

Amend CSHB 300 (house committee printing) by striking SECTION 2.10 of the bill (page 53, line 10 through page 54, line 22) and substituting the following:

SECTION 2.10. Subchapter B, Chapter 223, Transportation Code, is amended by adding Section 223.0411 to read as follows:

Sec. 223.0411. REPORT. (a) Not later than December 31, 2009, the comptroller shall submit a report to the governor and the Legislative Budget Board as provided by this section. In developing the report, the comptroller shall collaborate with:

- (1) the department;
- (2) the Texas Board of Professional Engineers;
- (3) a statewide organization that represents general contractors; and
- (4) a statewide organization that represents engineering companies.

(b) The report must include:

(1) the number of licensed professional engineers and graduate engineers employed by the department in each of the previous five state fiscal years aggregated by work function and by strategy;

(2) the number of department employees associated with the planning, design, and management of department construction projects in each of the previous five state fiscal years;

(3) the number of licensed professional engineers, graduate engineers, and total staffing associated with the planning, design, and management of construction projects for major public works in this state, other than department projects;

(4) the measures used by private sector providers of engineering and project delivery services to evaluate overall staffing and productivity;

(5) the dollar amount of highway and bridge projects awarded by the department in each of the previous five state fiscal years, including the percentage of those projects for which planning, design, and management activities were conducted by:

- (A) department personnel;
- (B) private sector personnel; and
- (C) both department personnel and private sector

personnel;

(6) information regarding the type and complexity of highway and bridge projects that are typically planned, designed, and managed by:

(A) department personnel;

(B) private sector personnel; and

(C) both department personnel and private sector personnel;

(7) the cost, including all direct and indirect costs, for all planning, design, and management activities performed by department personnel, private sector personnel, and both department personnel and private sector personnel aggregated by type of project per \$100 million of highway and bridge projects awarded by the department in each of the previous five state fiscal years;

(8) the total cost of the department's planning, design, and management activities as a percentage of the department's construction program compared to the cost that other public entities incur for comprehensive engineering and project delivery services for large-scale construction projects;

(9) recommendations regarding engineering management practices used by other public entities that may improve the efficiency of the department's project delivery system; and

(10) a recommended plan for staffing and usage of department and private sector personnel in the planning, design, and management of department highway and bridge projects for the next 10-year period based on projected funding for the department.

(c) The analysis required by Subsection (b)(7) shall be conducted by an independent contract cost accounting firm that is knowledgeable of governmental and private sector accounting practices. The firm shall apply the same rules for the allocation of indirect costs, employee benefits, and other practices for all projects analyzed.

(d) The department may not hire a new employee to fill a vacancy in a position paid out of funds appropriated to the department for the planning, design, and management of transportation projects in the General Appropriations Act

(Strategy A.1.1., or its successor) until:

(1) the comptroller submits the report required by this section; and

(2) the Legislative Budget Board approves the recommendations contained in the report.

(e) This section expires September 1, 2011.