June 14, 2016

PROVISIONAL BOND ALLOCATION APPROVAL LETTER

Mr. Morteza Farajian, Ph.D.
Program Manager
Virginia Office of Public-Private Partnerships
600 E. Main Street
Richmond, VA 23219

Dear Mr. Farajian:

Thank you for your January 14, 2016, application for an allocation of private activity bond authority for the Transform 66-Outside the Beltway project (the Project).

The purpose of this letter is to inform you that the U.S. Department of Transportation (USDOT) has reviewed the application and applicable statutory and regulatory requirements, and is provisionally allocating up to $946 million of private activity bond authority to the Virginia Small Business Financing Authority, as requested in your application. The bond authority is allocated for the Project described in that application with the conditions listed below.

First, a final bond counsel tax and validity opinion must be issued at the time of the closing of the bond issue in substantially the form that you provided with the application.

Second, the bonds must be issued by October 1, 2017. If the bonds have not been issued by that date, this provisional allocation automatically expires and the $946 million of private activity bond authority allocated for the Project will be available for reallocation to other eligible applicants. If this provisional allocation expires, you may resubmit an application and it will be reviewed without preference or priority being given as a result of its prior submission.

Third, any amount of unused bond allocation following an initial bond issuance will automatically return to USDOT’s remaining aggregate amount of private activity bonds, and thus be available for other eligible applicants.

Last, this provisional allocation of private activity bond authority for the Project will have no impact on any future USDOT decision on an application for any USDOT financial assistance for this Project under USDOT programs, including any determination regarding project eligibility or project cost size and funding sources for any USDOT credit program. Any application for USDOT financial assistance for this Project will be evaluated under the governing statutes and regulations of that specific USDOT program.
The USDOT appreciates your interest in the private activity bond program and we look forward to the successful financing and delivery of your project. For additional information or questions, please contact Paul Baumer in the Office of Infrastructure Finance and Innovation at (202) 366-1092.

Sincerely yours,

Carlos Monje, Jr.
Acting Under Secretary

cc: Assistant Secretary for Budget & Programs, Office of the Secretary
General Counsel, Office of the Secretary
Administrator, Federal Highway Administration