally increase over time. For this reason, the assurances, which are part of the *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources*, apply in perpetuity.

The airport layout plan and property map must be updated after land acquisition is complete.

A.4 Easement Acquisition

Easement acquisition is typically used to protect approach and departure slopes to and from airports. The acquisition of easements must be acquired in accordance with the *Code of Virginia* and the federal *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

Easement acquisition for the following safety areas and uses is eligible:

- approach, runway protection, and transitional surfaces in accordance with FAR Part 77 and *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing*;
- approach lighting systems;
- obstruction removal; and
- responses to Part 150 noise studies.

For easement acquisition to be eligible for Airport Capital Program funds:

- the proposed easement must be shown on the approved airport layout plan and property map as being required for aeronautical purposes, airport development, safety, and/or security purposes;
- the sponsor is required to obtain an appraisal;
- a review appraisal must be made to qualify the original appraisal; and
- just compensation must be paid to the property owner.

Reimbursable costs for easement acquisition and easement acquisition services include, but are not limited to:

- appraisal costs;
- survey costs; and
- legal costs.

For local service airports, only the acquisition of easements needed to accommodate state minimum airport licensing standards as stated in *Code of Virginia* §5.1-7 and *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing* and non-precision approaches is eligible.

For easement acquisition, the assurances, which are part of the *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources*, apply in perpetuity.

The airport layout plan and property map must be updated after easement acquisition is complete.

A.5 Land Release

Land that had been acquired with state funds and is no longer required for aeronautical purposes or future airport development may be disposed in accordance with state and federal laws and regulations, as applicable. If a sponsor disposes of land acquired using state funds and the sponsor receives a payment from the disposal, the sponsor must reimburse the state with a percentage of the selling price. That percentage must match the state's participation rate in the grant agreement for the land acquisition.

Appraisal, environmental review, survey, and legal costs are eligible for reimbursement only when property is exchanged to support aeronautical requirements.

The airport layout plan and property map must be updated after land release is complete.

A.6 Engineering Projects

Eligible airport engineering projects include, but are not limited to:

- preliminary engineering:
  - land surveys,
  - geotechnical surveys;
- engineering design;
- obstruction analysis;
- construction; and
- pavement analysis.

Upon the completion of construction projects, airport documents, such as the airport layout plan drawing set and storm water pollution prevention plan, need to be updated as needed.

The preparation or conversion of drawings and documents to a GIS format is also eligible. The GIS format must be in accordance with DOAV-approved standards.

A.7 Re-design or Re-bidding of Engineering Projects

The re-design or re-bidding of engineering projects is eligible after the fact under these conditions:

- change in state and federal, if applicable, funding availability;
- change in design requirements from applicable agencies;
- original bids exceeding budget estimates; and
- no bids received or non-responsive bidders.

DOAV will reimburse only for the re-design or re-bid package that moves forward to construction.

The re-design or re-bidding of engineering projects is not eligible if a sponsor chooses not to move forward and none of conditions noted above exists.

When a sponsor becomes aware of the need to re-design or re-bid an engineering project, the sponsor needs to coordinate with DOAV and the Federal Aviation Administration (FAA), as appropriate, before proceeding with work activities.

A.8 Sinkholes

The repair of sinkholes on airport property that are not considered an immediate hazard is eligible under the Airport Capital Program.

The repair of a sinkhole that requires immediate action as it is a public safety or operational hazard is eligible under the Maintenance Program in accordance with 8.8 Emergency Maintenance Request. If the sponsor has reached the $100,000 fiscal year limit; the project would cause the sponsor to reach the limit; or funding is not available under the Maintenance Program, the emergency needs would be handled under the Airport Capital Program in accordance with 5.10.1 Emergency Request.

A.9 Grading, Paving, Pavement Rehabilitation, and Drainage

Grading, paving, pavement rehabilitation, and drainage projects that support public-use, non-revenue producing facilities located on airport property are eligible. Hangar site preparation is the exception to the non-revenue producing facility criteria, as noted in section A.11 Hangar Site Preparation.

Examples of eligible projects include, but are not limited to:

- runways;
- public-use taxiways and taxilanes;
- public aprons;
- public tie-down areas;
- aprons for clear-span hangars that will be owned and maintained by the sponsor;

- automobile parking for public-use that:
  - is not revenue producing,
  - does not exclusively support a revenue-producing facility,
  - does not provide reserved parking,
  - does not provide parking for airport employees;
- public-access roads on airport property as described in Appendix C Access Roads;
- airfield perimeter roads as described in Appendix C Access Roads;
- taxiways serving T-hangars;
- public-use taxiways serving industrial parks where:
  - industrial parks are established or proposed,
  - industrial parks are included in the local jurisdiction's approved comprehensive land-use plan,
  - the land on which the taxiway is to be constructed must be dedicated as airport property,
  - state funding participation cannot exceed a third of the eligible project's cost;
- pavement overlays and rehabilitation where a determination is made of a strength deficiency, an unsafe condition, or a requirement to preserve a facility which would otherwise develop into an unsafe or unusable public facility; and
- pavement grooving when justified.

A.10 Runways Not Supported by FAA

For general aviation airports, capital projects for runways not supported by FAA are ineligible for state participation. DOAV may participate in the maintenance and preservation of a runway that is not supported by FAA. This participation includes safety, preservation, maintenance, and obstruction removal projects under the Maintenance Program and the Facility and Equipment Program, as applicable. Runway rehabilitation or reconstruction is not considered preservation.

For air carrier airports, capital projects for runways not supported by FAA are eligible as entitlement-only projects if all airside needs are met for the primary runway.

A.11 Site Preparation for Aircraft Storage Hangars

Hangar site preparation is eligible as described below. Hangar site preparation includes:

- grading;
- drainage; and
- paving for public access and parking on both air and land sides.

Design and construction projects for hangar site preparation are eligible only if a sponsor has followed the appropriate laws regarding land use. If a hangar building is not started within the 36-month period after the site preparation construction is completed, the sponsor shall reimburse the state. A sponsor may request of the VAB two 12-month extensions to the 36-month period; the request must be supported by a plan detailing how hangar construction on the site will be accomplished.

DOAV must review the floor plan of the hangar. Site work will be guided by local building codes and subject to approval by DOAV.

Projects that are not eligible include:

- specialty items associated with identification and beautification, such as signage and shrubbery; and
- construction of a hangar building.

Hangars built on sites funded at least in part with CAF funding shall be used for aircraft storage only. This does not prohibit a private entity operating an aviation business from storing aircraft in the hangars. Hangars shall not be used as an area for non-aeronautical purposes. If, during the grant obligation term, the sponsor elects to convert aircraft storage space to some use other than aircraft storage, the sponsor must reimburse the state on a prorated share.

DOAV reserves the right to limit the number of auto parking spaces that will receive state funding participation. On average, the state funds 3 parking spaces per 1,000 square feet of hangar area.

If an airport sponsor chooses to use its federal non-primary entitlement funds to construct a hangar, the state will participate only in the hangar site preparation.

A.12 Fueling Systems for Aircraft

The removal of old aircraft fueling systems and the construction or installation of new systems are eligible as described below. A sponsor may receive up to $200,000 over a 25-year period to remove old systems and construct or install new systems. The 25-year period begins with the final reimbursement date for the first grant related to the fueling system at the airport.

For the removal of an old fueling system, the state's funding participation is 80 percent of all costs associated with the closure and removal of a system.

For the construction or installation of a new state-funded fueling system that will be owned by the sponsor, the state's funding participation in the total project cost is based on the total fuel flowage for the 12 months prior to the project request as follows:

Fuel Flowage (gals)	State Participation
≤ 75,000	67%
75,001 – 150,000	50%
>150,000	33%

For the construction or installation of a new federally funded fueling system that will be owned by the sponsor, the state's funding participation follows the prevailing rate for federally funded projects. If the state's share of a federally funded project would exceed the balance of the limit, the state's share will be reduced accordingly.

The prerequisites for this type of project are that:

- the new system will be owned by the sponsor; and
- the new system will comply with EPA requirements.

For the relocation of a fuel system due to airport development, the state's funding participation is 80 percent of all costs associated with the relocation. The relocation costs do not count against the dollar limit.

A.13 Maintenance Equipment Storage Buildings

For the design and construction costs of a basic storage building for the protection of airport maintenance equipment, the state's funding participation is 80 percent for up to 1,250 square feet of eligible building space and 50 percent for footage exceeding 1,250 square feet. The maximum eligible project cost shall not exceed $50 per square foot. Sponsors would be responsible for all costs exceeding $50 per square foot. DOAV will evaluate design plans to determine square footage needs and state participation.

Private areas, such as office space and restrooms, are not eligible for state participation. The costs for designing and constructing utility systems to service the storage building are not eligible for state funding.

If at any time during the 20 years of the grant term the sponsor elects to convert storage space to other uses, the sponsor must reimburse the state for the usage change at a prorated share.

