Self-Evaluation Report

Submitted to the
Sunset Advisory Commission

by

Texas Department of Transportation
September 1, 2015

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Texas Department of Transportation
Self-Evaluation Report

I. Agency Contact Information

A.

Texas Department of Transportation
Exhibit 1: Agency Contacts

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Agency's Sunset Liaisons	Rich McMonagle	125 E. 11th Street	512-305-9502	Rich.mcmonagle@txdot.gov
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Table 1 Exhibit 1 Agency Contacts

II. Key Functions and Performance

A. Provide an overview of your agency's mission, objectives, and key functions.

Under the leadership of the Texas Transportation Commission, the department is in the process of updating its strategic direction statements, including the mission, vision, values, goals, objectives, and key performance metrics. The following information is subject to revision from that effort. The department will provide the Sunset Commission with any updates as they are finalized.

The mission of the Texas Department of Transportation is to:

- Work with others to provide safe and reliable transportation solutions for Texas.

To accomplish this mission, the department has four goals:

- Maintain a Safe System
- Address Congestion
- Connect Texas Communities
- Be a Best in Class State Agency

The department performs four key functions:

- Plan, design, build, operate, and maintain transportation infrastructure
- Fund transportation projects and operations
- Administer and support the department's operations
- Develop transportation strategies, and research, discuss, and suggest implementation of innovative transportation solutions

B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

Citizens have come to depend on TxDOT to lead and deliver transportation projects that contribute to the state being a great place to do business and a great place to live. Business depends on our department to help them continuously get goods to market within the state and beyond Texas borders. Since funding, planning and building these sophisticated transportation systems is so complicated, people depend on TxDOT's demonstrated leadership and expertise to solve some of the most challenging funding, engineering and maintenance tasks facing any DOT in the country. Whether it's working

with local or regional transportation partners, or working closely with the private sector, TxDOT is at the heart of most major transportation topics that can help Texans in an increasingly growing economy. Moreover, the department is in discussions and jointly works with state-funded university partners to identify innovations that affect safety and increase the effectiveness and efficiency of the department's development and delivery of projects around the state.

The function to plan, design, build, operate, and maintain transportation infrastructure is the heart of what the department does for the State of Texas. Citizens and businesses in Texas rely on TxDOT to deliver congestion relieving solutions so that goods and services can get where they need to be and people can live the lives they want.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

TxDOT has seen many successes in recent years. Whether it is achieving costs savings and efficiencies in excess of $100 million as outlined in HB1 of the 83rd legislative session (third called session) or winning national awards for large highway projects around the state, the department is considered one of the best state departments of transportation in the country.

In two recent surveys, TxDOT proved to be a responsible steward of tax dollars and delivered excellent customer service. In late 2014, the Reason Foundation's 21st Annual Highway Report ranked Texas first among large state departments of transportation, with the lowest percentage of congested lane miles, the best rural highway pavement scores, and the lowest cost per highway mile. Additionally, in a survey by the Texas Legislative Council, TxDOT achieved a remarkable 92 percent satisfaction rating in customer service.

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

The enabling law, in the form of the Texas Transportation Code, correctly reflects the department's mission.

In response to requests from Senator Robert Nichols and Representative Larry Phillips, the department provided to them policy recommendations for the 84th Legislative Session, which are outlined below.

<u>Legislative Appropriations Requests:</u>

- State Highway Fund Dollars Appropriated Elsewhere ($619,338,404 annually) – allow TxDOT full access to state highway funds for unfunded road safety, construction and maintenance needs. This exceptional item request is a portion of the overall additional $5 billion funding request. **Adopted.**

- Emerging Transportation Technologies Research ($10 million annually) – continue TxDOT's Rider 44 authority to further the department's commitment to seek transportation solutions through emerging technologies. **Not adopted.**
- Veteran Toll Discount Program ($2.4 million FY 2016 / $2.6 million FY 2017) – support the cost of providing a veteran toll discount program for TxDOT-operated toll roads. **Allocated $4 million for FYs 16-17 from proceeds of the sale of real and surplus property.**
- Rail ($160.6 million FY 2016 / $347.4 million FY 2017) – assist in rehabilitation of state owned rail facilities and make critical improvements to Class 1 rail lines. Funding will support the South Orient and Northeast Texas Rural Rail lines, furthering continued operations, improved safety, increased capacity and economic development. **Not adopted.**
- Gulf Intracoastal Waterway ($30 million annually) – support the dredging and widening of Texas waterways and channels to improve navigation for post-Panamax ships and barges that play a key role in the energy sector. Waterborne transportation benefits the entire transportation system by reducing the number of rail cars and trucks required to transport certain commodities, which, in turn, reduces congestion, air emissions and fuel consumption and increases the safety of roadways. **Not adopted.**
- Texas Ports ($15 million annually) – allow TxDOT to make needed capital port improvements to support the state's expanding economy and population growth. **Authorized up to $20 million for FYs 16-17 from the Texas Mobility Fund.**
- Truck Discount Toll Program ($20 million annually) – allow TxDOT to continue the toll discount pilot program for large trucks on TxDOT-operated segments of SH 130/SH 45 Southeast. **Allocated $18.7 million for FYs 16-17 from proceeds of the sale of real and surplus property.**
- Rural and Small Urban Public Transit ($18 million annually) – provide for fleet replenishment and operations and maintenance activities of state-funded transit grant programs focused on the needs of elderly, disabled and low income Texans in rural and small urban areas of the state. **Not adopted.**
- Budget Flexibility: Providing TxDOT with greater budget flexibility and the ability to transfer funds between strategies when circumstances warrant would greatly help the department. Specifically, TxDOT recommended that the 84th Legislature amend TxDOT Rider 3 in the 2014-2015 General Appropriations Act (GAA), which governs "Transfer Authority," by striking the requirement that the department obtain written approval from the Legislative Budget Board (LBB) before transferring funds among the outsourced core Planning, Design, Acquisition, Maintenance and Construction strategies. **Not adopted.**
- Similarly, TxDOT recommended the Legislature amend Rider 18, "Additional Funds," to eliminate the requirement that TxDOT obtain prior approval from the LBB and the Governor before using State Highway Fund revenues that may exceed the estimated appropriations level set out in the GAA. **Not adopted.**
- Finally, TxDOT recommended the Legislature add a new rider that would allow the department to use unexpended balances from HB 1025 (83rd Leg., R.S., 2013) for road

repairs in areas affected by energy sector activities. **Addressed in supplemental appropriations bill.**

Safety Improvement and Transportation Delivery Recommendations

In addition to the LAR recommendations described above, TxDOT proposed recommendations that addressed safety concerns and enhanced the department's ability to develop and deliver transportation projects in a timely and cost-effective manner. Some of these recommendations were filed as bills by legislators. They include the following:

- HB 2975 by Rep. Martinez - Authorizing TxDOT staff to establish or alter speed limits on any part of the state highway system. Under current law, the authority to establish or alter speed limits on any part of the state highway system is restricted to the Texas Transportation Commission. Allowing qualified department personnel to establish or alter speed limits – as determined by an engineering and traffic study in accordance with the department's current Procedures for Establishing Speed Zones – would expedite the approval process and improve both the efficiency and safety of the state highway system. If the 84th Legislature decided to allow qualified TxDOT staff to establish or alter speed limits, the Transportation Commission would codify those actions on a quarterly basis. **Left pending in the Senate Transportation Committee.**
- HB 3225 by Rep. Murr - Authorizing TxDOT to impose truck lane restrictions in work zones. Construction and maintenance work zones pose a challenge to drivers of all types of vehicles due to the presence of signs, workers, equipment and other distractions. The presence of trucks travelling in work zones increases these challenges. In 2013, trucks were involved in 6.3 percent of all crashes on the state highway system, but trucks were involved in almost twice as many crashes -- 11.2 percent -- that occurred in work zones. Requiring trucks to use a single, designated lane in work zones where more than one lane in each direction is available could significantly increase the safety of both roadside workers and the traveling public. **Governor Abbott signed the bill into law.**
- HB 3314 by Rep. Smith - Authorizing TxDOT to maintain, or assist in funding the cost of maintaining, the Gulf Intracoastal Waterway (GIWW). Current law designates TxDOT as the non-federal sponsor of the GIWW; however, the department does not have the authority to use dedicated state highway funds to maintain the portion of the waterways and channels located in Texas or contribute state funding or other support for infrastructure improvements, which are the responsibility of the US Army Corps of Engineers (USACE). As a result of reduced federal funding for the GIWW, efficient operation of this vital transportation link is at risk. With expanded authority, TxDOT could assume or help fund some of USACE's underfunded responsibilities. For example, TxDOT could assist with maintenance activities, help fund the refurbishment or replacement of floodgates, locks or mooring areas, develop or sustain projects that involve "beneficial use" of dredge material and conduct studies or surveys as needed. **Left pending in the House Transportation Committee.**

- SB 1467 by Sen. Watson - Authorizing a 3rd party vendor that provides payment processing services to collect a service charge in addition to the amount paid on the account. This will enhance the level of customer service by providing customers the option to make payments on their account at 3rd party locations (such as the grocery store). Additionally, since TxTag only has one storefront location, it will allow the expansion of customer payment locations without adding facilities. **Governor Abbott signed the bill into law.**

E. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

The department's functions within the state are unique. There are other transportation entities within the state, but their functions are complementary not duplicative.

F. In general, how do other states carry out similar functions?

There are numerous similarities in how the Texas Department of Transportation and other state departments of transportation carry out their functions. Federal laws create uniformity in most areas of transportation. However, there are differences due to state locations, governing structures, and available funding methods.

G. What key obstacles impair your agency's ability to achieve its objectives?

The department looks forward to working with the Sunset Commission, its staff, the public, our transportation planning and project delivery partners, and the Texas Legislature to determine statutory and other improvements to help us fulfill our mission as a true department of transportation for the 21st century.

H. Discuss any changes that could impact your agency's key functions in the near future (e.g., changes in federal law or outstanding court cases).

Funding for approximately 42% of the state's transportation program is provided by the current federal transportation authorization bill, MAP-21, which only authorized two years of federal funding and expired in September 2014. Federal programs are currently operating under an extension which will expire on October 29, 2015.

Below are three cases that could impact the agency's key functions in the near future.

1) County of La Salle v. Joe Weber and the Texas Department of Transportation, et al – Filed in the 353rd District Court of Travis County, and on appeal to the 3rd Court of Appeals in Austin:

La Salle County filed suit over the implementation of the County Transportation Infrastructure Fund, a $225 million grant program that was created to address county road degradation. The department administers the grant program by accepting

applications from counties with affected roads, making awards to counties based on the level of road degradation, and reimbursing counties once road projects have been completed. Plaintiff claimed the department has not administered the grant program in accordance with law, by not significantly narrowing the counties that could be considered eligible for the funds and by not accurately reviewing the counties' applications for information required to be submitted. The trial court previously granted the department's plea to the jurisdiction and dismissed the entire suit. Plaintiff appealed. The Third Court of Appeals in Austin heard oral arguments on April 22, and the Court has not yet issued its opinion.

2) Texas Transportation Commission v. City of Jersey Village – Filed in the 165th District Court of Harris County, and on appeal to the 14th Court of Appeals in Houston:

The City of Jersey Village filed suit for reimbursement of costs to acquire replacement utility easements resulting from the US 290 project. The court granted summary judgment in favor of the city, and the AG has appealed on behalf of the department. An unfavorable ruling could expand the obligation of the department to reimburse utilities for non-exclusive public utility easements required to be moved in connection with a transportation project.

3) State of Texas, et al v. EPA – Filed in the U.S. District Court, Southern District of Texas:

The State of Texas, on behalf of TxDOT, five other state agencies, and the States of Louisiana and Mississippi, filed suit on June 29, 2015, challenging the legality of the final clean water rule which amends the definition of "Waters of the United States" under the Federal Water Pollution Control Act. The suit alleges the rule is unconstitutional and constitutes an impermissible expansion of federal power as the rule expands federal authority to regulate water and land use by the states and their citizens.

I. What are your agency's biggest opportunities for improvement in the future?

The department and the citizens we serve can benefit from the greater efficiencies in both business processes and in project delivery that investments in new technologies can bring. The department is modernizing many of our automated applications, with some of those being replaced dating from the 1980s.

J.

Texas Department of Transportation
Exhibit 2: Key Performance Measures — Fiscal Year 2014

Key Performance Measures	FY 2014 Target	FY 2014 Actual Performance	FY 2014 % of Annual Target
Outcome Measures			
Percent of Design Projects Delivered On Time	71.00%	80.19%	112.94%
Percent of Design Projects Delivered On Budget	48.00%	53.17%	110.77%
Percent of Construction Projects Completed on Budget	95.00%	86.48%	91.03%
Percent of Two-lane Highways with Improved Shoulders	61.20%	61.85%	101.06%
Percent of Construction Projects Completed on Time	70.00%	68.08%	97.26%
Percent of General Aviation Airport Pavement in Good or Excellent Condition	78.40%	78.97%	100.73%
Percent of Bridges Rated in Good Condition or Higher	82.40%	81.80%	99.27%
Statewide Maintenance Assessment Program Condition Score	76.50	76.16	99.56%
Statewide Traffic Assessment Program Condition Score	88.00	88.07	100.08%
Percent Change in the Number of Public Transportation Trips	1.00%	1.10%	110.00%
Number of Fatalities Per 100,000,000 Miles Traveled	1.26	1.39	110.32%
Output Measures			
Number of Construction Project Preliminary Engineering Plans Completed	750	769	102.53%
Dollar Volume of Construction Contracts Awarded in Fiscal Year (Millions)	$2,400	$3,860	160.82%
Number of Projects Awarded	600	757	126.17%
Number of Airports Selected for Financial Assistance	90	90	100.00%
Number of Lane Miles Contracted for Resurfacing	13,772	17,054	123.83%
Number of Highway Lane Miles Resurfaced by State Forces	8,003	7,939	99.20%
Number of Federal Railroad Administration (FRA) Units inspected	120,000	112,956	94.13%

Table 2 Exhibit 2 Key Performance Measures

III. History and Major Events

1917

- April 4 – House Bill 2, creating the Texas Highway Department, is signed into law by Gov. James Ferguson. The measure vested a three-member commission with administrative control of the department. Members would be appointed to two-year terms by the governor, with consent of the Senate.
- June 4 – The Texas Highway Commission meets for the first time. Commissioner J.C. Odle moves that George A. Duren be named the state's first highway engineer. The department has 10 employees.
- Commission designates a highway system of 8,865 miles of "improved roadways." When completed, the department estimates, the system will make highways readily accessible to 89 percent of the state's population.
- Highway Commission increases the speed limit to 25 mph.
- Commission sets vehicle registration fee at 35 cents per horsepower, with a minimum of $7.50.
- By the end of the year, the department registers 194,720 motor vehicles.

