

Amend **CSSB 1** in Article VII, Department of Transportation, by striking Rider 57 and inserting in lieu thereof the following:

57. Engineering and Project Delivery Staff. The department shall initiate a hiring freeze on all positions paid out of Strategy A.1.1 Plan/Design/Manage until a staffing plan is approved by the Legislative Budget Board pursuant to this rider.

Prior to January 1, 2010, the Texas State Comptroller shall submit a report produced in conjunction with the Department of Transportation, the Texas Board of Professional Engineers, the Association of General Contractors, and the Texas Council of Engineering Companies, to the Legislative Budget Board and the Governor which details:

a. the number of professionally licensed engineers and graduate engineers by work function and by strategy employed at the Department of Transportation for each of the last five (5) fiscal years and total staffing for work associated with the planning, design, and delivery of construction projects for this period for the department;

b. numbers of licensed engineers and graduate engineers and total staffing associated with the planning, design and delivery of construction projects for other major public works owners and providers in Texas;

c. measures of overall staffing and productivity used by private sector providers of engineering and project delivery services;

d. the dollar volume of highway and bridge projects awarded by the department in each of the last five years, and the percentage of those projects for which plan/design/manage activities were conducted exclusively by department personnel, exclusively by private sector personnel, or jointly;

e. the type and complexity of highway and bridge projects typically planned, designed, and managed by department personnel, private sector personnel or jointly;

f. the cost, including all direct and indirect costs, of all planning, design, and management activities by type of project per \$100 million of highway and bridge projects awarded by the Department of Transportation in each of the last five (5) years for

which planning, design, and management activities were performed by department personnel, private sector personnel, or jointly; this analysis will be conducted by an independent contract cost accounting firm knowledgeable of governmental and private sector accounting practices with the same rules for allocation of indirect costs, employee benefits, and other practices applied in all instances;

g. the total cost of the department's plan/design/manage activities as a percentage of its construction program compared to the cost that other public entities incur for comprehensive engineering and project delivery services for large-scale construction projects;

h. recommendations regarding engineering management practices used by other public entities that could improve the efficiency of the department's project delivery system; and

i. a recommended staffing and private sector usage plan for the Department of Transportation to plan, design, and manage the construction of highways and bridges in Texas for the next ten years based on projected funding levels.

At the direction of the Legislative Budget Board, beginning on April 1, 2010 the Department of Transportation shall initiate an attrition plan prescribed by the Legislative Budget Board based on the findings of the report.

In the event that HB 300, 81st Legislature, Regular Session, or another bill creating a legislative transportation oversight committee, passes and becomes law, the duties of the Legislative Budget Board under this rider are transferred to the legislative transportation oversight committee.