Example: Determining the Public-Use Funding Percentage and Maximum State Funding

A new maintenance equipment storage building will have 4,000 total square feet.

To determine the public-use funding percentage for this building:

Step 1: Figure the square footage eligible for 80 percent state participation:

80 percent state participation X first 1,250 square feet of building area

0.80 x 1,250 square feet = 1,000 square feet

Step 2: Figure the square footage eligible for 50 percent state participation:

50 percent state participation X the remaining square feet of building area

0.50 x (4,000 square feet – 1,250 square feet) = 1,375 square feet

Step 3: Figure the total state participation percentage:

sum of eligible square feet ÷ total square feet

(1,000 + 1,375) / 4,000 = 59.375 = 59.4 %

To determine the maximum eligible state funding for this building:

maximum square-footage cost X total square feet X total state participation

$50 x 4,000 x 0.594 = $118,800

Note: The state funding will be based on the actual cost per square foot for design and construction but will not exceed $50 per square foot.

A.14 Utility Systems

The design and construction of utility systems that serve eligible public-use facilities within the contiguous airport property boundary are eligible for Airport Capital Program funding. These utilities include electricity, water, sewer, and communications. Utilities to private or revenue-producing areas, including hangars, are not eligible. The cost of utility systems serving both public spaces and private or revenue-producing areas will be prorated on the basis of the percentage of the public space to the total building area or facilities to be served by the utility. Utility systems serving facilities and equipment (F&E) systems will be funded in accordance with the Facilities and Equipment Program.

If any existing utility systems need to be relocated due to eligible project development, the relocation costs are eligible, even if the utility service is provided to private or revenue-producing areas.

A.15 Emergency Generators

For airports with ground-based navigational aids, emergency generators that provide auxiliary power for ground-based navigational aids, airside lighting, fuel farms, and terminal buildings are eligible. This eligibility includes the purchase and installation of the generator and the modifications to facilities to accept the generator. An analysis to determine generator size will be required and is eligible for funding. The state participation rate is 80 percent of the eligible project costs. Funding will be available from the Airport Capital Program or the Facilities and Equipment Program at DOAV's discretion.

State entitlement funds may be used for generators at air carrier airports. The provision of an emergency generator at ARFF and snow removal equipment buildings is eligible as an entitlement-only project.

Maintenance of generators, including scheduled and unscheduled service, is eligible through the Maintenance Program.

A.16 Relocation of Facilities

The relocation of a facility is eligible when a facility:

- creates an obstruction to navigable airspace in accordance with FAR Part 77, *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing*, or FAA *Advisory Circular 150/5300-13 Airport Design*;
- interferes with approved development;
- is or will be impacted by development; and
- is or will be used in a manner not consistent with airport operations or minimum standards.

A.17 Demolition of Facilities

The demolition of a facility is eligible when a facility:

- creates an obstruction to navigable airspace in accordance with FAR Part 77, *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing*, or FAA *Advisory Circular 150/5300-13 Airport Design*;
- interferes with approved development;

- is or will be impacted by development;
- is or will be used in a manner not consistent with airport operations or minimum standards; and
- has no aeronautical purpose.

For example, if a safety area is being expanded and a hangar sits within the expanded area, the demolition of the hangar is eligible as part of the safety area project.

The demolition of a public-use facility as a stand-alone project is eligible. An environmental due diligence audit must be completed prior to the award of a tentative allocation, if applicable. The sponsor is responsible for the mitigation of any environmental findings.

The demolition of a private-use or revenue-producing facility as a stand-alone project is not eligible.

A.18 Obstruction Removal

An obstruction removal project to bring an airport into compliance with FAR Part 77, *Virginia Administrative Code 24VAC5-20-140 Minimum requirements for licensing*, or FAA *Advisory Circular 150/5300-13 Airport Design* is eligible.

When federal funding will be used for an obstruction removal project, the state will participate at the prevailing rate for federally funded projects. When federal funding will not be used for an obstruction removal project, an airport sponsor needs to use the balance of the sponsor's fiscal year maintenance allocation up to $100,000 for the obstruction removal. If the cost of the project exceeds that balance, the sponsor will need to apply to the Virginia Aviation Board for Airport Capital Program funds for the state's participation in the remainder of the project. Obstruction removal projects will be considered as regular maintenance projects, and the state's participation rate will be 80 percent. These state rates apply regardless of the funding program utilized.

When the sponsor owns the property, DOAV will reimburse the sponsor one time to remove the trees. DOAV encourages the sponsor to clear and grub the area to a condition suitable for mowing.

When the sponsor's avigation easement or agreement permits only the topping of trees, DOAV will reimburse the sponsor to cut the trees on an as-needed basis in accordance with easements and agreements.

When the sponsor's avigation easement permits the sponsor to clear cut the trees to ground level, DOAV will reimburse the sponsor one time to cut the trees. DOAV encourages the sponsor to clear and grub the area to a condition suitable for mowing if the avigation easement so permits.

When the obstruction area cannot be routinely maintained due to environmental sensitivity; limited physical access; and restrictions on equipment and clearing allowed, DOAV may reimburse the sponsor to cut trees more than one time.

A.19 Landscaping

Landscaping as an element of a project, such as the construction of a terminal building or public-access road, is eligible. The state's funding participation will match that of the project unless otherwise specified during the scoping process.

Stand-alone landscaping projects are eligible as described below. The state's funding participation is 50 percent of eligible costs. A sponsor may receive up to $50,000 in state discretionary funds over a 10-year period for these landscaping projects. Sponsors of Part 139 airports may use state entitlement funds for landscaping, and the limit does not apply.

Eligible stand-alone landscaping items include, but are not limited to:

- landscaping plans prepared by qualified landscape architect or planner;
- landscaping required by environmental mitigation measures as described in section A.2 environmental compliance and mitigation projects;
- landscaping for erosion and drainage control;
- landscaping to existing facilities; and
- replacement of aging trees and plants, such as those planted at terminal building over 20 years ago.

Ineligible landscaping items include, but are not limited to:

- landscaping at entrances other than airport entrance signage as described in A.20 landside entrance and directional signage;
- installation, maintenance, or replacement of irrigation systems;
- landscaping to assist in noise control;
- replacement of vegetation lost to obstruction removal outside of silviculture activities;
- outdoor patios and terraces;
- containers for plants, trees, or other vegetation;
- landscaping in buildings, including plants, planters, and terraces; and
- utilities and specialized equipment to support the maintenance of landscaping.

A landscaping plan must be approved by DOAV before a sponsor is eligible to receive funding for stand-alone landscaping projects. Landscaping as an element of a project must be included in the design of the project. In addition, landscaping for a new terminal building must be included in the terminal building conceptual study. DOAV reserves the right to limit the scope and complexity of a landscaping project based on airport role, facility location, land area, topography, and road network.

Landscaping projects must comply with FAA *Advisory Circular 150/5200-33 Hazardous Wildlife Attractants On or Near Airports* and local zoning requirements. FAA assistance with technical and/or environmental issues, including wildlife habitat avoidance, will be requested as needed.

The maintenance and replacement of landscaping provided through a project funded by the state are considered operational costs and are not eligible under the Maintenance Program.

A.20 Landside Entrance and Directional Signage

Landside entrance and directional signage are eligible as described below. The state's funding participation is 80 percent of eligible costs. A sponsor may receive up to $80,000 of state discretionary funding over a 10-year period for signage projects. The limit applies to a combination of projects for the main airport entrance sign and directional signs, not to each type of signage project. Sponsors of Part 139 airports may use state entitlement funds for signage and the limit does not apply.

Eligible landside signage items include, but are not limited to:

- directional signage plans;
- airport entrance sign conceptual plan;
- signage to public-use areas within airport property;
- signage to private-use areas within airport property for which only general descriptions, such as "North General Aviation Area" or "Long-Term Parking", are provided; and
- directional signage, often referred to as "green directional signs", designed and installed in accordance with the *Manual on Uniform Traffic Control Devices* (*MUTCD*), administered by the Federal Highway Administration.

Ineligible landside signage include, but are not limited to:

- display of tenant names and logos; and
- modifications to signs due to the re-designation of airport area references or changes in tenants.

DOAV will determine the need for a sign conceptual plan for an entrance sign or directional signs based on the airport role; complexity of the roadway network; topography; airport activity; and unique local conditions. A required signage plan must be approved by DOAV before a sponsor is eligible to receive funding for signage projects. If only *MUTCD* directional signs are used, a signage plan is not required.

Signs must be on airport property, or the sponsor must have adequate interest in the property on which the signs are to be installed. The signs must be designed and installed in accordance with federal, state, and local requirements. For projects utilizing state discretionary funding, DOAV reserves the right to limit the scope and complexity of a signage project based on airport role, facility location, land area, topography, and road network.

If the sponsor wants to use an entrance or directional sign that provides space for tenant names and logos, DOAV will determine the state's funding participation rate based on the design of the overall sign.