1918

- July – The department's first paving project begins along a 25-mile stretch of roadway in Hays County, roughly following the route of future Interstate 35.
- October – Work begins on the department's first new highway construction project, a 20-mile section of untreated flexible base between Falfurrias and Encino in Brooks County. The roadway opens to traffic in June 1920.

1921

- Congress amends the Federal Aid to Roads Act of 1916 requiring states to take over exclusive control of road design, construction and maintenance after 1925.

1923

- 38th Legislature passes Texas' first gasoline tax – one cent a gallon. The State Highway Fund would receive 75 percent of the revenue with the rest going to the Available School Fund.
- Legislature sets terms of Highway Commission members at six years, with one seat becoming vacant every two years.
- Highway Commission sets the maximum speed limit at 35 mph.

1924

- January 1 – Highway Department assumes responsibility for maintenance of all state highways. Prior to this time, roadway maintenance rests with the counties.

1925

- 39th Legislature vests the Highway Department with responsibility to survey, plan and build highways, as well as maintain them. Lawmakers also authorize the department to acquire highway right of way by purchase or condemnation.

1925-1926

- Texas loses all federal highway aid from the U.S. Bureau of Public Roads because of poor maintenance.

1927

- Federal highway funding for Texas is restored, with the department receiving $10.2 million in construction reimbursement for fiscal 1928-1930.
- Legislature increases gasoline tax to three cents a gallon from March 1927 to September 1928, at which time it would be reduced to two cents a gallon.
- Legislature authorizes creation of Right of Way division and State Highway Patrol to enforce license and weight provisions.

1928

- Highway Commission sets the maximum speed limit at 45 mph.

1929

- Legislature increases gasoline tax to four cents a gallon, but reduces vehicle registration fees.
- September 1 – Duties of the Highway Patrol expand to include traffic law enforcement.

1930

- Texas has 1,445,250 registered vehicles. Department abandons horsepower as the basis for registration fees and converts to a system based on vehicle weight.

1932

- Legislature enacts State Assumption Highway Bond Law, making the financing of highways a state responsibility. The law limits county participation to providing right of way.

One cent of gasoline tax is dedicated to refunding the bonded indebtedness of counties and road districts.

1933

- National Recovery Act allows use of federal-aid funds for urban and secondary roads.

1935

- Legislature creates the Department of Public Safety, removing the Highway Patrol from the Highway Department.

1937

- January – First farm-to-market road is completed between Mount Enterprise and Shiloh in Rusk County, a distance of 5.8 miles. Total cost: $48,000.

1941

- Highway Commission raises the speed limit to 60 mph.
- State begins taxing diesel at one cent per gallon.

1942

- Because of wartime fuel and rubber shortages, the speed limit in Texas is dropped to 35 mph.

1944

- Congress passes the Federal Aid Highway Act describing a 40,000-mile network called a "National System of Interstate Highways." But no money to build the system is appropriated.

1945

- With World War II over, the speed limit is reinstated at 60 mph.

1946

- November 5 – Voters approve an amendment to the Texas Constitution, a measure known as the "Good Roads Amendment." The amendment makes the longstanding 75-25 percent State Highway Fund-Available School Fund distribution a matter of organic law.

1949

- Legislature passes the Colson-Briscoe Act. The measure provides an annual $15 million appropriation from the State General Fund to build farm-to-market and ranch-to-market roads.

1951

- Diesel fuel tax increased to two cents a gallon.

1955

- Legislature increases gasoline tax to five cents, the first hike since 1929.

1956

- Federal Highway Revenue Act increases gasoline and other motor-vehicle taxes and creates the Highway Trust Fund.
- Congress appropriates $25 billion for building the interstate highway system from 1957 to 1968. The amount of money appropriated would grow.

1961

- Legislature passes state's first sales tax. Lubricants are included among taxable items.

1962

- Colson-Briscoe Act is amended by the legislature to allow $8 million of the state's annual General Revenue funding for farm-to-market and ranch roads to be matched with federal funds.

1963

- August 23 – Maximum speed limit for two-thirds of the state highway system increases to 70 mph during the day, 65 mph at night.

1967

- Department celebrates its golden anniversary. It now has 17,000 employees and 66,000 miles of highway.

1971

- Legislature establishes Texas Motor Vehicle Commission and another agency to coordinate public transportation, the Texas Mass Transportation Commission.

1974

- January 20 – With the nation struggling through a gasoline shortage caused by the 1973 Arab-Israeli War, the maximum speed limit is reduced to 55 mph nationwide to conserve fuel.

1975

- June 19 – Gov. Dolph Briscoe signs legislation folding the Mass Transportation Commission into the Highway Department, renaming the agency the State Department of Highways and Public Transportation.
- Legislature passes Texas Coastal Waterway Act authorizing the state's nonfederal sponsorship of the Texas extent of the Gulf Intracoastal Waterway. The measure also designates the State Highway and Public Transportation Commission (now the Texas Transportation Commission) to act as agent for the state in fulfilling the new responsibility.

1984

- Legislature raises the gas tax five cents to 10 cents a gallon.

1987

- Lawmakers increase gas tax to 15 cents a gallon.

1991

- Legislature passes House Bill 9 merging the Department of Aviation and the Motor Vehicle Commission into the State Department of Highways and Public Transportation, renaming the agency the Texas Department of Transportation.
- Congress passes the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. The new six-year transportation bill encourages more emphasis on safety, connectivity and pedestrian-bicycle traffic.
- Legislature establishes the Automobile Theft Prevention Authority.
- Legislature raises gas tax five cents to 20 cents a gallon.

1995

- Legislature moves the Automobile Theft Prevention Authority to TxDOT. Responsibility for railroad planning and motor-carrier regulation is transferred from the Railroad Commission to TxDOT. Legislature also abolishes the High Speed Rail Authority.
- December 8 – Speed limit returns to 70 mph.

1997

- The Texas Turnpike Authority merges into TxDOT as a division.

1998

- Congress passes Transportation Efficiency Act for the 21st Century. Known as TEA-21, it guarantees Texas a 90.5 percent return on some federal motor-fuel tax dollars paid from Texas.

2001

- November 6 – Texas voters approve Proposition 15, a constitutional amendment giving the state authority to finance and build transportation infrastructure in innovative ways. The amendment provides for the creation of a Texas Mobility Fund, the use of toll equity for roadway construction, and authorizes the Transportation Commission to create regional mobility authorities.

2002

- January 30 – In a three-page letter to Transportation Commissioner John W. Johnson, Texas Gov. Rick Perry lays out broad concept of a 21st century transportation network for Texas, the Trans-Texas Corridor. The governor asks TxDOT to "assemble the department's top talent" to develop an implementation plan within 90 days.
- June 27 – TxDOT presents a 95-page report on the Trans-Texas Corridor to the Transportation Commission. The commission unanimously approves the action plan, which sets forth a basic design for a 4,000-mile multi-use transportation system.

2003

- June 19 – Governor Perry signs HB 3588 into law. "This mobility package," the governor says, "gives the Texas Department of Transportation new oversight authority, new planning and development tools, and innovative financing options to build the Trans-Texas Corridor more efficiently and at a lower cost."
- September 1 – SB 409 becomes effective which expanded Texas Transportation Commission from 3 to 5 members and allows the Texas Transportation Commission to submit statutory recommendations to the legislature that could improve the department's operations.
- September 13 – Voters overwhelmingly approve Proposition 14, a constitutional amendment making possible the bonding authority contained in HB 3588. For the first time in its history, TxDOT has the authority to enter the bond market to finance projects.
- October 3 – Ground is broken for State Highway 130, a 49-mile toll way that will extend from Interstate 35 near Georgetown to U.S. 183 near Mustang Ridge in southeast Travis County. At $1.5 billion, this is the largest single highway construction project in Texas history and the largest active highway contract in the nation. The largest element of the

planned Central Texas Turnpike Project, SH 130 is the result of the state's first and only use of an exclusive development agreement.

2004

- December 16 – In the largest single roadway-safety program the department has ever undertaken, the Transportation Commission approves the allocation of $600 million for 644 safety projects across the state. To be funded through bond sales, the program will pay for widening narrow, two-lane roads, installing median barriers on divided highways, adding needed left-turn lanes, and building new overpasses.

2005

- February 24 – Transportation Commission votes to execute the state's first pass-through toll agreement – expediting transportation improvements in Montgomery County.
- March 18 – Commissioner Robert Nichols and Richard Davidson, Union Pacific's chief executive officer, sign an agreement between TxDOT and the railroad to work together to move freight-rail lines out of densely populated urban areas.
- March 19 – The Commission signs a similar agreement in Fort Worth with officials of the Burlington Northern Santa Fe railroad company.

2006

- May 25 – Texas became the first state in the nation to set an 80 mph daytime speed limit on 521 of its more than 79,000 miles of highway. The higher speed is posted only in low-population areas in the western portion of the state and amounts to less than one percent of the state roadway system. The limit was approved by a unanimous vote of the Transportation Commission based upon legislation enacted during the last regular session of the 79th Legislature.
- June 29 – The Texas Transportation Commission approved the first comprehensive development agreement, estimated at $1.3 billion, with the Cintra-Zachry consortium to finance and build the 40 remaining miles of State Highway 130 from Austin to Seguin. The public-private partnership will finance costs of the project in return for the right to collect tolls on the roadway over the next 50 years.
- September 1 – TxDOT awarded a record $5.3 billion in construction projects in the 2006 fiscal year. The total surpassed the $4.5 billion obligated the previous fiscal year and almost doubled statewide spending four years ago.
- October 18 – Texas became the first state to receive tax-exempt federal private activity bonds (PABs) since the bonds became eligible to fund highway projects. The bonds, totaling $1.8 billion, were made available through approval of the Texas Transportation Commission. The bonds will accelerate development of SH 121 in the Dallas area. Legislation stipulates private companies become the ultimate borrowers of the funds and arrange to repay the debt through toll revenue rather than state funds.

2007

- February 28 – Cintra Concesiones de Infraestructuras de Transporte (Cintra) will be recommended as the Comprehensive Development Agreement (CDA) developer for State Highway 121 in Collin and Denton Counties. As part of its proposal, Cintra will pay the region $2.8 billion to be used on other congestion-relieving projects.
- May – 80th Legislature passes legislation that affects TxDOT including:
  - HB 1857 by Murphy/Carona provides more authority to counties that wish to regulate development around future transportation corridors.
  - SB 792 prohibits most CDAs, except for a few projects that can move forward in the major metropolitan areas. The authority to enter into concession CDAs expires in 2009, and the authority to enter into design-build CDAs, and CDAs exempted from the two-year moratorium expires in 2011. The bill authorizes toll authorities to issue bonds to pay for any costs associated with a toll project or to terminate a CDA contract.
    - An additional $3 billion in Proposition 14 bonds are authorized in SB 792 (up to $1.5 billion can be issued per year), 20 percent of which must be spent on safety projects.
- June 14 – The Texas Transportation Commission authorized TxDOT to work with local toll entities such as regional tollway authorities, regional mobility authorities and counties to begin moving forward on 87 projects that are currently years away from being fully funded.
- June 28 - The Texas Transportation Commission approved a recommendation from North Texas leaders to accelerate improvements to SH 121 and 30 other congestion- relieving projects throughout North Texas by pursuing a proposal from the North Texas Tollway Authority (NTTA).
- September – TxDOT submits 2007 Self-Evaluation Report and begins Sunset Commission review.

2008

- March -- Texas Transportation Commission creates the I-69 Corridor Advisory Committee and the I-35 Advisory Committee to advise TxDOT and make recommendations on their respective transportation corridors.

2009

- January -- Texas Transportation Commission directs staff to implement provisions of the 2008 Sunset staff report recommendations on how to improve department operations.
- March -- Texas Transportation Commission approves transportation projects to be funded under the American Recovery and Reinvestment Act.
- May – The TxDOT sunset bill HB 300 does not receive final approval from the legislature. TxDOT is continued for only two more years.
- September – SB 970 from the 81st Regular Session becomes law and repeals the requirement that the TxDOT Executive Director must be a professional engineer.

- June – TxDOT hires Grant Thornton to conduct a thorough review of the department's operations.

2010

- May – Grant Thornton presents its findings and recommendations of the independent management and organizational review of the department.

