

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 25, 2017

TO: Honorable Geanie W. Morrison, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3955 by Gonzales, Larry (Relating to the functions of the Texas Department of Transportation relating to transportation planning and projects.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Transportation Code relating to the functions of the Texas Department of Transportation (TxDOT) relating to transportation planning and projects.

The bill would require TxDOT to develop and display on its website a statewide transportation plan dashboard that communicates to the public the transportation system strategies, goals, and other performance measures included in the statewide transportation plan, and TxDOT's progress in meeting the system strategies, goals, and other performance measures.

The bill would require TxDOT to conduct an analysis on the effect of funding allocations made in the Unified Transportation Program (UTP) and project selection decisions on accomplishing goals described in the statewide transportation plan and provide this analysis and the department's methodology to metropolitan planning organizations (MPO), the public, and members of the Texas Transportation Commission (TTC), and publish the information on the TxDOT website.

The bill would require TxDOT to develop performance measures for each TxDOT district's project portfolio, track and report district performance, and review and evaluate project development activities in each district's project portfolio.

The bill would require TTC to adopt rules governing TxDOT's process for allowing MPOs direct access to information systems and software.

The bill would require the TTC to adopt rules to develop and implement a schedule of liquidated damages for highway improvement contracts that include criteria for identifying projects that have a significant impact on the traveling public and require TxDOT to calculate specific liquidated damages that reflect the true cost of travel delays for those identified projects. The bill would require TTC to adopt rules to develop a contractor performance evaluation tool that allows for the review and modification of a contractor's bidding capacity for competitively bid highway improvement contracts.

The bill would take effect on September 1, 2017.

Based on the information provided by TxDOT, it is assumed the inclusion of travel delay costs in the calculation of liquidated damages for highway contracts would result in a positive fiscal

impact. Because the amount of project-specific liquidated damages that may be calculated and assessed is not known, the fiscal impact cannot be estimated, though it is assumed the positive fiscal impact would not be significant.

Based on the analysis of TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within the agency's existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: UP, AG, EH, TG, AO