A.21 Communication Systems

An airport's participation in a local or regional public safety communication system is eligible. Individual radios not associated with those systems, such as hand-held radios and individual Unicom radios, are not eligible.

A.22 Sustainability Initiatives

Stand-alone projects that support sustainability initiatives should be consistent with the *Virginia Airports Sustainability Management Plan*.

A.23 Disadvantaged Business Enterprise Plan

A Disadvantaged Business Enterprise (DBE) Plan is eligible as part of a federally funded project for which FAA has approved the DBE Plan scope.

A stand-alone DBE Plan is not eligible as a state-funded project as the DBE plan is a federal requirement.

A.24 Safety Management System Projects

The development of a Safety Management System plan as part of a federally funded project at obligated airports and safety risk management for individual projects at federally obligated airports as required by FAA will be eligible for state funding. These projects are to be undertaken in accordance with FAA guidance and implementation documents. For federally funded projects, the state's funding participation follows the prevailing rate for federally funded projects.

Stand-alone safety management system projects are not eligible.

A.25 Fueling Systems for Airport Operation Vehicles at FAR Part 139 Airports

At air carrier airports, the installation of fueling systems for airport operation vehicles and equipment, such as ARFF and snow removal equipment, is eligible for funding as part of the federally eligible design and construction of ARFF and snow removal equipment facilities. A stand-alone fueling system for airport operation vehicles is not eligible. Upgrades to and the maintenance of such systems are not eligible for state funding.

A.26 Pavement Sensor Systems

The installation or replacement of pavement sensor systems or sensors on runways is eligible at FAR Part 139 airports.

A.27 Air Traffic Control Towers

The eligibility of manned or remote air traffic control towers will be evaluated per request. Issues to be considered in the evaluation include, but are not limited to, the results of a required justification study, airport role, operations, and system needs. Project requests for an air traffic control tower must include information on areas allocated for control tower use and leased space.

A.28 Aircraft Rescue and Fire Fighting Equipment

Sponsors of FAR Part 139 airports may use Airport Capital Program funds to purchase aircraft rescue and fire fighting (ARFF) equipment related to compliance with FAR Part 139. If state entitlement funds are used for the purchase, the state funding participation will be 80 percent. If state discretionary funds are used for the purchase, the state participation rate will be 50 percent, unless state discretionary funds are used as the state participation for a federally funded project as described in 5.5 State Participation.

Eligible equipment includes, but is not limited to:

- ARFF trucks; and
- trailer to transport additional foam materials.

The purchase of large fire extinguishers, such as a 150-pound extinguisher for use on aircraft parking aprons at any public-use airport is eligible, for state funding. The supporting documents for a project request must include a narrative; a sketch with the locations for the extinguishers; and quotes with product specifications.

A.29 Aircraft Rescue and Fire Fighting Buildings

Airport Capital Program funds may be used for the construction of aircraft rescue and fire fighting (ARFF) buildings related to compliance with FAR Part 139. If state entitlement funds are used for the construction, the state funding participation will be 80 percent. If state discretionary funds are used for the construction, the state participation rate will be 50 percent, unless state discretionary funds are used as the state participation for a federally funded project as described in 5.5 State Participation.

The installation of airfield hydrant systems for recharging ARFF vehicles is an eligible project.

A.30 Aircraft Rescue and Fire Fighting Building Furniture

Sponsors of FAR Part 139 airports may purchase eligible furniture for an aircraft rescue and fire fighting building using state entitlement funds only.

Eligible furniture items include, but are not limited to:

- basic furniture, such as chairs and tables; and
- built-in furniture, such as bunk beds.

Ineligible furniture items include, but are not limited to:

- business and communications equipment, such as telephones and computers;
- entertainment amenities; and
- outside furniture.

A.31 Snow Removal Equipment

The purchase of equipment for snow removal and treatment is eligible for FAR Part 139 airports, in accordance with their approved snow removal equipment plans as they relate to meeting federal certification requirements of FAR Part 139. If state entitlement funds are used for the purchase, the state funding participation will be 80 percent. If state discretionary funds are used for the purchase, the state participation rate will be 50 percent, unless state discretionary funds are used as the state participation for a federally funded project as described in 5.5 State Participation.

Aircraft deicing equipment is not eligible for any state funding.

The purchase of certain equipment attachments for snow removal at airports without commercial service is eligible under the Maintenance Program.

A.32 Snow Removal Equipment Buildings

Airport Capital Program funds may be used for the construction of snow removal equipment (SRE) buildings at FAR Part 139 airports. If state entitlement funds are used for the construction, the state funding participation will be 80 percent. If state discretionary funds are used for the construction, the state participation rate will be 50 percent, unless state discretionary funds are used as the state participation for a federally funded project as described in 5.5 State Participation.

A.33 FAR Part 139 Airports - Facilities and Equipment Projects

Sponsors of FAR Part 139 airports may use state entitlement funds for all projects eligible under the Facilities and Equipment Program. The procurement and installation of ground-based navigational equipment require prior approval by DOAV.

If sponsors use state entitlement funds for facilities and equipment projects, the sponsor shall not be eligible to receive approval for any funding from the Facilities and Equipment Program during the fiscal year in which the state entitlement funds are spent. If it is determined that a sponsor used entitlement funds for eligible facilities and equipment and also used funds from the Facilities and Equipment Program for other eligible projects, the sponsor must repay the state for Facilities and Equipment Program funds reimbursed within that fiscal year.

A.34 FAR Part 139 Airports - Airport Security Facilities, Systems, and Equipment

For Part 139 airports, the construction of facilities and the purchase of systems and equipment that are directly related to meeting safety and performance standards established by Transportation Security Administration (TSA) regulations are eligible.

Eligible projects include, but are not limited to:

- security fencing and gates;
- access control systems;
- CCTV systems covering airside locations only;
- perimeter lighting;
- security checkpoints;
- terminal building modifications to provide for the screening of people and baggage; and
- fingerprinting and badging stations.

Public service operation vehicles, including police cars, are not eligible for state participation.

Projects related to facilities, systems, and equipment that exceed the minimum requirements of 49 CFR Part 1542 or that are necessary to support local law enforcement are not eligible.

A.35 FAR Part 139 Airports - Maintenance of Facilities

Sponsors of FAR Part 139 airports may use state entitlement funds for all projects eligible under the Maintenance Program.

Sponsors of FAR Part 139 airports may use state entitlement funds only to secure maintenance contracts and repairs related to systems and equipment; these projects will receive no project merit points when evaluated for project priority scoring as noted in 5.4.2 Entitlement-Only Projects. Eligible systems and equipment include, but are not limited to:

- elevators;
- escalators;
- security access systems;
- CCTV systems;
- terminal HVAC systems; and
- systems not generally maintained by airport personnel.

If sponsors use state entitlement funds for maintenance projects or contracts, the sponsor shall not be eligible to receive approval for any funding from the Maintenance Program during the fiscal year in which the state entitlement funds are spent. If it is determined that a sponsor used entitlement funds for eligible maintenance projects and also used funds from the Maintenance Program for other eligible projects, the sponsor must repay the state for Maintenance Program funds reimbursed within that fiscal year.

A.36 FAR Part 139 Airports - Maintenance Equipment Purchases

Sponsors of FAR Part 139 airports may use state entitlement funds to purchase maintenance equipment related to compliance with FAR Part 139 or to the safety and security of the airport. All of the equipment eligible under the Maintenance Program may be purchased with state entitlement funds. The dollar limits and associated time period, described in 8.2 State Participation and 8.2.2 Purchase of Maintenance Equipment, do not apply to this type of purchase. In addition, the state's participation rate is 80 percent for this type of purchase.

Other types of eligible maintenance equipment include, but are not limited to:

- crackseal equipment;
- embankment mowers;
- mobile and fixed lifts;
- bucket trucks;
- FOD collectors;
- runway sweepers; and
- airfield rubber and paint removal equipment.

If sponsors use state entitlement funds for the purchase of maintenance equipment, the sponsor shall not be eligible to receive approval for any funding from the Maintenance Program during the fiscal year in which the state entitlement funds are spent. If it is determined that a sponsor used entitlement funds for eligible maintenance projects and also used funds from the Maintenance Program for other eligible projects, the sponsor must repay the state for Maintenance Program funds reimbursed within that fiscal year.

A.37 Debt Service Retirement

Sponsors of FAR Part 139 airports may use state entitlement funds for debt service retirement for eligible costs for eligible capital improvement projects. State discretionary funds cannot be used for debt service retirement. The state's participation rate is based on the rate appropriate to the subject project.

An accounting of a sponsor's debt service amortization must be provided to DOAV as part of the annual EURP. The accounting needs to include:

- original amount;
- interest rate;
- original term; and
- balance.

If the subject debt has ever been refinanced, the same information for the reorganized debt must be provided. If the total debt amount includes ineligible items, the total amount for eligible items and the total amount for ineligible items must be provided.