2011

- January 5 – Texas Transportation Commission receives the final report by the Restructure Council related to the review of recommendations contained in the Grant Thornton management and organizational review.
- June -- 82nd Legislature passes legislation that affects TxDOT including:
  - SB 1420, relating to the continuation and functions of the Texas Department of Transportation; providing penalties. The bill contains various provisions regarding the management and operation of the department and sets the sunset date for the agency for September 1, 2015. The bill repeals the ability of the Texas Transportation Commission to submit statutory changes to the legislature that could improve the operations of the department.
  - HB 1750, relating to the authority of the Texas Department of Transportation to lease and contract for the operation of rolling stock (wheeled vehicles used on a railroad) during certain emergencies. The bill allows the executive director of TxDOT to lease rolling stock and to contract with a rail operator to operate rolling stock if the executive director determines that either a natural or man-made emergency exists that threatens the health, life or property where the rail facility is located.
  - HB 563, relating to the purposes and designation of a transportation reinvestment zone. The bill provides local governments the ability to establish transportation reinvestment zones for projects without the need for it to be tied to the pass through financing program. Provisions in the bill state that the Department shall delegate project responsibilities upon request from the local government, but the Department maintains project oversight.
  - HB 1201, relating to repeal of authority for the establishment and operation of the Trans-Texas Corridor. The bill repeals the Trans-Texas Corridor statutes, but retains the ability for the Commission to establish exclusive lanes for use by oversize/overweight vehicles and higher speed limits on facilities designed to such standards.
  - HB 1353, relating to speed limits. The bill allows the Transportation Commission to establish 75 mph speed limits on the state highway system if found reasonable and safe through a traffic engineering study. In addition, HB 1353 eliminates the statewide nighttime and truck speed limit differential.
  - SB 19, relating to the development, financing, construction, and operation of certain toll projects. The bill establishes a primacy process for toll projects within the boundaries of a local toll project entity. Local toll project entities have the first option to develop, finance, construct, and operate a toll project within its

boundaries. There are several deadlines and timelines associated with the process of determining whether the local toll project entity or the Department will be responsible for developing, financing, constructing, and operating a toll project.

- SB 731, relating to the attorney general's legal sufficiency review of a comprehensive development agreement. The bill allows the Office of the Attorney General (AG) to charge the Department or another toll project entity a nonrefundable fee for the legal sufficiency review of CDAs which can be reimbursed by the private developer. The fee cannot be based on a percentage of the contract value, and cannot exceed reasonable attorney's fees charged for similar legal services in the private sector. The AG has a deadline of 60 business days to complete the review, which can be extended for a period of no more than an additional 30 business days.
- SB 959, relating to toll collection and enforcement. The bill streamlines the Department's video billing process through using alternate methods of locating an owner's billing address and providing express authority to refund unexpended balances upon closure of an account. The language also allows for an assessment of fines and fees to span multiple transactions or a billing cycle as opposed to being assessed per transaction.
- SB 18, relating to the use of eminent domain authority. The bill provides new damages standards and establishes a process for the right to repurchase land.

2012

- July 6 – President Barack Obama signs into law the Moving Ahead for Progress in the 21st Century (MAP-21) transportation legislation. The first multi-year transportation authorization enacted since 2005.
- October – TxDOT creates the Real Estate Management and Development Division to streamline real estate sales of high-value, underutilized properties across the state.

2013

- January 31 – Texas Transportation Commission creates the Freight Advisory Committee.
- April 4 – For the first time, Texas Transportation Commission approves the use of state funding for regional airports for operations because of approaching federal sequestration.
- July 25 – Through funding provided by HB 1025, the Texas Transportation Commission approves construction projects to repair state roadways impacted by oil and gas production.
- 83rd Legislature passes legislation that affects TxDOT including:
  - SJR 1 (Prop 1). If approved by the voters in November 2014, would under certain circumstances, allocate half of the amount currently required to be deposited to the economic stabilization fund to the State Highway Fund. These additional revenues transferred to the state highway fund could only be used for constructing, maintaining, and acquiring rights-of-way for public roadways other than toll roads. The legislature by general law shall provide for a procedure by which the allocations may be adjusted in order to ensure a "sufficient balance" in the economic stabilization fund. HB 1 establishes those procedures. As a result, the amounts

transferred to the state highway fund are subject to reduction based on those procedures.

- HB 1, relating to transportation funding, expenditures, and finance and the preservation of a sufficient balance in the economic stabilization fund. The Speaker and the Lieutenant Governor shall each appoint five members to a select committee that will determine for a state fiscal biennium a "sufficient balance" of the Economic Stabilization Fund (ESF) in an amount that the committee estimates will ensure an appropriate amount of revenue available in the fund.
- SB 510, the bill adds certain vehicles operated by TxDOT employees and contractors to those covered by our state's "Move Over or Slow Down" law, which already applied to emergency vehicles such as ambulances, police cars, fire trucks, and tow trucks.
- HB 2204, the bill authorizes TxDOT to implement a variable speed limit pilot program to study the effectiveness of temporarily lowering certain speed limits to address inclement weather, congestion, road construction, or any other condition that affects the safe and orderly movement of traffic on a roadway.
- SB 1730, the bill authorizes up to 22 CDA Projects, providing TxDOT with authority to enter into CDAs for 12 projects (6 of which are new and 6 of which were previously authorized) and the same CDA authority to either TxDOT or certain RMAs for 10 additional projects.
- SB 466, the bill authorizes TxDOT to assume the responsibilities of the United States Department of Transportation with respect to duties under the National Environmental Policy Act of 1969 (NEPA). TxDOT may enter into agreements with the U.S. Secretary of Transportation related to designating categorical exclusions from federally required environmental assessments or impact statements for highway projects. The bill is intended to expedite the development and construction of highways and other transportation infrastructure projects by reducing the amount of time it currently takes TxDOT to obtain approval of environmental documents required under NEPA and other federal laws. It will enable TxDOT to negotiate an agreement with the Federal Highway Administration that will authorize TxDOT to approve those documents itself.
- HB 1025, the bill provided a supplemental appropriation $450 million to help rebuild and improve state highways and county roads adversely affected by energy development activities. The additional funding will be divided on a 50-50 basis between TxDOT and the affected counties.
- SB 1747, the bill creates a new county transportation infrastructure fund and a new type of transportation reinvestment zone (i.e., a county energy TRZ) to assist counties with transportation projects in areas affected by oil and gas exploration and production facilities.
- HB 1675, moved the Sunset date for TxDOT from September 1, 2015 to September 1, 2017.

2014

- March 27 – In response to the passage of SB 466, 83rd Regular Session, Texas Transportation Commission adopts rules that would allow for TxDOT to assume National Environmental Policy Act responsibility from the Federal Highway Administration.
- April 23 – Texas Transportation Commission selects Joe Weber as TxDOT's Executive Director.
- November 4 – Texas voters approve Proposition 1, which under certain circumstances, allocates half of the amount currently required to be deposited to the economic stabilization fund to the State Highway Fund.

2015

- 84th Legislature passed legislation that affects TxDOT including:
  - SJR 5, (Proposition 7). If voters approve funding measure on November 3rd, 2015 there would be an annual $2.5 billion deposit of revenue to the State Highway Fund from the state sales and use tax beginning in fiscal year 2018. This amount would be deposited in the State Highway Fund once the sales and use tax accrued in the GR fund to an amount exceeding $28 billion. This provision expires August 31, 2032. In addition, in each fiscal year of the biennium beginning in FY 2020, 35% of net revenue collected from the sale, use, or rental of motor vehicles in excess of $5 billion would be deposited annually in the State Highway Fund. This provision expires August 31, 2029.
  - HB 20, which revises the planning and programing processes that "planning organizations," the department and the Texas Transportation Commission (commission) currently use to prioritize and finance transportation infrastructure projects. It limits the commission's discretionary funding decisions to 10 percent of the department's current biennial budget. It creates a nine-member House Select Committee on Transportation Planning and five-member Senate Select Committee on Transportation Planning, authorizes those committees to meet jointly or separately and requires them to review certain issues, prepare a written report of the reviewed subjects and submit it to the Legislature by November 1, 2016.
  - SB 20 enhances reporting requirements and increases transparency to ensure confidence in the way state government is spending tax dollars.

IV. Policymaking Structure

A.

Texas Department of Transportation
Exhibit 3: Policymaking Body

Member Name	Term / Appointment Dates / Appointed by *(e.g., Governor, Lt. Governor, Speaker)*	Qualification *(e.g., public member, industry representative)*	City
Jeff Austin III	6 yr. / 3.26.2013 (term expires February 1, 2019) / Governor	Public Member	Tyler
J. Bruce Bugg, Jr.	6 yr. / 2.13.2015 (term expires February 1, 2021)/ Governor	Public Member	San Antonio
Tryon Lewis	6 yr. / 2.13.2015 (term expires February 1, 2021)/ Governor	Public Member	Odessa
Jeff Moseley	6 yr. / 6.25.2012 (term expires February 1, 2017) / Governor	Public Member	Houston
Victor Vandergriff	6 yr. / 3.26.2013 (term expires February 1, 2019) / Governor	Public Member	Arlington

Table 3 Exhibit 3 Policymaking Body

See Attachment 8 - Biographical Information

B. Describe the primary role and responsibilities of your policymaking body.

The Texas Transportation Commission possesses the policy-making and oversight responsibilities for TxDOT. The commission is also responsible for overseeing the design, construction, maintenance and operation of the state highway system, as well as developing a multi-modal statewide transportation plan.

C. How is the chair selected?

Designated by the Governor

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

N/A

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2014? In FY 2015?

The Commission meets once a month, often with a business meeting and separate workshop meeting. The Commission met 19 times in FY 2014 and plans to meet 19 times in FY 2015

F. What type of training do members of your agency's policymaking body receive?

Before taking office, a person appointed as commissioner must complete a training program that complies with Transportation Code, § 201.059. Required subject matters include the programs operated by the department, the role and functions of the department, the rules of the department with an emphasis on the rules that relate to disciplinary and investigatory authority, the current budget for the department, and the results of the most recent formal audit of the department. Open meetings law, open records law, and administrative procedure law are also covered.

Commissioners receive extensive ethics and compliance training, including conflicts of interest (Gov. Code § 572), acceptance of gifts (Penal Code § 36; Gov. Code § 305); acceptance of political contributions (Trans. Code § 201), honoraria (Penal Code § 36), abuse of authority (Penal Code § 39), and grounds for removal (Gov. Code § 572; Trans. Code § 201). The commission also receives guidance on personal financial statements required by Gov. Code § 572 and on TxDOT's internal ethics policy.

Commissioners also receive a course from the Texas Comptroller's Office concerning overseeing an agency that procures goods or services.

Commissioners also receive informal training from TxDOT Administration on their respective subject areas of responsibility.

G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.

43 TAC §1.1 sets out the responsibilities of the commission. The commission elects an executive director to administer the day-to-day operations of TxDOT. 43 TAC §1.2 sets out the duties and responsibilities of the executive director and the responsibilities of TxDOT staff.

H. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?

<u>Construction Contract Reports</u> - The commission receives monthly reports on contract spending and eminent domain issues.

Division Reports - TxDOT divisions and offices provide monthly briefings to commission policy analysts concerning new situations and controversial issues facing TxDOT. The items may or may not be on the agenda for the commission's monthly meeting.

Advisory Reports - The commission receives periodic reports from advisory entities, including the Aviation Advisory Committee, Border Trade Advisory Committee, Grand Parkway Association, Port Authority Advisory Committee, and Public Transportation Advisory Committee

Other Reports - TxDOT staff provides reports, plans, and programs to the commission on a regular basis. Many of these describe the status of operations. Most of these documents do not require the commission to take action, other than to approve if appropriate. These include:

- Quarterly Investment Report
- Annual review of investment policies and strategies
- Annual review of debt management and derivative management policies
- Quarterly Obligation Limit Report
- Legislative Appropriations Request
- Operating Budget for the fiscal year
- Texas Mobility Fund Annual Continuing Disclosure Report
- Texas Mobility Fund Audited Financial Statements
- State Highway Fund Annual Continuing Disclosure Report
- State Highway Fund Quarterly Cash Report
- Central Texas Turnpike System - Audited Financial Statements, Quarterly Traffic and Revenue Report, Annual Inspection Report, Annual Continuing Disclosure Report, and General Engineering Consultant Quarterly Progress reports.
- 2015-2019 Strategic Plan
- Annual Highway Safety Plan
- Report on Legislation passed during the most recent session of the Texas Legislature
- Relief from Local Matching Funds (Economically Disadvantaged Counties Program) Report
- Gulf Intracoastal Waterway Report
- Annual Regional Mobility Authority reports
- Report on Environmental Review of Projects

Reauthorized Programs -- Some TxDOT programs are reauthorized by the commission at fixed intervals. Information is provided to the commission concerning these programs, which include:

- State Planning and Research Program
- Statewide Transportation Improvement Program
- Statewide Long-Range Transportation Plan
- Unified Transportation Program.

Project Selection Process Information -- The commission regularly receives data, comments, views, and testimony concerning the highway project selection process and the relative importance of the various criteria on which the commission bases its project selection decisions.

I. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

The commission meets monthly and a person may speak before the commission on any matter on the posted agenda. A person may request the addition of an item to the commission agenda provided the item is within the jurisdiction of the commission. Additionally, as a part of each commission meeting, the commission allows an open comment period to receive public input on any matter under the jurisdiction of the commission. A full and complete complaint and public input process is available on the department's Internet website.

Additionally, the commission may consider a discussion item at a commission meeting. The purpose of the discussion item is to allow informal dialogue regarding a problem that needs resolution or policy formation. Use of a discussion item allows the commissioners to receive public input and question staff on the discussion item and to openly discuss the item without having to immediately adopt a policy or approve an order concerning the item.

