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Agency of Transportation

TO: Members, House and Senate Committees on Transportation, Joint Fiscal, and Joint Transportation Oversight Committees

FROM: Joe Flynn, Secretary of Transportation
Susanne R. Young, Secretary of Administration

DATE: July 23, 2020

SUBJECT: Report of Additional Agency Spending; Redirection pursuant to Section 3(c) of Act No. 121 of 2020

E-SIGNED by Joe Flynn
on 2020-07-23 14:45:26 GMT

The following authority is established by Sec. 3 of Act No. 121 of 2020 which states:

Sec. 3. AGENCY SPENDING; AUTHORITY TO REDIRECT; REPORT

(a) Notwithstanding Sec. 1 of this act; 2019 Acts and Resolves No. 59, Sec. 1; 19 V.S.A. § 10g(n); and 32 V.S.A. § 706, the Secretary is authorized to utilize State and federal monies for any of the following activities that will keep Vermonters employed, promote economic activity, and allow the State and municipalities to catch up on deferred maintenance in fiscal years 2020 and 2021, provided that the Agency expects to accept and obligate federal monies pursuant to subsection 2(a) of this act in an amount sufficient to cover the additional expenditures:

- (1) bridge maintenance;*
- (2) paving and surface maintenance;*
- (3) clearing of trees and brush in rights-of-way;*
- (4) ledge and slope remediation;*
- (5) culvert repair and replacement; and*

(6) any other maintenance activities that are expected to provide an economic stimulus in Vermont communities.

(b) Notwithstanding Sec. 1 of this act; 2019 Acts and Resolves No. 59, Sec. 1; 19 V.S.A. § 10g(n); and 32 V.S.A. § 706, the Secretary is authorized to utilize State and federal monies for any of the following greenhouse gas emissions reduction efforts in fiscal years 2020 and 2021, provided that the Agency expects to accept and obligate federal monies pursuant to subsection 2(a) of this act in an amount sufficient to cover the additional expenditures:

- (1) funding for a grant program for the installation of EVSE that builds upon the existing VW EVSE Grant Program that the Department of Housing and Community Development has been administering on behalf of the Department of Environmental Conservation;*
- (2) PEV buses for public transit;*
- (3) PEVs for the State motor vehicle fleet; and*
- (4) funding, not to exceed \$1,000,000.00, for the New PEV Incentive Program created pursuant to 2019 Acts and Resolves No. 59, Sec. 34 as amended by the act.*

(c) If the expenditure of monies pursuant to subsection (a) or (b) of this section will not significantly delay the planned work schedule of a project in the fiscal year 2020 and 2021 Transportation Programs, the Secretary may enter into a contract for the activity or proceed with the expenditure and shall give prompt notice of the contract or expenditure to the Joint Fiscal Office and to the House and Senate Committees on Transportation when the General Assembly is in session and to the Joint Fiscal Office and the Joint Transportation Oversight Committee when the General Assembly is not in session.

(d) If the expenditure of monies pursuant to subsection (a) or (b) of this section will significantly delay the planned work schedule of a project, the Secretary may enter into a contract for the activity or proceed with the expenditure but shall give advance notice of at least 10 business days prior to executing the contract or making the expenditure to the House and Senate Committees on Transportation when the General Assembly is in session and to the Joint Fiscal Office, Joint Fiscal Committee, and Joint Transportation Oversight Committee when the General Assembly is not in session.

(e) The Secretary of Administration shall, on or before July 31, 2020, file a written report listing all expenditures made during fiscal year 2020 under the authority of subsections (a) and (b) of this section to the House and Senate Committees on Transportation, Joint Fiscal Office, Joint Fiscal Committee, and Joint Transportation Oversight Committee.

The Agency of Transportation did not redirect any spending Fiscal Year 2020 under the authority granted by this language.

Please feel free to contact me or the Agency's Chief Financial Officer Lenny LeBlanc (802-522-4839) if you have questions.

Thank you.

cc: Neil Schickner, Joint Fiscal Office