A.38 Cargo Area Facilities

Eligible cargo area facilities include aprons, associated taxiways, and access roads supporting only the cargo areas. These facilities are eligible only if the sponsor has offered the opportunity for tenants to compete for the use of the facilities. Terminal buildings and site preparation are not eligible for state funding.

Sponsors of FAR Part 139 airports may develop eligible cargo facilities using state entitlement funds only. Sponsors of general aviation airports may use discretionary funds to develop eligible cargo facilities.

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Appendix B: Terminal Buildings

Terminal buildings provide a connection between airside and landside operations and, within the buildings, a variety of services is offered to users and visitors. The Virginia Department of Aviation (DOAV) participates in the planning, design, construction, and certain maintenance activities for terminal buildings. The state's participation in terminal building projects is based on the amount of public-use space provided inside a terminal building.

B.1 Public-Use Space

Public-use space is defined as terminal building space that:

- is used for public benefit and convenience; and
- does not produce revenue for the sponsor or any other public or private entity.

Common-use public areas that are directly related to the movement of passengers and baggage in air carrier terminal buildings are eligible for state funding. Non-revenue producing areas and joint-use space in terminal buildings are eligible for state funding.

Incidental use of public space for advertising public events; posting public notices; or housing vending machines for public convenience is allowed in public-use spaces. The costs associated with adapting a building to provide for these incidental uses are not eligible for state funding.

Private-use space is defined as terminal building space that:

- is used to produce revenue;
- is used for administrative activities; and
- is not accessible by the public.

Public-Use Space	Private-Use Space
• lobbies • flight planning areas • pilot lounges • conference room space as described in B.1.2 Conference Room Space • public restrooms • baggage claim delivery areas • associated automated baggage handling equipment • public-use corridors to boarding areas • loading bridges • passenger vehicles moving between or within terminal facilities exclusively within airside areas • central waiting areas • non-revenue producing baggage handling areas, such as areas used by TSA	• cleaning and laundry areas • public lockers and showers • pilot sleep rooms • restaurants • sponsor and management offices • fixed base operations • aircraft maintenance areas • rental car services • entertainment areas, such as game rooms • communication equipment, such as telephones and fax machines, in business and related centers

A sponsor may lease space for any public or private activity if the use does not interfere with aeronautical activities and complies with *Virginia Administrative Code 24VAC5-10* seq.; state grant assurances; and federal grant assurances, as applicable. Sponsors should follow the *Virginia Public Procurement Act* when leasing terminal building space.

If a sponsor converts public-use space into private-use or revenue-producing space during the grant obligation term specified in a grant agreement, the sponsor must reimburse the state for its share of the cost to build that space. That amount will be prorated based on the number of months remaining in the grant obligation term of the grant agreement. If private-use space is converted to public-use space, DOAV will not reimburse a sponsor for the change in space usage.

Public-use space in a terminal building shall not be leased or rented for revenue-producing purposes. Public-use space may be made available at a nominal fee for janitorial services.

B.1.1 Joint-Use Space

Some areas and equipment serve both public-use and private spaces. These include:

- circulation areas, including vestibule areas;
- storage areas for janitorial equipment used for accommodating public health and safety; and
- mechanical areas for heating, air conditioning, ventilation, and utility systems.

State participation in these joint-use spaces will be prorated based upon the ratio of eligible DOAV-funded public-use space to total building space minus the joint-use space.

B.1.2 Conference Room Space

State funding may be used in the construction of a conference room space within a terminal when the conference room space will be used for meetings with industrial and business prospects and meetings related to airport business. This space also may be made available at a nominal fee for meetings and conferences for groups or companies. The utilization of conference rooms for economic development efforts and activities should have priority over other uses.

For reliever and general aviation airports, the maximum square footage eligible for state funding participation is up to 15 percent of the building's public-use space not to exceed 750 square feet or 500 square feet if 15 percent of such space is less than 500 square feet. For air carrier airports, the square footage eligible for state funding participation is 750 square feet. Conference rooms for terminals at local service airports are not eligible for state participation.

B.1.3 Federal Inspection Facilities

The construction or improvement of federal inspection facilities, including baggage handing equipment, is eligible for state funding. Administrative office space and special purpose equipment are not eligible. Sponsors may not charge for the use of this space or related equipment.

B.1.4 Other Features

Fixed terminal facilities and equipment, including boarding devices required by 49 CFR 27, that provide access for people with disabilities are eligible if they are a part of the design of a new terminal or renovation and they are required by federal or state law.

Family restrooms and nursing rooms are eligible in terminal buildings.

B.1.5 State Participation

The state's participation in the design, construction, and maintenance activities for terminal buildings is based on the amount of public-use space provided inside a terminal building as follows:

- For new terminal buildings, the public-use space is based on the 20-year forecast of operations from the *Virginia Air Transportation System Plan* (*VATSP)* as described in B.2 Terminal Building Conceptual Study.
- For existing terminal buildings built with state funds, the public-use space is based on the public-use and private-use space indicated on the current floor plan as described in B.6 Terminal Building Operation and Maintenance and B.7 Terminal Building Renovation, Expansion, and Replacement.
- For existing terminal buildings not built with state funds, the public-use space is based on the **lesser** of the 20-year forecast of operations from the *VATSP* as described in B.2 Terminal Building Conceptual Study or the public-use and private-use space indicated on the current floor plan as described in B.6 Terminal Building Operation and Maintenance and B.7 Terminal Building Renovation, Expansion, and Replacement.

B.2 Terminal Building Conceptual Studies

Terminal building conceptual studies approved by DOAV are required for all airports, except local service airports, before design can begin for a new structure; a replacement structure; or an expansion of an existing structure. These studies need to include:

- detailed project description, including landscaping;
- justification for the proposed project;
- conceptual analysis;
- geometric design for a 40-year life cycle;
- justification for requested deviations from standards;
- construction cost analysis;
- project schedule;
- project cost; and
- project budget.

For reliever, regional, and community service general aviation airports, the studies must provide an analysis of the public and non-public use space based on DOAV's 20-year funding eligibility model to determine maximum funding eligibility. For general aviation terminal buildings at air carrier airports, only general aviation operations will be used for the model. A final determination made by such a study is the ratio of eligible DOAV-funded space to total building space. DOAV will provide the model calculation to a sponsor upon request. Federal Aviation Administration guidelines for terminal buildings should be used for air carrier airports.

DOAV will fund one terminal building conceptual study project that follows through to design and construction. DOAV will not participate in the cost for any changes to a previously approved study that has not resulted in a construction project.

B.3 Terminal Buildings for Local Service Airports

For local service airports, eligible terminal design and construction are limited to a maximum of 1,236 square feet of public-use, non-revenue producing space, with the state share limited to 90 percent of the total eligible project costs.

Example: Determining a Public-Use Funding Ratio and Square Footage

A new terminal building will have the following square footage:

- 5,000 total square footage
- 2,500 public-use space square footage
- 1,500 private-use space square footage
- 1,000 joint-use space square footage

To determine the public-use funding ratio for this terminal:

Step 1: Figure the terminal space that is not joint-use space:

total square footage – joint-use space square footage

5,000 – 1,000 = 4,000

Step 2: Figure the ratio of public-use space square footage to total square footage to determine the DOAV eligible percentage:

public-use space square footage ÷ total square footage

2,500 ÷ 4,000 = 0.625 or 62.5 percent

Step 3: Figure the portion of the joint-use space square footage that is considered as public-use space:

public-use ratio x joint-use space square footage

0.625 x 1,000 = 625

Step 4: Calculate the total square footage eligible for DOAV funding:

public-use space square footage + public-use share of joint-use space square footage

2,500 + 625 = 3,125

Step 5: Calculate the percentage of eligible for DOAV funding:

total square footage eligible for DOAV funding ÷ total square footage

3,125 ÷ 5,000 = 0.625 or 62.5 percent

A maximum square footage for local service airports has been determined for specific uses as follows:

Space Usage	Maximum Square Footage
passenger and pilot lobby	400
flight planning area	100
restrooms – men's	144
restrooms – women's	144
vending area	100
mechanical rooms	100
storage	100
circulation	148

If any dedicated space usage listed above is excluded from a terminal, the associated square footage is deducted from eligible state participation, and it may not be applied to another space usage. The usage listed above is recommended but not required.

B.4 Terminal Building Design and Construction

Terminal development for the purpose of accommodating passengers and cargo activities is eligible for state funding. The development can be a new structure; a replacement structure; or an expansion of an existing structure. The state's participation rate towards the cost of the design and construction of public-use, non-revenue producing areas is up to 100 percent, not to exceed 90 percent of the total project cost. The eligible costs include building design; building site preparation; and the extension of utilities for water, sewer, power, and communications to the building. A terminal building site is considered to be the area of a terminal building's foundation plus a nominal space five feet outside the perimeter of the building's foundation.