The department is authorized to hold public hearings to receive public input on, in addition to other matters: the 10 year transportation planning process; the design, schematic layout, and environmental impact of transportation projects; the commission's annual highway project selection process and the relative importance of the various criteria on which the commission bases its project selection decisions; converting a segment of the non-tolled state highway system to a toll project; approving any financial assistance for aviation facilities development; and as a part of all proposed rulemaking. Any comments received during the public hearings are analyzed and incorporated as appropriate into the project or process and final recommended action by staff to the commission would include those relevant ideas or changes.

J.

Texas Department of Transportation
Exhibit 4: Subcommittees and Advisory Committees

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee
Aviation Advisory Committee	The six member committee is appointed by the commission.	Reviews adopted capital improvement program; advises commission on the preparation and adoption of an aviation facilities development program and on the establishment and maintenance of a method for determining priorities among locations and projects to receive state financial assistance for aviation facility development; advises commission on the preparation and update of a multi-year aviation facilities capital improvement program.	Transportation Code, §21.003

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee
Public Transportation Advisory Committee	Appointed by commission. Eleven members: four represent a cross-section of public transportation providers; three represent a cross-section of transportation users; three represent the general public; and one with experience in the administration of health and human services programs.	Advises commission on the needs and problems of the state's public transportation providers; comments on rules involving public transportation matters; advises commission on the implementation of Transportation Code, Chapter 461 (Statewide Coordination of Public Transportation).	Transportation Code, §455.004
Port Authority Advisory Committee	Appointed by commission. Seven members: one member from the Port of Houston Authority of Harris County; three members from ports located on the upper Texas coast; and three members from ports located on the lower Texas coast.	Prepares a port mission plan; reviews each project eligible to be funded under Transportation Code, Chapter 55, and recommends for approval or disapproval; maintains trade data information to assist state ports and international trade; annually prepares list of projects recommended by the committee; and advises commission and department on matters relating to port authorities.	Transportation Code, §55.006

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee
Border Trade Advisory Committee	The 28-member committee is chaired by the border commerce coordinator designated under Section 772.010, Government Code. Other members appointed by commission, including the presiding officers, or designee, of the policy boards of metropolitan planning organizations wholly or partly in the department's Pharr, Laredo, Odessa, or El Paso transportation district; person serving in the capacity of executive director of each entity governing a port of entry in this state or that person's designee; and a representative each from at least two institutes or centers operated by a university in this state that conduct continuing research on transportation or trade issues.	Provides a forum for the exchange of communications among the commission, the department, the governor, and committee members representing border trade interests; provides the governor, the commission, and the department with a broad perspective regarding the effect of transportation choices on border trade in general and on particular communities; provides an avenue for interested parties to express opinions with regard to border trade issues. The committee makes recommendations to the Commission and the Governor for addressing the highest priority border trade transportation challenges.	Transportation Code, §201.114

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee
Bicycle Advisory Committee	Membership is determined and appointed by the commission with recommendation presented by Public Transportation Division to maintain a statewide, geographic balance. Members serve 3 year staggered terms and elect a Chairperson and Co-Chairperson.	Advises commission on bicycle issues and matter related to the Safe Routes to School Program. By involving representatives of the public, including bicyclists and other interested parties, the department helps ensure effective communication with the bicycle community, and that the bicyclist's perspective will be considered in the development of departmental policies affecting bicycle use, including the design, construction and maintenance of highways.	Transportation Code, §201.9025 and 43 TAC §1.85

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee
Freight Advisory Committee	Membership is determined by the commission with no dates of expiration. Current membership is 24 individuals representing local government, business, or industry associations.	Provides a forum for discussion regarding transportation decisions affecting freight mobility and promote the sharing of information between the private and public sectors on freight issues; provides the department with a broad perspective regarding freight transportation matters and assist in identifying potential freight transportation facilities and infrastructure that are critical to the state's economic growth and global competitiveness.	43 TAC §1.85
Commission for High-Speed Rail in the Dallas/Fort Worth Region Project Advisory Committees	Members are appointed by the commission, with seven members currently serving.	Advises on the development of intercity rail corridors, new transportation policies and funding and procurement strategies as they relate to the implementation of a proposed high-speed rail system in the Dallas - Fort Worth Metroplex.	43 TAC §1.85

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee
I-20 East Corridor Advisory Committee	Membership is composed of the following members as deemed appropriate by the district engineer: Department staff; Affected property owners and business establishments; Technical experts; Professional consultants representing the department; Representatives of local governmental entities; Representatives of the general public; Representatives of chambers of commerce; Representative of the environmental community. Current membership numbers 20.	Provides advice and recommendations regarding facilities to be included in a development plan for Interstate 20 in East Texas.	43 TAC §1.85

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee
I-69 Corridor Advisory Committee	Membership is composed of the following members as deemed appropriate by the district engineer: Department staff; Affected property owners and business establishments; Technical experts; Professional consultants representing the department; Representatives of local governmental entities; Representatives of the general public; Representatives of chambers of commerce; Representative of the environmental community. Current membership numbers 23.	Provides advice and recommendations regarding facilities to be included in a development plan for Interstate 69.	43 TAC §1.85

Table 4 Exhibit 4 Subcommittees and Advisory Committees

V. Funding

A. Provide a brief description of your agency's funding.

TxDOT's 2016-2017 biennial appropriations include the following funding sources:

General Revenue Fund

- General Revenue Fund
- Insurance Companies Maintenance Tax & Department Fees

Federal Funds

- Federal Funds
- Federal Reimbursements

Other Funds

- State Highway Fund No. 006
- State Highway Fund No. 006 – Toll Revenue
- State Highway Fund No. 006 – Concession Fees
- State Highway Fund No. 006 – Proposition 1, 2014
- Bond Proceeds – State Highway Fund
- State Highway Fund – Debt Service
- Bond Proceeds – Texas Mobility Fund
- Texas Mobility Fund – Debt Service
- Bond Proceeds – GO Bonds (Proposition 12, 2007)
- Interagency Contracts

B. List all riders that significantly impact your agency's budget.

<u>Article VII</u>

DEPARTMENT OF TRANSPORTATION

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code, §1232.103.

The Department of Transportation shall submit to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, an annual report of expenditures made under this authority no later than 10 days after September 1 of each year. The report shall identify any changes to the amounts budgeted for items listed below, including but not limited to appropriations transfers into or out of each item, actual or anticipated lapses of capital budget appropriations, expenditures for additional capital budget items not listed below, and any unexpended balances of capital budget appropriations for fiscal year 2016 that are not lapsed and are appropriated in fiscal year 2017 pursuant to Article IX, §14.03, of this Act.

		2016	***2017***
a.	Property	$650,000	$650,000
b.	Repair or Rehabilitation of Buildings and Facilities Deferred Maintenance	$200,000,000	UB
c.	Acquisition of Information Resource Technologies		
	(1) Technology Replacements and Upgrades	$16,405,724	$16,405,725
	(2) Mainframe Modernization	$20,500,000	$20,500,000
	(3) Modernize Portfolio, Project and Workflow Management (MPPM)	$15,000,000	
	Total, Acquisition of Information Resource Technologies	*$51,905,724*	*$36,905,725*
d.	Transportation Items	$10,500,000	$5,000,000
e.	Acquisition of Capital Equipment and Items	$41,300,000	$47,900,000
f.	Data Center Consolidation (1) Data Center Services	$29,521,273	$27,707,506
g.	Centralized Accounting and Payroll/Personnel System (CAPPS) (1) Centralized Accounting and Payroll/Personnel System (CAPPS) (2) PeopleSoft Licenses	$7,500,000 $281,468	$7 ,500,000 $281,468
	Total, Centralized Accounting and Payroll/Personnel System (CAPPS)	*$7,781,468*	*$7,781,468*
	Total, Capital Budget	**$341,658,465**	**125,944,699**

3. Transfer Authority
   a. Subject to the prior written approval of the Legislative Budget Board, appropriations may be transferred in any amount among Strategies A.1.2, Contracted Planning and Design, A.1.3, Right-of-Way Acquisition, B.1.1, Existing Construction Contracts, B.1.2, New Construction Contracts, B.1.3, Construction Grants & Services, C.1.1, Existing Maintenance Contracts, C.1.2, New Maintenance Contracts, and C.1.3, Contracted Routine Maintenance. No appropriations may be transferred out of any strategy identified in this subsection to any strategy not identified in this subsection without prior authorization from the Legislative Budget Board.

b. Subject to the appropriation transfer provisions in Article IX, §14.01, of this Act, appropriations may be transferred out of any strategy not identified in subsection (a) of this rider into any strategy identified in subsection (a).
c. The Department of Transportation may submit to the Legislative Budget Board a request to exceed the appropriation transfer limitations specified by this rider, in a format prescribed by the Legislative Budget Board, that provides information regarding the purposes and the projected impact of the transfers on transportation projects and future appropriation needs. A request submitted under this provision shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 30 business days after the date on which the staff of the Legislative Budget Board concludes its review of the request to transfer appropriations and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Additional information requested by the Legislative Budget Board regarding a request submitted by the Department of Transportation pursuant to this rider shall be provided in a timely manner. Notwithstanding any provision to the contrary in this subsection, the Legislative Budget Board is authorized to suspend the approval of a request at any time pending the receipt of additional information requested of the Department of Transportation.

4. Magazine Appropriations. The Department of Transportation is directed to set subscription rates and other charges for Texas Highways Magazine at a level that will generate receipts approximately sufficient to cover the costs incurred in the production and distribution of the magazine. In addition to funds appropriated above, the department is hereby appropriated to Strategy D.3.1, Travel Information, any magazine revenues generated above $4,935,761 for the 2016 fiscal year and $5,182,550 for the 2017 fiscal year. Funds may be utilized only for the purpose of magazine costs. The Department of Transportation may transfer revenues available from prior years subscription fees to Strategy D.3.1, Travel Information, in the event of unforeseen or unusual expenditures associated with the production costs of the Texas Highways Magazine. The Department of Transportation is hereby appropriated all revenue collected from the sale of promotional items as authorized by Transportation Code §204.009.

8. Aviation Services Appropriations In addition to amounts appropriated above, any unexpended and unobligated balances of appropriations made to the Department of Transportation from State Highway Fund No. 006 for airport development grants in the 2014-15 biennium in Strategy B.1.4, Aviation Services, remaining as of August 31, 2015 (estimated to be $0), are appropriated to Strategy B.1.4, Aviation Services, for the fiscal biennium beginning September 1, 2015, for the same purpose.

9. Trust Fund 927. The Department of Transportation is hereby authorized to receive and hold funds in Trust Fund No. 927 (county or political subdivision road participation account) from governmental and private entities for purposes of reimbursing State

Highway Fund No. 006 for expenses incurred with transportation projects, including highway and aviation.

10. State Highway Fund Reimbursement. To the extent that funds are made available from local governments under Transportation Code §22.055(b), the department is hereby appropriated amounts as necessary from State Highway Fund No. 006 for purposes authorized by Chapter 22 of the Texas Transportation Code. Funds made available to the department under Transportation Code §22.055(b) are to be used only for the purpose of reimbursing State Highway Fund No. 006.

11. District Discretionary Funds.

    a. Out of the funds appropriated above in Goal B, Transportation Improvements, the Department of Transportation shall allocate a minimum of $2.5 million for each district to the State District Discretionary Category each fiscal year. In addition, the Department of Transportation shall submit to the Legislative Budget Board and the Governor an annual report no later than November 1st each fiscal year detailing the amount of District Discretionary category funds used by each district for project cost overruns
    b. Out of the funds appropriated above in Goal B, Transportation Improvements, the Department of Transportation shall allocate, in addition to the allocations made under subsection (a) of this rider, funds to fund improvements designed to facilitate traffic related to motor vehicles, cargo, and rail, and improve the efficiency of border inspection and security processes at land ports of entry located within 50 miles of the Texas-Mexico border. In making allocations under this subsection, the department shall consider factors related to the movement of people and goods through the land border ports of entry within the boundaries of the state, including but not limited to the number of incoming commercial trucks and railcars, the number of incoming personal motor vehicles and buses, the weight of incoming cargo by commercial trucks, and the number of land border ports of entry.

15. Green Ribbon Project Expansion. It is the intent of the Legislature that the Department of Transportation expand the Green Ribbon Project, a public-private partnership initiative to enhance the appearance of public highways by incorporating in the design and improvement of public highways the planting of trees and shrubs, emphasizing natural beauty and greenspace, integrating public art, and highlighting cultural uniqueness of neighborhoods, to other areas of the state.

    Furthermore, in non-attainment and near non-attainment areas, in connection with a contract for a highway project, the department shall allocate to the district or districts in which the project is located an amount equal to not less than one half of one and not to exceed 1 percent of the amount to be spent under the contract for construction, maintenance, or improvement of the highway. If two or more districts share an allocation under this section, the districts shall divide the allocation according

to the portion of the amount under the contract that will be spent in each district. A district that receives an allocation under this rider may spend the allocated money for landscaping improvements associated with the project that was the subject of the contract or for landscaping improvements associated with another highway or highway segment located in the district.

For purposes of this rider, landscape improvements means planting of indigenous or adapted trees and other plants that are suitable for the climate in which they will be located, and preparing the soil and installing irrigation systems for the growth of the trees and plants. In non-attainment and near non-attainment areas, the district or districts shall, to the extent possible, use trees and plants that help mitigate the effects of air pollution.

17. Bond Programs. The Department of Transportation:
    a. in accordance with §49-k of Article III of the Texas Constitution; is hereby appropriated during each year of the biennium:

        1) all revenue of the state that is dedicated or appropriated to the Texas Mobility Fund No. 365 in accordance with §49-k (e) of Article III of the Texas Constitution, and such funds shall be deposited as received into the Texas Mobility Fund No. 365;
        2) all available funds in the Texas Mobility Fund No. 365, including any investment income, for the purposes outlined in Chapter 201, Subchapter M, Transportation Code;
        3) such amounts to be transferred to the Texas Mobility Fund No. 365 in accordance with §49-k (g) of Article III of the Texas Constitution and Chapter 201, Subchapter M, Transportation Code, as may be necessary to make payments when due on any bonds, notes, other obligations, or credit agreements issued or entered into pursuant to Chapter 201, Subchapter M, Transportation Code, to the extent that the available funds in the Texas Mobility Fund No. 365 are insufficient for such purposes; and
        4) in addition to the estimated amounts of Texas Mobility Fund Bond Proceeds listed above, any proceeds of additional bonds issued by the Texas Transportation Commission in a fiscal year or biennium that are in compliance with a Comptroller's certification as defined by Chapter 201, Subchapter M, Transportation Code.

    b. in accordance with Subchapter N of Chapter 201, Transportation Code, is authorized during the biennium to pay in addition to amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, debt service payments for notes issued or money borrowed in anticipation of a temporary cash shortfall in the State Highway Fund No. 006.
    c. in accordance with §49-m of Article III of the Texas Constitution and §201.115 of Chapter 201, Transportation Code, is authorized to pay in addition to amounts

appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, debt service payments for notes issued or money borrowed on a short term basis to carry out the functions of the department.

d. in accordance with §49-n of Article III of the Texas Constitution and Subchapter A of Chapter 222, Transportation Code, is authorized during each fiscal year of the biennium to pay out of amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, amounts due under bonds, other public securities and bond enhancement agreements that are issued or entered into to fund highway improvement projects and that are secured by and payable from revenue deposited to the credit of the State Highway Fund No. 006.
e. in accordance with §49-p of Article III of the Texas Constitution and State law, the Department is hereby appropriated, and in compliance with the bond resolutions authorized to transfer, during each year of the biennium the funds out of the General Revenue Fund as may be necessary to make payments when due on any bonds, notes, other obligations or credit agreements issued or entered into by the Commission. Prior to the expenditure of funds appropriated out of the General Revenue Fund, the Department shall utilize any balances available in interest and sinking funds for such purpose. The Department is also hereby appropriated all amounts available in such interest and sinking funds, including any unexpended balances in these funds, for making payments when due on any such bonds, notes, other obligations or credit agreements.
f. in accordance with §49-o of Article III of the Texas Constitution and §201.973 of Chapter 201, Transportation Code, the department is authorized to pay debt service payments for notes issued or money borrowed on funds contained in the Texas Rail Relocation and Improvement Fund No. 0306 from money in that fund.

18. Additional Funds.
    a. Except during an emergency as defined by the Governor, no appropriation of additional State Highway Funds above the estimated appropriation amounts identified above in the Method of Financing for the Department of Transportation as State Highway Fund No. 006, State Highway Fund No. 006 - Toll Revenue, State Highway Fund No. 006 - Concession Fees, and State Highway Fund No. 006 - Proposition 1, 2014 may be expended by the Department of Transportation unless:
        1) the Department of Transportation submits a report to the Legislative Budget Board and the Governor outlining any additional funds available above amounts estimated for the 2016-17 biennium, their anticipated uses and projected impacts; and,
        2) the Legislative Budget Board and the Governor issue a written approval or specify an alternate use for the additional funds.
    b. A request to expend additional funds pursuant to subsection (a) shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 30 business days after the date on which the staff of the

Legislative Budget Board concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

c. The limitation in subsection (a) of this rider does not apply to the expenditure of funds received from governmental entities for purposes of reimbursing State Highway Fund No. 006 for expenses incurred with transportation projects or the expenditure of funds received as reimbursements for authorized services that are otherwise appropriated by §8.02, Article IX, of this Act.

19. Local Government Assistance. The Department of Transportation, pursuant to Texas Transportation Code §201.706, may use funds appropriated by this Act to assist cities with the maintenance of city streets by providing engineering/maintenance expertise on roadway maintenance and when surplus materials are available, the department shall make available the surplus materials to any local government needing such materials.

    For those cities that adopt or have adopted either a street use fee for maintenance or a specialized fee for street accessibility improvements as part of their local utility fees, the Department is authorized to use funds appropriated by this Act to coordinate its accessibility programs with those cities including providing engineering expertise where possible.

20. Appropriations Limited to Revenue Collections: Rail Safety: It is the intent of the Legislature that revenues collected and deposited to the General Revenue Fund from the assessment of fees on railroad operators pursuant to §111.101, Transportation Code, cover, at a minimum, the cost of General Revenue appropriations made above in Strategy E.1.4, Rail Safety, as well as covering "other direct and indirect costs" associated with such General Revenue appropriations. "Other direct and indirect costs" associated with such General Revenue appropriations are estimated to be $335,973 for fiscal year 2016 and $352,865 for fiscal year 2017. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

21. Road Construction and Maintenance at State Facilities. Out of funds appropriated above, the Department of Transportation shall:
    a. maintain paved surfaces on the State Capitol Grounds according to the Historic Capitol Grounds Master Plan adopted by the State Preservation Board;
    b. construct, repair, and maintain roads in and providing access to and from Department of State Health Services and Department of Aging and Disability Services state hospitals and state supported living centers;
    c. expend no more than $20,000,000 for the biennium to construct and maintain roads and bridges on and adjacent to Texas Parks and Wildlife Facilities; and

d. expend no more than $500,000 for the biennium to construct and maintain roads in state historic sites administered by the Texas Historical Commission.

22. Comprehensive Development Agreements.
    a. The Department of Transportation may not expend any funds appropriated by this Act to enter into a comprehensive development agreement, unless the department submits a report to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, that provides information regarding the location, project costs, and projected benefits to the state for each project proposed under a comprehensive development agreement; and the Legislative Budget Board issues a written approval.
    b. A request submitted by the Department of Transportation pursuant to subsection (a) shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 30 business days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.
    c. Additional information requested by the Legislative Budget Board regarding a request submitted by the Department of Transportation pursuant to subsection (a) shall be provided in a timely manner. Notwithstanding subsection (b), the Legislative Budget Board is authorized to suspend the approval of a request at any time pending the receipt of additional information requested of the Department of Transportation.

26. Sale of Surplus Property. Notwithstanding the provisions of Article IX, §8.03, Surplus Property, in this Act, all receipts from the sale of Department of Transportation surplus property, equipment, commodities, or salvage (including recycled products), pursuant to the provisions of Chapter 2175, Government Code, are appropriated to the Department of Transportation for expenditure during the fiscal year in which the receipts are received to carry out the functions of the department, specifically including implementing Chapter 91, Transportation Code. The Department of Transportation may spend no more than $500,000 in a fiscal year for passenger rail projects authorized under the provisions of Chapter 91, Transportation Code, from funds appropriated by this rider.

27. Toll Project Subaccounts. The amounts appropriated above to the Department of Transportation in Goal H, Develop Toll Subaccount Projects, are made from fund balances and interest earnings on fund balances held in toll project subaccounts in the State Highway Fund for the State Highway 121, State Highway 161, and State Highway 130, Segments 5 and 6, toll projects.

29. Appropriations from Proposition 12 General Obligation Bond Proceeds: Unissued Authority and Balances from Prior Fiscal Biennium. In addition to the amounts appropriated above to the Department of Transportation from Proposition 12 General Obligation Bond Proceeds, any remaining General Obligation Bond authorization

pursuant to Section 49-p(a), Article III, Texas Constitution, and any unexpended balances of proceeds from the issuance and sale of such general obligation bonds remaining as of August 31, 2015, that were appropriated to the Department of Transportation for the 2014-15 biennium are hereby appropriated for the fiscal biennium beginning September 1, 2015, for the same purpose. Any remaining General Obligation Bond authorization pursuant to Section 49-p(a), Article III, Texas Constitution, and any unexpended balances of these funds remaining as of August 31, 2016, are hereby appropriated to the Department of Transportation for the fiscal year beginning September 1, 2016, for the same purpose.

30. Unexpended Balance Appropriation: Rail Projects. Any unexpended balances of General Revenue Funds remaining as of August 31, 2015, from General Revenue appropriations made to the Department of Transportation in Strategy E.1.2, Contract Rail Plan/Design, in the 2014-15 biennium for the purposes of environmental review and other preliminary planning activities for the Austin-San Antonio passenger rail project (estimated to be $0), or Strategy E.1.3, Rail Construction, for the purpose of making improvements to and rehabilitating the South Orient Railroad (estimated to be $0) are hereby appropriated to the Department of Transportation in the respective strategies in the fiscal biennium beginning September 1, 2015, for the same purposes.

32. Federal Funding for the Texas Rail Plan. The Department of Transportation shall make it a top priority to seek, obtain, maximize, and expend federal funding for rail and other related multi-modal transportation funding, including rail relocation and improvement funds from the Federal Highway Administration, Federal Railroad Administration, and Federal Transit Administration. Contingent upon the availability and receipt of federal rail and other related federal multi-modal funds to the State, such federal funds are appropriated to the Department of Transportation.

35. Unexpended Balances Appropriation: Acquisition of Information Resource Technologies. Any unobligated and unexpended balances of funds remaining as of August 31, 2015, that were appropriated to the Department of Transportation for the 2014-15 biennium for capital budget items in the Acquisition of Information Resource Technologies capital budget category (estimated to be $0) are appropriated for the fiscal biennium beginning September 1, 2015, for the same purpose.

44. Proposition 1 Appropriations. Amounts appropriated above in Strategy I.1.1, Proposition 1, 2014, from State Highway Fund No. 006 -Proposition 1, 2014, reflect estimated revenue transfers to the State Highway Fund pursuant to Article III, Section 49-g(c-1) of the Texas Constitution (estimated to be $1,216,274,000 in fiscal year 2016 and $1,197,393,000 in fiscal year 2017) to be used for constructing, maintaining, and acquiring rights-of-way for non-tolled public roadways. The funds appropriated above in Strategy I.1.1, Proposition 1, 2014, shall be allocated for the following purposes:
    a. 45 percent for mobility and added capacity projects in urban areas to decrease congestion and increase the safe and efficient movement of traffic estimated to be $547,323,300 for fiscal year 2016 and $538,826,850 for fiscal year 2017);

b. 25 percent for projects that improve regional connectivity along strategic corridors in rural areas of the state (estimated to be $304,068,500 for fiscal year 2016 and $299,348,250 for fiscal year 2017);
c. 20 percent for statewide maintenance and preservation projects (estimated to be $243,254,800 for fiscal year 2016 and $239,478,600 for fiscal year 2017); and
d. 10 percent for roadway safety and maintenance projects in areas of the state impacted by increased oil and gas production activity (estimated to be $121,627,400 for fiscal year 2016 and $119,739,300 for fiscal year 2017).

45. Appropriation and Capital Budget Authority: Receipts from Sale of Real Property.
a. None of the funds appropriated above may be expended for the capital budget items listed below in subsection (b) of this section. In addition to amounts appropriated above, the Department of Transportation is appropriated receipts from the sale of Department of Transportation real property for the purposes of funding the capital budget items listed below in subsection (b) of this section. Any unexpended balances as of August 31, 2016, in appropriations made to the Department of Transportation under this section are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2016.
b. Funds appropriated to the Department of Transportation in subsection (a) of this section may be expended only for the capital budget items shown below.

	For the Biennium Ending August 31, 2017
(1) Acquisition of Land and Other Real Property	$400,000
(2) Construction of Buildings and Facilities	34,648,000
(3) Acquisition of Information Resource Technologies	
(A) Technology Replacements and Upgrades (in addition to amounts in Rider 2, Capital Budget, subsection (c)(1), above)	7,506,963
(B) Mainframe Modernization (in addition to amounts in Rider 2, Capital Budget, subsection (c)(2), above)	34,889,252
(C) Modernize Portfolio and Project Management (in addition to amounts in Rider 2, Capital Budget, subsection (c)(3), above)	15,520,353

c. The Department of Transportation shall submit a quarterly report to the Legislative Budget Board, in a format prescribed by the Legislative Budget Board, summarizing the dollar amount of receipts from the sale of real property during the most recently completed fiscal quarter and the amount of funds from those receipts that the Department of Transportation has allocated or intends to allocate to any of the capital budget items in subsection (b) of this section.

46. Report on the Elimination of Toll Roads. Out of funds appropriated above, it is the intent of the Legislature that the Texas Department of Transportation conduct a study

on the feasibility of eliminating toll roads and the payment of debt to accomplish this purpose. It is the intent of the Legislature that the report:

i. list the amount of debt service on bonds issued for each toll project in this state;
ii. identify, based on criteria provided by the Texas Transportation Commission, bonds that would be appropriate for accelerated or complete lump-sum payment of debt service; and
iii. propose a plan to eliminate all toll roads in this state, except for tolls on roads constructed, operated, or maintained only with proceeds from the issuance of bonds by a toll project entity other than the department, by methods including:
    a) the accelerated or complete lump-sum payment of debt service on bonds identified under Subdivision (1); or
    b) requiring, as a condition on receipt of state financial assistance, a commitment by a toll project entity to eliminate toll collection on a project for which the financial assistance is provided.

It is the intent of the Legislature that the report be completed by September 1, 2016, and a copy be provided to the Legislative Budget Board and the standing committees of each house of the Legislature with primary jurisdiction over transportation matters.

47. Limitation on Expenditures for Design-Build Contracts. The Department of Transportation is authorized to expend funds appropriated by this Act to enter into no more than ten design-build contracts in the 2016-17 biennium for highway projects that have an estimated construction cost to the department of $250,000,000 or more per highway project. If provisions in Transportation Code §223.242, or similar general law, establish a limit on the number of design-build contracts that the Department of Transportation may enter into in each fiscal year or biennium that is less than the amount authorized by this section, then the limitation established by general law prevails.