Approved terminal building conceptual studies are required for all airports, except those with a local service role, before design work can begin. Terminal buildings should be designed for a 40-year life cycle. DOAV has the authority to approve or reject any design, construction method, and materials proposed for a terminal. **All costs for a terminal building that exceed criteria approved by the department will be borne by the sponsor**.

As terminal projects usually involve eligible and ineligible items, the state's participation is prorated for eligible items. When prorating on a square footage basis, construction costs and costs for eligible items are prorated on the ratio of eligible square footage to the total usable square footage of the structure.

The following supporting documentation must be submitted with the project request:

- a project narrative that provides the justification for the terminal building;
- a terminal floor plan with area calculations, sized to 8 ½ x 11 inches and 250kb; and
- task order for consulting services.

B.5 Terminal Area Site Preparation

The area designated for improvements related to a terminal building, such as aircraft parking and auto parking, that is outside of the five-foot perimeter around a terminal building is considered to be the terminal area. Terminal area site preparation is eligible for state funding at a participation rate of 80 percent.

DOAV reserves the right to limit the number of auto parking spaces that will receive state funding participation, based on the public-use space in a terminal building. On average, the state funds 13.5 parking spaces per 1,000 square feet of public-use space. Only non-revenue, public-use auto parking is eligible as part of terminal area site preparation. This applies to new terminal buildings as well as terminal building renovation, expansion, and replacement.

B.6 Terminal Building Operation and Maintenance

By accepting state funding for a terminal building, a sponsor undertakes responsibility for the operation and maintenance of the terminal building. Sponsors are responsible for all operational costs and are expected to keep terminal buildings open during the hours published in the most current edition of the Federal Aviation Administration's Chart Supplement.

If the repair of a terminal building or the repair/replacement of a terminal building system involves insurable property, sponsors should refer to 5.13 Utilization of Insurance Resources.

B.6.1 Terminal Building Maintenance

The state's participation in the maintenance of a terminal building is based on the original public-use space ratio used for the construction of the building. If the amount of public-use space within a terminal building has changed, the public-use space ratio will be recalculated for the project evaluation process. If the maintenance will affect only public-use space, the state's participation rate will be 80 percent. If the maintenance will affect only private-use space, the state will not participate in the project. Terminal building maintenance will be funded through the Maintenance Program.

Eligible maintenance activities include, but are not limited to:

- exterior and interior painting;
- repairs to plumbing systems, electrical systems, and roofs;
- window replacement; and
- lighting repairs.

Ineligible maintenance activities include, but are not limited to:

- janitorial services;
- wallpapering;
- window treatments;
- lamp replacement; and
- exterior power washing.

B.6.2 Terminal Building System and Equipment Replacement

Terminal building systems and equipment eligible for replacement include, but are not limited to, carpeting, flooring, HVAC, ceiling tiles, roofs, elevators, escalators, lighting, flight information display systems, or public address systems.

The state's participation in the replacement of a terminal building system or equipment serving the entire building is based on the original public-use space ratio used for the construction of the building. If the amount of public-use space within a terminal building has changed or the replacement of a terminal building system will alter the amount of public-use space, the public-use space ratio will be recalculated for the project evaluation process. If the system or equipment serves only public-use space, the state's

participation rate is 80 percent of the total eligible cost of the project. If the system or equipment serves only private-use space, the state will not participate in the project. Terminal building system and equipment replacements will be funded under the Maintenance Program, and if those funds are not available, the project may be funded under the Airport Capital Program.

When a project request is for the replacement of a terminal building system, DOAV may request a detailed professional analysis of the current system or will physically inspect the site to determine eligible improvements. DOAV will review and approve plans and specifications.

B.7 Terminal Building Renovation, Expansion, and Replacement

Changes in operational needs, the physical condition of a building, and other factors can create the need for the renovation, expansion, or replacement of a terminal building. The 40-year life cycle noted in B.4 Terminal Building Design and Construction should be followed for terminal building renovation, expansion, and replacement.

B.7.1 Terminal Building Renovation

Renovations to a terminal building are architectural or cosmetic changes made within the existing footprint of the building. These changes may include new carpeting, lighting, wall treatments, furniture, sound proofing, interior structural change, and features to improve access under the Americans with Disabilities Act (ADA).

The state's participation in the renovation of an entire terminal building is based on the original public-use space ratio used for the construction of the building. If the amount of public-use space within a terminal building has changed or the renovation will alter the amount of public-use space, the public-use space ratio will be recalculated for the project evaluation process. If the renovation will affect only public-use space, the state's participation rate is 80 percent of the total eligible cost of the project. If the renovation will affect only private-use space, the state will not participate in the project. Terminal building renovations will be funded through the Airport Capital Program.

When a project request is for the renovation of a terminal building, DOAV must first inspect the current condition of the building to determine necessary improvements. Based on the scope of the project, a terminal building conceptual study addressing the renovation may be required. DOAV will review and approve plans and specifications.

B.7.2 Terminal Building Expansion

An expansion of a terminal building will create a change in the existing footprint of the building. A terminal building conceptual study will be required for an expansion.

The state's participation in the expansion of a terminal building is based on the public-use space ratio of the expanded space only. Terminal building expansions will be funded through the Airport Capital Program. DOAV will review and approve plans and specifications.

B.7.3 Terminal Building Renovation and Expansion

When a sponsor wishes to undertake a project that involves the simultaneous renovation and expansion of a terminal building, a terminal building conceptual study will be required. This study must include the estimated cost of the renovation and the estimated cost of the expansion as separate cost schedules. The square footage of each portion of the project must also be included. During the bid process, the actual cost of the renovation and the actual cost of the expansion must be provided as separate cost schedules.

B.7.4 Terminal Building Replacement

The age or physical condition of a terminal building; inadequate capacity; or lack of space for expansion could necessitate the replacement of a terminal building. The state's participation rate towards the cost of the design and construction of public-use, non-revenue producing areas for a terminal building replacement is up to 100 percent. The state's participation shall not exceed 90 percent of the total project cost.

A terminal building conceptual study specifying why a replacement facility is needed will be required for a terminal building replacement. DOAV will fund one such study project that follows through to the design and construction of a replacement terminal.

B.8 General Aviation Terminal Building Security Systems

Security systems for new and existing general aviation terminal buildings will be funded through the Voluntary Security Program at the participation rate of 90 percent. A sponsor shall coordinate the inclusion of security systems in the design of a new terminal building at the earliest phase possible. Security systems for existing terminal buildings should be included in airport security plans to be eligible for funding.

B.9 Terminal Building Furniture

The purchase of furnishings for the public-use portions of terminal buildings is eligible. Eligible furnishings include seating for waiting areas, conference rooms, and pilot lounges.

Ineligible furniture items include, but are not limited to:

- trash cans;
- window treatments;
- artwork;
- plants;
- business and communications equipment:
  - telephones,
  - fax machines;
- entertainment amenities:
  - WiFi,
  - stereos,
  - CD players,
  - radios,
  - televisions,
  - display cabinets; and
- outside furniture:
  - benches,
  - rocking chairs,
  - lounge chairs, and
  - stackable non-permanent chairs.

The state will participate in the purchase of public-use furniture for any public-use space that the state originally funded at 100 percent, which excludes joint-use areas as defined in B.1.1 Joint-Use Space. For air carrier terminal buildings, the state's participation is 80 percent of a maximum of $30,000 per 1,000 square feet of public-use space. For general aviation terminal buildings, the state's participation is 80 percent of a maximum of $9,000 per 1,000 square feet of public-use space. The department reserves the right to limit the state's participation in the purchase of furniture based on the number of pieces of furniture, style, material requested, and other considerations. The department also reserves the right to limit the state's participation in the purchase of replacement furniture based on the age and condition of existing furniture.

The following supporting documentation must be submitted with the project request:

- a project narrative that provides the justification for the furniture purchase;
- a furniture layout plan shown on a terminal building floor plan, sized to 8 ½ x 11 inches; and
- three itemized quotes for comparable furniture or an itemized quote from a state contract.

B.10 Emergency Medical Equipment

Automatic external defibrillator (AED) devices are eligible for funding based on local codes and reasonable and necessary requirements as determined by DOAV. The state's funding participation is 80 percent. The replacement of batteries in a device purchased using state funds is eligible under the Maintenance Program with the state's funding participation rate of 80 percent.

B.11 Terminal Buildings for Multimodal Service

Multimodal terminal buildings offer mobility for passengers and baggage between two or more modes of transportation that are operating on a scheduled basis under a franchise or similar authority granted by a federal, state, or local agency. These buildings are supported by connecting route networks that extend beyond the local service area. State funds may be used to develop a multimodal, public-use terminal located within the boundaries of an airport, and this usage is subject to the prerequisites and cost participation of regular terminal buildings. Only the portions of the building directly related to aviation use are eligible.

B.12 Terminal Building Status Change

When the intended use of a terminal building changes or ceases, DOAV will assist with the maintenance of the public-use space at the current participation rate for the first 12 months after the use changes or ceases. After the initial 12 months, the entirety of the facility will not be eligible for maintenance assistance from the state.