48. Port Capital Improvements. Out of amounts appropriated to the Department of Transportation by this Act, an amount not to exceed $20,000,000 for the 2016-17 biennium from any available source of revenue or proceeds in Texas Mobility Fund No. 365 shall be allocated to provide funding for port capital improvement projects selected by the Port Authority Advisory Committee and approved by the Texas Transportation Commission.

49. Toll Discount Programs. In addition to amounts appropriated above, the Department of Transportation is appropriated receipts from the sale of Department of Transportation real property and receipts from the sale of surplus property, as authorized by Rider 26, Sale of Surplus Property, above, to provide funding for certain toll discount programs as follows:
    a. the amounts of $2,000,000 in fiscal year 2016 and $2,000,000 in fiscal year 2017 are for the purpose of providing toll discounts to qualified veterans for use of the Central Texas Turnpike System and other toll projects operated and maintained

by the Department of Transportation pursuant to toll rate policies established by the department; and

b. the amounts of $9,350,000 in fiscal year 2016 and $9,350,000 in fiscal year 2017 are for the purpose of providing toll discounts for large trucks traveling on Segments 1 -4 of State Highway 130 and State Highway 45 Southeast pursuant to toll rate policies established by the department.

Other State Agencies that have Fund 6 listed as a MOF or specifically name a payment obligation by TxDOT:

Article I

INFORMATIONAL LISTING OF FUNDS APPROPRIATED TO THE COMPTROLLER FOR SOCIAL SECURITY AND BRP (MOF)

	For the Years Ending	
	August 31, 2016	August 31,2017
State Highway Fund No. 006, estimated	$50,117,729	$50,108,202

EMPLOYEES RETIREMENT SYSTEM

	For the Years Ending	
	August 31, 2016	August 31,2017
State Highway Fund No. 006, estimated	$253,650,603	$273,489,332

Article VII

Contingency for Texas Department of Motor Vehicles Fund.

b. In the event SB1512, or similar legislation relating to the disposition of fees collected by or on behalf of the Department of Motor Vehicles to be deposited to the Texas Department of Motor Vehicles Fund, is not enacted by the Eighty-fourth Legislature, Regular Session, appropriations made to the Department of Motor Vehicles out of the General Revenue Fund by this Act are reduced by $40,198,749 in fiscal year 2016 and $40,269,009 in fiscal year 2017 and the amounts of $40,198,749 in fiscal year 2016 and $40,269,009 in fiscal year 2017 are appropriated to the Department of Motor Vehicles instead from State Highway Fund No. 006.

Article VII

REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT

4. Funding Source for Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165. Funds identified in the method of financing above, Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165, include agency reimbursements from appropriations made elsewhere in this Act to GR-Dedicated Account No. 165. These amounts are estimated. Account No. 165 shall be reimbursed for one-half of the unemployment benefits paid from appropriations made in this Act to the state agency that previously employed each respective former state employee whose payroll warrants were originally issued in whole or in part from the General Revenue Fund, a General Revenue-Dedicated Account, Federal Funds or Other Funds, such as State Highway Fund No. 006.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending	
	August 31, 2016	August 31,2017
State Highway Fund No. 006, estimated	$253,650,603	$273,489,332

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending	
	August 31, 2016	August 31,2017
State Highway Fund No. 006, estimated	$50,117,729	$50,108,202

Article VIII

Department of Insurance

21. Contingency for the Texas Department of Insurance TexasSure Fund.

b. In the event legislation relating to the disposition of fees collected by or on behalf of the Texas Department of Insurance to be deposited to the Texas Department of Insurance TexasSure Fund is not enacted by the Eighty-fourth Legislature, Regular Session, appropriations made to the Texas Department of Insurance out of the TexasSure Fund by this Act are reduced by $5,073,753 in fiscal year 2016 and $5,073,752 in fiscal year 2017 and the amounts of $5,073,753 in fiscal year 2016 and $5,073,752 in fiscal year 2017 are appropriated to the Texas Department of Insurance from State Highway Fund No. 006.

Article IX

Sec. 18.02. Appropriation for a Salary Increase for General State Employees.

(b) Contingent on enactment House Bill 9, or similar legislation to increase the member contribution to the Employees Retirement System, for the biennium the Comptroller of Public Accounts is appropriated an amount estimated to be $274,904,477 out of the General Revenue Fund, an amount estimated to be $18,781,528 out of General Revenue-Dedicated, an amount estimated to be $36,131,794 out of State Highway Fund No. 006, an amount estimated to be $3,392,652 out of Other Funds and accounts, and an amount estimated to be $55,697,356 out of Federal Funds to fund a salary increase as described in Subsection (a) of this section for employees of state agencies, including employees of the Higher Education Coordinating Board. Included in the amounts above are General Revenue Funds intended to provide the salary increase for certain FTEs currently paid from federal fund sources that would not be available for this purpose.

C.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 5: Expenditures by Strategy — 2014 (Actual)

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
A.1.1/Plan/Design/Manage	$ 376,739,104	3.86%	
A.1.2/Contracted Planning & Design	396,528,616	4.06%	$ 396,528,616
A.1.3/Right-of-Way Acquisition	563,959,982	5.77%	
A.1.4./Research	12,821,501	0.13%	11,958,543
B.1.1/Existing Construction Contracts	1,147,049,239	11.74%	1,147,049,239
B.1.2/New Construction Contracts	362,793,288	3.71%	362,793,288
B.1.3/Construction Grants & Services	1,667,766,937	17.07%	1,667,766,937
B.1.4/Aviation Services	121,221,312	1.24%	
C.1.1/Existing Maintenance Contracts	1,327,958,912	13.59%	1,327,958,912
C.1.2/New Maintenance Contracts	574,520,521	5.88%	574,520,521
C.1.3/Contracted Routine Maintenance	722,984,665	7.40%	722,984,665
C.1.4/Routine Maintenance	687,514,700	7.04%	
C.1.5/Gulf Waterway	223,907	0.00%	
C.1.6/Ferry System	40,933,308	0.42%	
D.1.1/Public Transportation	74,354,173	0.76%	
D.2.1/Traffic Safety	59,579,962	0.61%	
D.3.1/Travel Information	17,719,860	0.18%	
E.1.1/Rail/Plan/Design/Manage	2,166,074	0.02%	
E.1.2/Rail Contracted Plan/Design	6,929,156	0.07%	6,929,156
E.1.3/Rail Construction	30,273,642	0.31%	30,273,642
E.1.4/Rail Safety	1,120,909	0.01%	
F.1.1/Central Administration	51,465,420	0.53%	
F.1.2/Information Resources	132,533,009	1.36%	29,782,877
F.1.3/Other Support Services	41,133,373	0.42%	
F.1.4/Regional Administration	590,240	0.01%	
G.1.1/General Obligation Bonds	123,703,440	1.27%	

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
G.1.2/State Highway Fund Bonds	316,295,998	3.24%	
G.1.3/Texas Mobility Fund Bonds	529,374,657	5.42%	
G.1.4/Other Debt Service	101,222,825	1.04%	
H.1.1/Plan/Design/Manage - Subaccount	8,848,822	0.09%	
H.1.2/Contracted Plan/Design - Subaccount	2,054,805	0.02%	2,054,805
H.1.3/Right-of-Way Acquisition - Subaccount	73,687,324	0.75%	
H.1.4/Construction Contracts - Subaccount	193,303,723	1.98%	193,303,723
GRAND TOTAL:	**$ 9,769,373,404**	**100%**	**$ 6,473,904,924**

Table 5 Exhibit 5 Expenditures by Strategy

D.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 6: Sources of Revenue — Fiscal Year 2014 (Actual)

Source	Amount
General Revenue Fund	$ 129,650,077
Federal Funds 8082 - Federal Reimbursements	3,419,529,948
American Recovery and Reinvestment Act (ARRA)	30,632,659
State Highway Fund - 0006	3,372,280,811
State Highway Fund 006 - Toll Revenue	195,190,288
State Highway Fund No 006 - Concession Fees	19,183,162
Interagency Contracts	4,392,675
Transportation Infrastructure Fund	7,415,504
Bond Proceeds - Texas Mobility Fund 0365	804,785,607
Bond Proceeds - State Highway Fund 6	352,032,423
Bond Proceeds - General Obligation Bonds	579,315,355
Build America Bond Subsidies (BABS)	58,234,408
Texas Mobility Fund - Debt Service	506,310,007
State Highway Fund - Debt Service	290,420,480
Total	**$ 9,769,373,404**

Table 6 Exhibit 6 Sources of Revenue

E.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 7: Federal Funds — Fiscal Year 2014 (Actual)

Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
FHWA FEMA Disaster	80% Fed/20% State	$ 13,176	$ 52,702	$ 65,878
Airport Improvement Program	80% Fed/20% State	15,077,984	60,311,938	75,389,922
Highway Planning and Construction	47% Fed/21% State/ 21% bond/ 7% local/ 4% Concession	1,651,457,904	1,464,500,405	3,115,598,309
ARRA - Hwy & Bridge-Stimulus	80% Fed/20% State	6,126,532	24,506,127	30,632,659
FRA HighSpeed Rail Corridors & Intercity Passenger Rail Service-Capital	80% Fed/20% State	144,375	577,500	721,875
Federal Transit Capital Investment Grants	68% Fed/32% State	3,486,844	7,409,545	10,896,389
Federal Transit Metropolitan Planning Grants	68% Fed/32% State	2,019	4,289	6,308
Formula Grants for the Other Than Urbanized Areas	68% Fed/32% State	11,968,762	25,433,620	37,402,382
Capital Assistance Programs	68% Fed/32% State	2,419,484	5,141,405	7,560,889
State Planning and Research	68% Fed/32% State	457,708	972,629	1,430,337
Job Access Reverse Commute	68% Fed/32% State	3,050,729	6,482,798	9,533,527
New Freedom Program	68% Fed/32% State	1,111,500	2,361,936	3,473,436
State and Community Highway Safety	76% Fed/24% State	4,291,602	13,590,073	17,881,675
Alcohol Impaired Driving Countermeasures Incentive Grants I	76% Fed/24% State	719,786	2,279,324	2,999,110
Occupant Protection Incentive Grants	76% Fed/24% State	7,193	22,778	29,971

Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
State Traffic Safety Information System Improvement Grants	76% Fed/24% State	174,819	553,592	728,411
Incentive Grant Program to Increase Motorcyclist Safety	76% Fed/24% State	77	242	319
Child Safety and Child Booster Seats Incentive Grants	76% Fed/24% State	33,901	107,354	141,255
NHTSA Discretionary Safety Grants	76% Fed/24% State	65,184	206,418	271,602
Rail Line Relocation and Improvement - CFDA 20.320	80% Fed/20% State	4,430,901	17,723,606	22,154,507
National Priority Safety Program	76% Fed/24% State	3,737,253	11,834,633	15,571,886
Community Investment	80% Fed/20% State	1,636,383	6,545,530	8,181,913
Commercial Vehicle Information Systems and Networks	80% Fed/20% State	52,596	210,384	262,980
Debt Service Subsidy for Build America Bonds - Stimulus	100% Federal	-	58,234,408	58,234,408
TOTAL		**$713,360,053**	**$1,709,063,236**	**$3,419,169,948**

Table 7 Exhibit 7 Federal Funds

F. If applicable, provide detailed information on fees collected by your agency.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 8: Fee Revenue — Fiscal Year 2014

Fee Description / Program / Statutory Citation	Current Fee / Statutory Maximum	Number of Persons or Entities Paying Fee (Estimated)	Fee Revenue	Where Fee Revenue is Deposited
Special Vehicle Permits (Port of Brownsville) / Pharr District Maintenance / Transportation Code 623.214	up to $80	13,235	$ 1,058,799.21	Fund 0006 - State Highway Fund
Special Vehicle Permits (Port of Freeport) / Houston District Maintenance / Transportation Code 623.214	up to $80	5	$ 364.00	Fund 0006 - State Highway Fund
Special Vehicle Permits (Hidalgo County Regional Mobility Authority) / Pharr District Maintenance / Transportation Code 623.323	up to $80	3	$ 204.00	Fund 0006 - State Highway Fund
Driver Record Information Fees (Accident Reports - Crash Records) / Traffic Operations Division / Transportation Code 550.065	$6-$8	80,777	$ 565,441.26	Fund 1001 - General Revenue Fund
State Highway Toll Project Revenue / Toll Operations Division / Transportation Code 228.005; 228.206; 373.102	Varies	See Note	$ 2,190,808.96	Fund 0006 - State Highway Fund

Fee Description / Program / Statutory Citation	Current Fee / Statutory Maximum	Number of Persons or Entities Paying Fee (Estimated)	Fee Revenue	Where Fee Revenue is Deposited
Highway Beautification Fees (Highway Beautification License Fees - Outdoor Advertising) / Outdoor Advertising Regulatory Program - Right of Way Division / Transportation Code 391.063	$125 / $75	1,138	$ 113,760.00	Fund 0006 - State Highway Fund
Highway Beautification Fees (Highway Beautification Permit Fees - Outdoor Advertising Interstate) / Outdoor Advertising Regulatory Program - Right of Way Division / Transportation Code 391.069	$100 / $75 / $25	15,850	$ 1,056,676.06	Fund 0006 - State Highway Fund
Outdoor Signs on Rural Roads (Outdoor Signs Permit Fees - Outdoor Advertising Rural Roads) / Outdoor Advertising Regulatory Program - Right of Way Division / Transportation Code 394.025; 43 Texas Administration Code 21.401	$100 / $75 / $25	1,132	$ 75,460.00	Fund 0006 - State Highway Fund
Outdoor Signs on Rural Roads (Specific Logo and Major Shopping Motorist Information Signs) / Outdoor Advertising Regulatory Program - Traffic Operations Division / Transportation Code 391.091; 391.0935	Varies	See Note	$ 4,291,347.33	Fund 0006 - State Highway Fund