If at any time after the use of a terminal building changes or ceases and space usage changes from public-use to private-use, the sponsor will reimburse state as described in B.1 Public-Use Space.

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Appendix C: Access Roads

Access roads provide critical links between public-use airport facilities and the public roadway network serving the surrounding area. Public access roads on airport property provide access to public areas on an airport.

Funding sources for access roads vary based on the location of the roads. The design and construction of access roads built for public-use within airport property boundaries are eligible for federal capital improvement funding and state funding through the Airport Capital Program. As an eligible access road must serve exclusively airport traffic, only the portion of the access road that is beyond a non-airport access point is eligible for funding. An access road cannot be prorated. Access roads to support general aviation activities must be justified to be eligible. Justification considerations include, but are not limited to, the type and amount of development to be served by the access road.

An access road to an airport that is not located within airport property boundaries is eligible for funding under the Virginia Department of Transportation's (VDOT) Airport Access Program. These access roads are not eligible for federal or state aviation funding.

If an access road is eligible for federal funding, federal funding must be maximized before a sponsor applies for a state project. VDOT funding for access roads must be maximized before a sponsor seeks funding from the Virginia Department of Aviation for these roads when applicable. VDOT funds are considered part of state funding when calculating the funding participation ratios when federal, state, and local agency funds will be used to finance the road.

C.1 VDOT Airport Access Program

To assist in the development or improvement of access to licensed public-use airports, VDOT established the Airport Access Program.

This program is open to counties, cities, and certain towns, so airport sponsors must apply to this program through their local governing body.

Under the Airport Access Program, eligible projects are the design and construction of:

- new access roads constructed outside of the airport property for a new airport or a new facility being constructed on airport property, such as an air cargo apron or building; and
- upgrades to an existing access road outside of the airport property, which may include roadway widening and adding turn lanes as project elements but not the primary objective of the project request.

Eligible items within a project are those items necessary for the design and construction of an adequate roadway facility to serve traffic generated by the airport’s operation.

Under the program, a locality may receive up to $500,000 in unmatched VDOT funds and up to an additional $150,000 in matching VDOT funds at a dollar for dollar match for an access road project. This funding formula for a project results in $650,000 in funds from VDOT and $150,000 from local resources for a total of $800,000. The locality shall be responsible for:

- providing the matching share from sources other than those administered by VDOT;
- providing clear title to the right-of-way prescribed by VDOT;
- incurring the cost for utility adjustments;
- incurring the cost for environmental studies; and
- incurring the cost for project-related permits.

Department of Aviation (DOAV) funds may be used to assist with securing right of way; utility relocation; and environmental studies.

Airport sponsors should contact VDOT for detailed information on the program. VDOT's Local Assistance Division administers this program. That division's website, www.virginiadot.org/business/local-assistance.asp, provides program and contact information.

C.2 Perimeter Roads

A perimeter road provides restricted access within an airport's airfield. These perimeter roads are used by airport, DOAV, Federal Aviation Administration staff, and authorized users to conduct business activities, such as security checks and maintenance work, on an airport. Airport Capital Program funds may be used to design and construct perimeter roads.

C.3 Maintenance of Access and Perimeter Roads

State funding may be used to maintain portions of access and perimeter roads for which state aviation funding was used for road design and construction. The state participation rate for access and perimeter road maintenance follows the rate structure described in 8.2.1 Facility Maintenance Projects. The maintenance and replacement of landscaping provided through a project funded by the state are considered operational costs and are not eligible under the Maintenance Program.

When a project request is for the maintenance of an access or perimeter road constructed without state aviation funding, DOAV must inspect the road prior determining necessary improvements and eligibility.

Appendix D: Project Priority System Scoring Values

Project Category: Project Merit

Safety

obstruction removal requiring the displacement of the runway threshold and relocation of runway lighting	55
obstruction removal to meet FAA Part 152 RPZ, FAR Part 77 imaginary surface requirements, and VAR 3-3	52
repair of runway lighting system which is not functional	50
runway friction surface, grooving or other action directly related to safety; correction of runway failures severe enough to be obvious safety problem	48
miscellaneous TSA 1542 security requirements and ARFF vehicles/equipment required at air carriers; minimum safety equipment at general aviation airports	46
special lighting above normal lighting package due to safety hazards	45
runway safety area	44
safety condition identified by professional evaluation or accident statistics	43
AWOS, rotating beacon, segmented circle, navigational aids/visual aids	42

Capacity Increases

landing area improvements to handle operation capacity problems, such as additional taxiways and parallel runways	20
landing area improvements for larger critical aircraft, such as runway lengthening and strengthening; primary runway for new airport	19
taxiway construction or strengthening; primary taxiway for new airport	18
apron expansion for number of aircraft capacity reasons; apron for new airport	17
apron expansion or strengthening because of critical aircraft considerations	16
taxiway to new apron or apron construction to open new area of airport; T-hangar taxiways and T-hangar site preparation	15
auto access road capacity increase (additional lanes or to new area of airport)	14
auto parking	13
terminal	12

Preservation of Existing System

primary runway	40
taxiway serving primary runway	39
secondary runway	38
taxiway serving secondary runway	37
apron	36
auto access road	35
terminal	34
auto parking	33
other eligible facilities	32

Upgrades to Standards

primary runway	30
primary taxiway	29
apron	28
secondary runway	27
secondary taxiway	26
perimeter fencing	25
auto access road	24
terminal	23
auto parking	22
other eligible items	21
landside signage	20

Planning

master plans, ALPs, and site selection (includes updates)	40
regional system plans	30
airport feasibility and management plans	29
terminal area and building plans	27
air service and air cargo plans	25
multimodal plans	19
other special plans (economic, F&E, airspace and Part 77, zoning and land-use, etc.)	15

Land / Easement Acquisition

land / easement acquisition for obstruction removal	50
land / easement acquisition for RPZs	40
land / easement acquisition for operational capacity problems	27
land / easement acquisition for noise control or noise control required project	25
land acquisition for new airport	20
land / easement acquisition for future expansion	15

Environmental

environmental assessments and impact statements	40
wetlands delineation and mitigation	35
washrack and detention basin	30
FAR Part 150 studies	25
historical and archeological, Section 106 studies	23
SWPPP, SPCC, ODC, etc. (includes updates)	20
landscaping	20
bird - landfill proximity studies	15
other special studies (flood-plain analysis, endangered species, etc.)	10
other environmental facilities	8

Maintenance Equipment / Fueling System

emergency generators	30
underground storage tank closure	30
tractor	15
snow blade unit	14
mower unit	13
sprayer unit	12
new fuel system	10
upgrade of fuel system	8
other facilities	6

Project priority points for debt service projects are based on the project type for which the debt was incurred.

Project Category: Situational Considerations

Special Project Considerations

phased project construction or design completed	50
mandated by federal or state law	25
VAB policy	10

Economic Development Potential

yes	10
no	0

Discretionary Considerations

local funding participation exceeding minimum requirement	*

*One point is assigned for each percent exceeding the minimum requirement.

Federal Funding Availability

existing FAA tentative allocation or ACIP within 1 year	20
not applicable to this project	0

Project Retains or Attracts Commercial Service

yes	10
no	0

Airport Category

Airport Operational Conditions

Minimum Standards

minimum safety standards have been established	25
project will assist in meeting minimum standards	10
minimum safety standards have not been met	0

Airport Safety Zoning

yes	10
no	0

Airport Maintenance

satisfactory	0
insufficient maintenance	-10

Service Role *

designated reliever airport	10
air carrier airport	0
regional general aviation airport	0
community general aviation airport	0
local general aviation airport	0

*Service role points will be adjusted during the second half of a fiscal year when discretionary funds are combined.

Secure Virginia Airport Certification

meets three certification elements	15

IT Security Training Certification

meets certification element	15

Airport Activity Category

Based Aircraft

100+	25
50 to 99	20
20 to 49	15
11 to 19	10
0 to 10	5

Operations

25,001+	25
7,501 to 25,000	20
2,001 to 7,500	15
0 to 2,000	10

Enplanements

500,000+	25
250,000 to 499,999	20
50,000 to 249,999	15
1,000 to 49,999	10
0 to 999	0

Appendix E: Minimum Requirements for Licensing

Code of Virginia §5.1-7 sets the requirement that an airport must meet minimum requirements to receive and maintain a license. These minimum requirements are specified in *Virginia Administrative Code 24VAC5-20-140 Minimum requirements of licensing* as follows:

Standard Airport License

- an effective runway length of at least 2,000 feet for each direction of operation;
- minimum runway width of 50 feet;
- minimum runway safety area length equal to the length of the runway plus 100 feet at each end of the runway;
- minimum runway safety area width of 120 feet centered on the runway centerline ;
- minimum unobstructed approach surface of 15:1 horizontal to vertical slope at each end of the runway;
- approach surface that is centered along the runway centerline and that begins at the threshold at a width of 250 feet; expands uniformly for a distance of 2,250 feet to a width of 700 feet; and continues at the width of 700 feet for a distance of 2,750 feet;
- minimum unobstructed runway object free area length equal to the length of the runway;
- minimum unobstructed runway object free area width of 250 feet centered on the runway centerline; and
- displaced threshold, if an approach surface to either physical end of the runway is obstructed and the obstacle cannot be removed, that shall be located down the runway at the point where the obstruction clearance plane intersects the runway centerline.