Fee Description / Program / Statutory Citation	Current Fee / Statutory Maximum	Number of Persons or Entities Paying Fee (Estimated)	Fee Revenue	Where Fee Revenue is Deposited
Outdoor Signs on Rural Roads (Tourist Oriented Directional Signs) / Outdoor Advertising Regulatory Program - Traffic Operations Division / Transportation Code 391.099	Varies	See Note	$ 973,408.19	Fund 0006 - State Highway Fund
Motor Carrier Act Penalties / Finance Division / Transportation Code 643.251; 644.102; 644.153; 623.272	Varies	See Note	$ 322.95	Fund 0365 - Texas Mobility Fund
Rail Safety Program Fees / Rail Division / Vernon's Texas Civil Statutes Title 112, Chap 11, Art 6448a; Transportation Code 111.101	Varies Annually Assessed	52	$ 1,605,696.47	Fund 1001 - General Revenue Fund
Quarry Pit Safety Fees / Maintenance Division / Natural Resources Code 133.047	$500 / $350	38	$ 16,000.00	Fund 1001 - General Revenue Fund
Court Fines (Child Safety Seats General Revenue) / Finance Division; Municipalities or counties / Transportation Code 545.413	Varies	See Note	$ -	Fund 0365 - Texas Mobility Fund; (Fund 1001 - General Revenue Fund)
Fees for Copies or Filing of Records (Copying and Filing Fee) / Various Divisions / Transportation Code 552.261, 603.004	Varies	See Note	$ 14,862.87	Fund 0006 - State Highway Fund

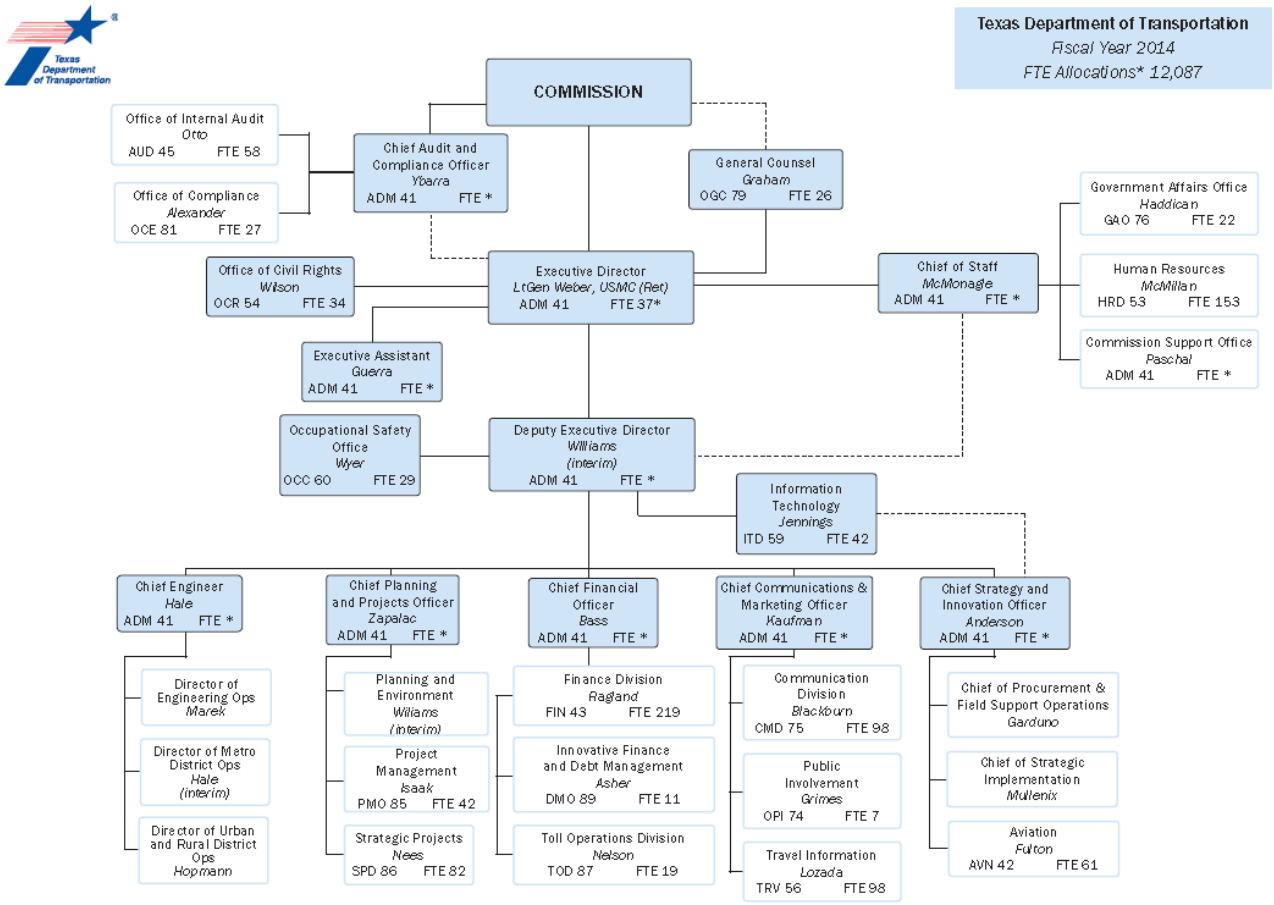
Fee Description / Program / Statutory Citation	Current Fee / Statutory Maximum	Number of Persons or Entities Paying Fee (Estimated)	Fee Revenue	Where Fee Revenue is Deposited
Fees for Administrative Services (Administrative Fees - Various - ex Motor Carrier Escrow Fees) / Various Divisions/ Transportation Code 621.351	Varies	See Note	$ 51,295.49	Fund 0006 - State Highway Fund
Fees for Administrative Services (Administrative Fees - Convenience Fees - Transaction Fee) / Various Divisions / Transportation Code 621.351	$1	865	$ 864.72	Fund 0006 - State Highway Fund
Rental of Lands/Miscellaneous Land Income / Various; Toll Operations Division; Rail Division / Government Code 411.063; 443.013, 443.0131, 443.0132, 2165.151 - 2165.158, 2165.201, 2165.215	Varies	See Note	$ 1,213,165.23	Fund 0006 - State Highway Fund
Sale of Publications/Advertising (Advertising Fees Texas Travel Literature) / Travel Division / Transportation Code 204.002	Varies	See Note	$ 752,853.52	Fund 0006 - State Highway Fund
Sale of Publications/Advertising (Don't Mess With Texas Licensed Products) / Travel Division / Transportation Code 204.009	Varies	See Note	$ 3,670.14	Fund 0006 - State Highway Fund

Fee Description / Program / Statutory Citation	Current Fee / Statutory Maximum	Number of Persons or Entities Paying Fee (Estimated)	Fee Revenue	Where Fee Revenue is Deposited
Sale of Publications/Advertising (Sale of Publications / Maps) / Transportation Planning & Programming Division / Transportation Code 204.002	Varies	See Note	$ 21,895.70	Fund 0006 - State Highway Fund
Sale of Publications/Advertising (Texas Highways Magazine) / Travel Division / Transportation Code 204.010	Varies	See Note	$ 3,956,321.57	Fund 0006 - State Highway Fund
Sale of Surplus Property Fee / General Services Division and Various Other Divisions / Government Code 2175.131	2% up to 13%	See Note	$ 27,675.18	Fund 1001 - General Revenue Fund
Other Surplus or Salvage Property/Materials Sales / General Services Division and Various Other Divisions / Government Code 2175.185 (2175.191)	Varies	See Note	$ 1,162,534.64	Fund 0001 - General Revenue Fund
Returned Check Fees (Dishonored Check Fee) / Various Divisions / Business & Commerce Code 3.506	$25	6	$ 150.00	Fund 0006 - State Highway Fund

Table 8 Exhibit 8 Fee Revenue

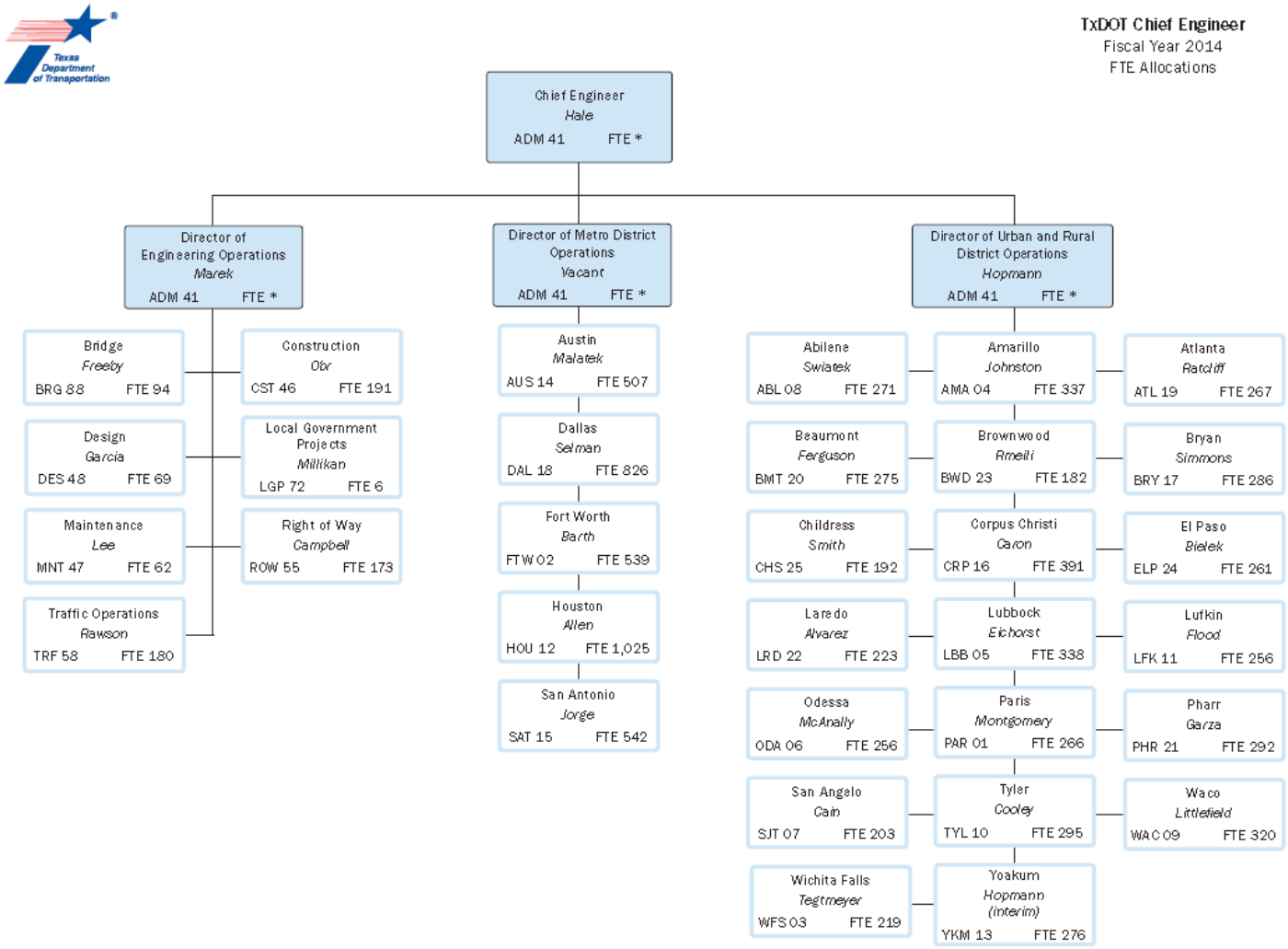
VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division. Detail should include, if possible, Department Heads with subordinates, and actual FTEs with budgeted FTEs in parenthesis.



* FTE number included in executive director's total, above include professional and administrative staff. Names without FTE numbers: See additional org charts for details.

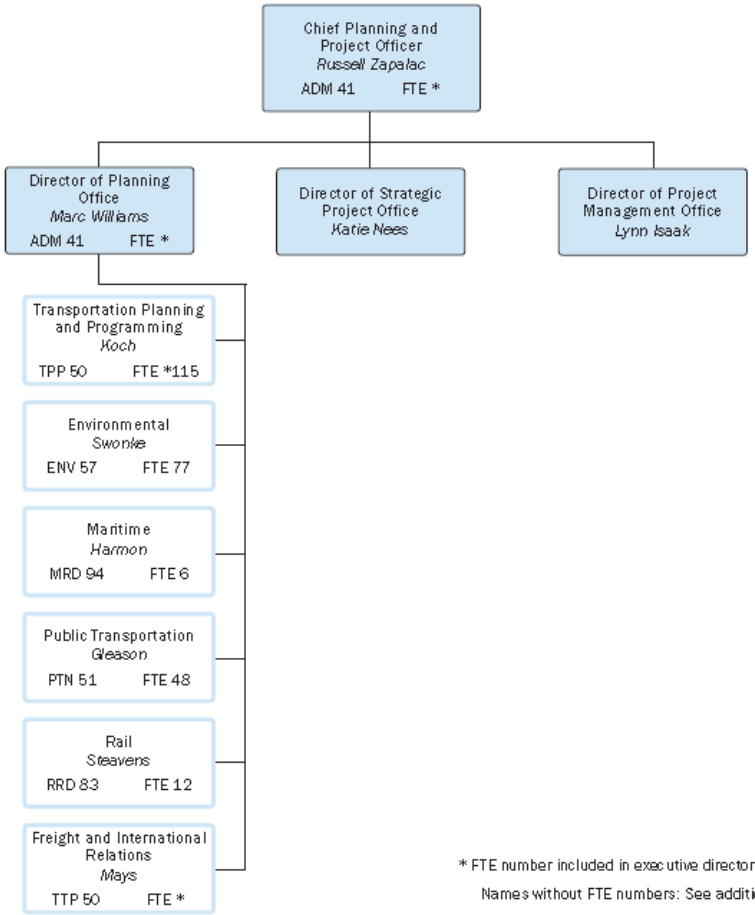
Note: In fiscal year 2014, the agency held 288 FTE in cost reserve following the outsourcing of Information Technology support functions.