Day/VFR Use Only Airport License

- an effective runway length of at least 2,000 feet for each direction of operation;
- minimum runway width of 50 feet;
- minimum runway safety area length equal to the length of the runway plus 100 feet at each end of the runway;
- minimum runway safety area width of 120 feet centered on the runway centerline;
- minimum unobstructed approach surface of 15:1 horizontal to vertical slope at each end of the runway; and
- approach surface that is centered along the runway centerline and that begins at the threshold at a width of 120 feet; expands uniformly for a distance of 500 feet to a width of 300 feet; and continues at the width of 300 feet for a distance of 2,500 feet.

Heliport License

- minimum standard dimensions as provided in the FAA Advisory Circular 150/5390-2B *Heliport Design*, effective September 30, 2004.

Seaplane Base License

- minimum standard dimensions as provided in the FAA Advisory Circular 150/5395 *Seaplane Bases*, effective June 29, 1994.

Other requirements

- In addition to the investigation required for safety provisions as outlined in *Code of Virginia* §5.1-7, a detailed consideration of the economic, social, and environmental effects of the airport location shall be conducted for applications for new and modified licenses. These considerations shall include one or more public hearings as required to assure consistency with the goals and objectives of planning as has been carried out by the community.
- Proof of financial responsibility prescribed in Chapter 8.2 (§ 5.1-88.7 et seq.) of Title 5.1 of the *Code of Virginia* must be furnished at the time of application of license; and this financial responsibility thereafter must be maintained.

E.1 Conditional Licenses

Airports may not always meet the minimum requirements as specified in *Virginia Administrative Code 24VAC5-20-140 Minimum requirements of licensing*. *Virginia Administrative Code 24VAC5-20-275 Conditional licenses* provides a process for addressing such situations.

If at any time an airport does not meet all of the minimum requirements for licensing, the Virginia Department of Aviation (DOAV) will issue a conditional use license for a period of 180 days. Conditional licenses shall specify the requirements with which the airport is not in compliance. Upon receipt of notification of nonconformance, the airport sponsor shall issue the appropriate Notice to Airmen (NOTAM) for the noncompliant conditions in accordance with 24VAC5-20-140. The NOTAM shall remain in place until the noncompliant condition is resolved.

Within 60 days of notification of nonconformance, the airport sponsor must submit a written mitigation plan to the DOAV that includes, but is not limited to, means of resolving noncompliant conditions; a schedule for the performance of the mitigation; and, if applicable, the cost to the Commonwealth. The airport sponsor or designee must present the mitigation plan to the Virginia Aviation Board (VAB) at the meeting specified in the notification of nonconformance. In response to the presentation, the VAB will recommend at least one of the following to the DOAV:

- extend the conditional use license for a specified time period;
- issue a "Day/VFR Use Only License";
- issue a waiver in accordance with 24VAC5-20-145; and
- revoke the public-use license in accordance with 24VAC5-20-280.

Failure by the airport sponsor or designee to submit a written mitigation plan or failure to present the plan to the VAB will result in at least one of the actions above being implemented.

At any time an airport sponsor may request the DOAV to reclassify its license. Upon reclassification of a license, the airport sponsor shall issue an appropriate NOTAM for a minimum period of 180 days.

Appendix F: State Participation Rates

The following table summarizes the state's maximum participation rates in state-funded projects for general project types. The rates apply only to eligible project costs.

General Project Type	State Participation Rate for State Discretionary and Aviation Special Funds	Manual Reference	State Participation Rate for State Entitlement Funds	Manual Reference
planning studies and projects	80%	5.5 State Participation	80%	5.5 State Participation
environmental studies and projects	80%	5.5 State Participation	80%	5.5 State Participation
land acquisitions and services	80%	5.5 State Participation	80%	5.5 State Participation
engineering projects	80%	5.5 State Participation	80%	5.5 State Participation
design and construction of airside facilities	80%	5.5 State Participation	80%	5.5 State Participation
design and construction of landside facilities	80%	5.5 State Participation	80%	5.5 State Participation
fueling systems with annual flowage of ≤ 75,000 gallons	67% up to $200,000	A.12 Fueling Systems for Aircraft	67% up to $200,000	A.12 Fueling Systems for Aircraft
fueling systems with annual flowage of 75,001 to 150,000 gallons	50% up to $200,000	A.12 Fueling Systems for Aircraft	50% up to $200,000	A.12 Fueling Systems for Aircraft
fueling systems with annual flowage of >150,000 gallons	33% up to $200,000	A.12 Fueling Systems for Aircraft	33% up to $200,000	A.12 Fueling Systems for Aircraft
maintenance equipment storage buildings	80% up to 1,250 square feet plus 50% of remaining eligible square feet*not to exceed $50 per square foot	A.13 Maintenance Equipment Storage Buildings	80% up to 1,250 square feet plus 50% of remaining eligible square feet*	A.13 Maintenance Equipment Storage Buildings
terminal building conceptual studies	80%	5.5 State Participation	80%	5.5 State Participation
terminal buildings	based on public-use space	B.4 Terminal Building Design and Construction	based on public-use space	B.4 Terminal Building Design and Construction
terminal area site preparation	80%	B.5 Terminal Area Site Preparation	80%	B.5 Terminal Area Site Preparation
terminal building maintenance: public-use and private-use spaces	based on public-use space	B.6.1 Terminal Building Maintenance	based on public-use space	B.6.1 Terminal Building Maintenance
terminal building maintenance: public-use space only	80%	B.6.1 Terminal Building Maintenance	80%	B.6.1 Terminal Building Maintenance
terminal building renovation	based on public-use space	B.7.1 Terminal Building Renovation	based on public-use space	B. 7.1 Terminal Building Renovation
terminal building renovation: public-use space only	80%	B. 7.1 Terminal Building Renovation	80%	B. 7.1 Terminal Building Renovation

General Project Type	State Participation Rate for State Discretionary and Aviation Special Funds	Manual Reference	State Participation Rate for State Entitlement Funds	Manual Reference
terminal building expansion	based on public-use space ratio of expanded space	B.7.2 Terminal Building Expansion	based on public-use space ratio of expanded space	B. 7.2 Terminal Building Expansion
terminal building security	90%	B.8 General Aviation Terminal Building Security Systems	not applicable	not applicable
terminal building furniture for air carrier airports	80% of maximum $30,000 per 1,000 square feet of public-use space	B.9 Terminal Building Furniture	80% of maximum $30,000 per 1,000 square feet of public-use space	B. 9 Terminal Building Furniture
terminal building furniture for general aviation airports	80% of maximum $9,000 per 1,000 square feet of public-use space	B.9 Terminal Building Furniture	not applicable	not applicable
access roads	80%	5.5 State Participation	80%	5.5 State Participation
perimeter roads	80%	5.5 State Participation	80%	5.5 State Participation
DOAV-owned F&E systems	100% of DOAV responsibilities	6.2.1 DOAV-Owned and Maintained Systems	100% of DOAV responsibilities	6.2.1 DOAV-Owned and Maintained Systems
sponsor-owned F&E systems	80% of sponsor responsibilities	6.2.2 Sponsor-Owned and Maintained Systems	80% of sponsor responsibilities	6.2.2 Sponsor-Owned and Maintained Systems
sponsor-owned F&E systems: AWOS installation or upgrade	95%	6.2.2 Sponsor-Owned and Maintained Systems	95%	6.2.2 Sponsor-Owned and Maintained Systems
VSP security audits and security plans	100%	7.2 State Participation	not applicable	not applicable
VSP projects	90%	7.2 State Participation	not applicable	not applicable
facility maintenance project	80%	8.2.1 Facility Maintenance Projects	80%	8.2.1 Facility Maintenance Projects
maintenance of sponsor-owned AWOS equipment	95%	8.2 State Participation	95%	8.2 State Participation
obstruction removal	80%	8.2.1.1 Obstruction Removal	80%	8.2.1.1 Obstruction Removal
purchase of maintenance equipment	50% up to $50,000 over a 5-year period	8.2.2 Purchase of Maintenance Equipment	80%	8.2.2 Purchase of Maintenance Equipment
maintenance of equipment	50%	8.2.3 Maintenance of Equipment	50%	8.2.3 Maintenance of Equipment
maintenance contracts and repairs related to systems and equipment for FAR Part 139 airports	not applicable	not applicable	80%	8.2.5 Utilization of State Entitlement Funds
ARFF equipment for FAR Part 139 airports	50%	A.28 Aircraft Rescue and Fire Fighting Equipment	80%	A.28 Aircraft Rescue and Fire Fighting Equipment
150-pound fire extinguishers for apron	80%	5.5 State Participation	80%	5.5 State Participation
ARFF buildings for FAR Part 139 airports	50%	A.29 Aircraft Rescue and Fire Fighting Buildings	80%	A.29 Aircraft Rescue and Fire Fighting Buildings

General Project Type	State Participation Rate for State Discretionary and Aviation Special Funds	Manual Reference	State Participation Rate for State Entitlement Funds	Manual Reference
snow and ice removal equipment for FAR Part 139 airports	50%	A.31 Snow Removal Equipment	80%	A.31 Snow Removal Equipment
snow and ice removal equipment for reliever and general aviation airports	50%	8.2.2 Purchase of Maintenance Equipment	not applicable	not applicable
debt service retirement	not applicable	not applicable	varies	A.37 Debt Service Retirement
promotion projects for air carrier airports with ≤ 25,000 annual enplanements	67% up to $35,000	9.2 State Participation	not applicable	not applicable
promotion projects for air carrier airports with >25,000 annual enplanements	50% up to $35,000	9.2 State Participation	not applicable	not applicable
promotion projects for reliever and general aviation airports with ≤ 25 based aircraft	67% up to $10,000	9.2 State Participation	not applicable	not applicable
promotion projects for reliever and general aviation airports with >25 based aircraft	50% up to $10,000	9.2 State Participation	not applicable	not applicable

For federally funded projects for which state discretionary funds will be used, the state's participation rate is 80 percent of the non-federal share of eligible project costs.

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Appendix G: Airport Classification Roles

The *Virginia Air Transportation System Plan* (*VATSP*) identifies five state classifications of airports based in part on function and primary economic role. The service role and recommended facility attributes from the *VATSP* are summarized below. Additional information on airport classification roles is available in the *VATSP*.

Commercial Service (also referred to as Air Carrier)	provides scheduled air carrier and/or commuter service for surrounding communities with domestic and, in some cases, international destinations; recommended to meet a minimum of Federal Aviation Administration (FAA) Category C design criteria; providing a precision instrument approach if feasible from technical and financial perspectives
Reliever	located near or in larger metropolitan areas with the intent to reduce congestion at a commercial service airport, providing comparable general aviation facilities and services typically found at a commercial service airport; recommended to meet a minimum of FAA Category C design criteria to accommodate the full range of general aviation aircraft; providing a precision instrument approach if feasible from technical and financial perspectives
General Aviation – Regional	serves a large market area and accommodates general aviation activity by offering a full range of services and facilities including jet fuel, full-service fixed based operators, hangars, and a general aviation terminal building; recommended to meet a minimum of FAA Category C design criteria when feasible; providing instrument approach capabilities including a precision instrument approach if feasible from technical and financial perspectives and justified by the level of operations
General Aviation – Community	provides general aviation facilities and services to a smaller market segment than a General Aviation Regional Airport, with services including fuel sales, aircraft rental, and pilot training; recommended to meet a minimum of FAA Category B design criteria when feasible; providing a non-precision instrument approach if feasible from technical and financial perspectives and justified by the level of operations
Local Service	provides limited facilities, often facing constraints for expansion capability; recommended to meet FAA Category A or B design criteria

FAA's *National Plan of Integrated Airport Systems* (*NPIAS*) identifies airports that are significant to national air transportation. The plan utilizes three basic airport service levels.

Commercial Service	provides scheduled passenger service and having 2,500 or more enplaned passengers per year; classified as primary (large, medium, or small hub or non-hub primary) or non-primary
Reliever Airport	provides attractive alternative to using congested commercial service airports and provides general aviation access to the surrounding area
General Aviation Airport	provides general aviation services while maintaining a minimum number of based aircraft and being located at least 20 miles from the nearest *NPIAS* airport

The following listing provides the *VATSP* and *NPIAS* roles for airports in Virginia.

Airports	*VATSP* Service Role	*NPIAS* Role
Accomack County	General Aviation - Regional	General Aviation
Allen C. Perkinson Municipal	General Aviation - Community	non- *NPIAS*
Blue Ridge Regional	General Aviation - Regional	General Aviation
Bridgewater Air Park	Local Service	non- *NPIAS*
Brookneal-Campbell County	General Aviation - Community	General Aviation
Brunswick County Municipal	Local Service	non- *NPIAS*
Charlottesville-Albemarle	Air Carrier	Commercial Service - Primary
Chase City Municipal	Local Service	non- *NPIAS*
Chesapeake Regional	Reliever	General Aviation
Crewe Municipal	Local Service	non- *NPIAS*
Culpeper Regional	General Aviation - Regional	General Aviation
Danville Regional	General Aviation - Regional	General Aviation
Dinwiddie County	General Aviation - Regional	General Aviation
Eagles Nest	Local Service	non- *NPIAS*
Emporia-Greensville Regional	General Aviation - Regional	General Aviation
Falwell	Local Service	non- *NPIAS*
Farmville Regional	General Aviation - Regional	General Aviation
Franklin Municipal	General Aviation - Community	General Aviation
Front Royal-Warren County	General Aviation - Community	General Aviation
Gordonsville Municipal	Local Service	non- *NPIAS*
Grundy Municipal	Local Service	General Aviation
Hampton Roads Executive	Reliever	Reliever
Hanover County Municipal	Reliever	General Aviation
Hummel Field	Local Service	non- *NPIAS*
Ingalls Field	General Aviation - Regional	General Aviation
Lake Anna	Local Service	non- *NPIAS*
Lake Country Regional	General Aviation - Community	non- *NPIAS*
Lee County	General Aviation - Community	General Aviation
Leesburg Executive	Reliever	Reliever
Lonesome Pine	General Aviation - Regional	General Aviation
Louisa County	General Aviation - Regional	General Aviation
Lunenburg County	Local Service	non- *NPIAS*
Luray Caverns	General Aviation - Community	General Aviation
Lynchburg Regional	Air Carrier	Commercial Service - Primary
Manassas Regional	Reliever	Reliever
Mecklenburg-Brunswick Regional	General Aviation - Regional	General Aviation
Middle Peninsula Regional	General Aviation - Regional	General Aviation
Mountain Empire	General Aviation - Regional	General Aviation
New Kent County	General Aviation - Community	General Aviation
New London	Local Service	non- *NPIAS*
New Market	Local Service	non- *NPIAS*
New River Valley	General Aviation - Regional	General Aviation
Newport News-Williamsburg International	Air Carrier	Commercial Service - Primary
Norfolk International	Air Carrier	Commercial Service - Primary
Orange County	General Aviation - Community	General Aviation
Richmond Executive Chesterfield County	Reliever	Reliever
Richmond International	Air Carrier	Commercial Service - Primary
Roanoke - Blacksburg Regional	Air Carrier	Commercial Service - Primary
Shannon	General Aviation - Community	non- *NPIAS*

Airports	*VATSP* Service Role	*NPIAS* Role
Shenandoah Valley Regional	Air Carrier	Commercial Service - Non-Primary
Smith Mountain Lake	Local Service	non- *NPIAS*
Stafford Regional	Reliever	Reliever
Suffolk Executive	General Aviation - Regional	General Aviation
Tangier Island	General Aviation - Community	General Aviation
Tappahannock-Essex County	General Aviation - Community	General Aviation
Tazewell County	General Aviation - Regional	General Aviation
Twin County	General Aviation - Community	General Aviation
Virginia Highlands	General Aviation - Regional	General Aviation
Virginia Tech-Montgomery Executive	General Aviation - Regional	General Aviation
Wakefield Municipal	General Aviation - Community	non- *NPIAS*
Warrenton-Fauquier	Reliever	Reliever
Washington Dulles International	Air Carrier	Commercial Service - Primary
Washington National	Air Carrier	Commercial Service - Primary
William M. Tuck	General Aviation - Regional	General Aviation
Williamsburg-Jamestown	General Aviation - Community	non- *NPIAS*
Winchester Regional	General Aviation - Regional	General Aviation

The current classifications for commercial service airports as primary (large, medium, or small hub or non-hub primary) or non-primary can be found on FAA's website, www.faa.gov.

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Appendix H: Basic Airport Unit

The Virginia Aviation Board passed a resolution on December 15, 2004, that defined the facilities that comprise the Basic Airport Unit in Virginia. The elements of the Basic Airport Unit are:

- runway;
- airport lighting system;
- visual navigational aids;
- stub taxiway;
- aircraft parking apron;
- terminal facility;
- automobile parking;
- airport access road; and
- fuel facility.

This resolution also included a definition of a terminal facility. A suitable terminal facility will make provisions for:

- adequate shelter from inclement weather;
- electric lighting; and
- accessible public telephone and restroom facilities.

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