* FTE number included in executive director's total, above include professional and administrative staff. Names without FTE numbers: See additional org charts for details.

TxDOT Chief Planning and Project Office

Effective 4/1/15

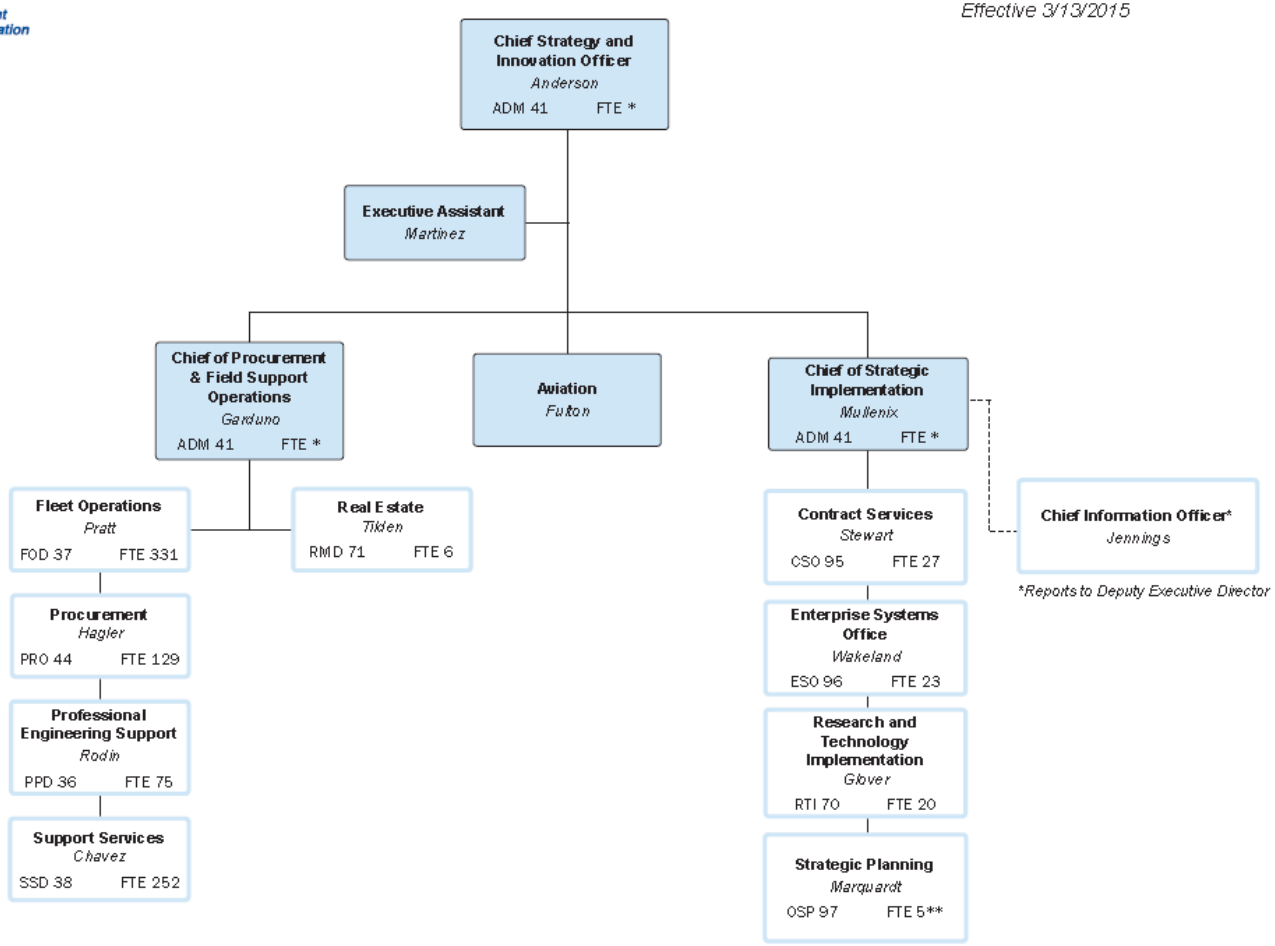


* FTE number included in executive director's total on the main org chart.

Names without FTE numbers: See additional org charts for details.

TxDOT Strategy & Innovation Officer

Effective 3/13/2015



* FTE number included in executive director's total on the main org chart.

** Fiscal Year 2015 total

Names without FTE numbers: See additional org charts for details.

B.

Texas Department of Transportation
Exhibit 9: FTEs by Location — Fiscal Year 2014

Headquarters, Region, or Field Office	Location	Co-Location?* Yes / No	Number of Budgeted FTEs as of June 1, 2014	Number of Actual FTEs as of June 1, 2014
ABILENE	ABILENE	Yes	270	264.88
AMARILLO	AMARILLO	Yes	337	333.91
ATLANTA	ATLANTA	Yes	267	264.46
AUSTIN	AUSTIN	Yes	507	500.50
BEAUMONT	BEAUMONT	Yes	275	280.44
BROWNWOOD	BROWNWOOD	Yes	182	177.41
BRYAN	BRYAN	Yes	286	286.56
CHILDRESS	CHILDRESS	Yes	192	191.19
CORPUS CHRISTI	CORPUS CHRISTI	Yes	391	376.48
DALLAS	DALLAS	Yes	826	828.85
EL PASO	EL PASO	Yes	261	257.94
FORT WORTH	FORT WORTH	Yes	539	556.26
HOUSTON	HOUSTON	Yes	1,025	1,016.47
LAREDO	LAREDO	Yes	223	218.88
LUBBOCK	LUBBOCK	Yes	338	339.57
LUFKIN	LUFKIN	Yes	256	252.05
ODESSA	ODESSA	Yes	256	243.26
PARIS	PARIS	Yes	266	268.51
PHARR	PHARR	Yes	292	282.64
SAN ANGELO	SAN ANGELO	Yes	203	201.61
SAN ANTONIO	SAN ANTONIO	Yes	542	541.32
TYLER	TYLER	Yes	295	288.81
WACO	WACO	Yes	320	322.73
WICHITA FALLS	WICHITA FALLS	Yes	219	221.45
YOAKUM	YOAKUM	Yes	276	271.12
ADMINISTRATION	AUSTIN	Yes**	37	31.00
AUDIT	AUSTIN		63	43.50
AVIATION	AUSTIN		61	64.14
BRIDGE	AUSTIN		94	91.69
COMMUNICATIONS	AUSTIN		98	87.82
COMPLIANCE & ETHICS	AUSTIN		5	16.00

Headquarters, Region, or Field Office	Location	Co-Location?* Yes / No	Number of Budgeted FTEs as of June 1, 2014	Number of Actual FTEs as of June 1, 2014
CONSTRUCTION	AUSTIN		191	173.48
CONTRACT SERVICES OFFICE	AUSTIN		26	21.95
DESIGN	AUSTIN		54	57.34
ERP OFFICE	AUSTIN		22	23.00
ENVIRONMENTAL AFFAIRS	AUSTIN		77	77.86
FEDERAL AFFAIRS	AUSTIN		8	7.00
FINANCE	AUSTIN		220	214.64
FLEET OPERATIONS	AUSTIN		331	312.45
GENERAL COUNSEL	AUSTIN		26	25.00
HUMAN RESOURCES	AUSTIN		153	155.48
INFORMATION TECHNOLOGY	AUSTIN		52	29.00
INNOV FINANCING/DEBT MGMT	AUSTIN		9	12.00
LOCAL GOVERNMENT OFFICE	AUSTIN		5	6.00
MAINTENANCE	AUSTIN		62	58.00
MARITIME DIVISION	AUSTIN		5	5.00
MASTERS STUDENT PROGRAM	AUSTIN		4	0.00
OCCUPATIONAL SAFETY	AUSTIN		29	25.00
OFFICE OF CIVIL RIGHTS	AUSTIN		39	32.61
PUBLIC INVOLVEMENT	AUSTIN		7	6.00
PROCUREMENT	AUSTIN		129	130.00
PROFESSIONAL PROCUREMENT	AUSTIN		75	67.14
PROJECT MANAGEMENT	AUSTIN		42	33.76
PUBLIC TRANSPORTATION	AUSTIN		48	47.00
RAIL	AUSTIN		12	11.45
REAL ESTATE MGMT & DEV	AUSTIN		66	4.00

Headquarters, Region, or Field Office	Location	Co-Location?* Yes / No	Number of Budgeted FTEs as of June 1, 2014	Number of Actual FTEs as of June 1, 2014
RESEARCH & TECH IMPLEMENT	AUSTIN		20	14.45
RIGHT OF WAY	AUSTIN		173	169.41
STRATEGIC PROJECTS	AUSTIN		82	84.59
STATE LEGISLATIVE AFFAIRS	AUSTIN		14	10.59
SUPPORT SERVICES	AUSTIN		176	226.02
TOLL OPERATIONS	AUSTIN		17	19.00
TRAFFIC OPERATIONS	AUSTIN		180	170.00
TRANSP PLANG & PROGRAM	AUSTIN		115	115.99
TRAVEL	AUSTIN		98	94.00
Total			**11,769.00**	**11,560.66**

*Generally TxDOT District locations (Area and Maintenance offices) co-locate with DPS, DMV & TPWD.

**Several TxDOT Austin Headquarters locations currently co-locate with DMV, DPS, TPWD & UT.

Table 9 Exhibit 9 FTEs by Location

C. What are your agency's FTE caps for fiscal years 2014–2017?

Fiscal Year	FTEs	Summer Hire	Total
2014	12,087	206	12,293
2015	12,087	206	12,293
2016	11,900	206	12,106
2017	11,900	206	12,106

D. How many temporary or contract employees did your agency have as of August 31, 2014?

The department had a total of 7,373 temporary and contract employees as of August 31, 2014.

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program.

Note: The programs and functions listed below do not represent all programs and functions of the Texas Department of Transportation, just those key programs or functions that we highlight in Section VII of this report. Also, responsibilities for these programs and

functions often cross organizational lines, so a total for this table is not appropriate. Finally, this list presents the key programs/functions in the same order as they are presented in Section VII.

Texas Department of Transportation
Exhibit 10: List of Program FTEs and Expenditures — Fiscal Year 2014

Program/Function	Number of Budgeted FTEs FY 2014	Actual FTEs as of August 31, 2014	Actual Expenditures
Occupational Safety	29	25	$6.5 Million
Project Design	Part of Design Division total	66	$7.4 Million
Highway Bridge Program	Part of Bridge Division total	8	$221.4 Million
Bridge Inspection Program	Part of Bridge Division total	14	$26.6 Million
Highway Improvement Contracts function	Part of Construction Division total	12	$877,447
Highway Beautification Act – Outdoor Advertising Regulatory Program	Part of Right of Way Division total	21	$875,386
Right-of-Way Acquisition for Non-Toll/Turnpike Projects	Part of Right of Way Division total	20	$642.1 Million
Highway Safety Improvement Program	Part of Traffic Operations Division total	3	$158 Million
Statewide Intelligent Transportation System (ITS) Program	Part of Traffic Operations Division total	10	$7 Million
Railroad Safety Inspection Program	Part of Traffic Operations Division total	15	$794,500
Systemic Widening Program	Part of Traffic Operations Division total	3	$0
Texas Traffic Safety Program	Part of Traffic Operations Division total	47	$134.8 Million
Routine Maintenance Contracts (RMC) Letting & Agreements function	Part of the Maintenance Division total	7	$455,000
Performance-Based Maintenance of Highway	Part of the Maintenance	3.5	$7.7 Million

Program/Function	Number of Budgeted FTEs FY 2014	Actual FTEs as of August 31, 2014	Actual Expenditures
Contracts	Division total		
Pavement Management Program	Part of the Maintenance Division total	16	$5.5 Million
Emergency Operations Program	Part of the Maintenance Division total	2	$146,928
Freight Planning	Part of the Transportation Planning & Programming Division total	3	$3.9 Million
Statewide Planning	Part of the Transportation Planning & Programming Division total	3	$2.1 Million
Unified Transportation Program (UTP) function	Part of the Transportation Planning & Programming Division total	4	$450,000
Statewide Transportation Improvement Program (STIP) function	Part of the Transportation Planning & Programming Division total	2	$83,000
Gulf Intracoastal Waterway (GIWW) function (Maritime Planning and Coordination)		7	$543,535
Bicycle and Pedestrian Coordination	Part of the Public Transportation Division total	1	$75,289
Federal Transit Administration (FTA) and State Public Transportation Grant Program	Part of the Public Transportation Division total	47	$90.4 Million
Rail Planning, Coordination, and Management function		14	$34.2 Million
Environmental function	Part of the Environmental Affairs Division	78.83	$13.1 Million

Program/Function	Number of Budgeted FTEs FY 2014	Actual FTEs as of August 31, 2014	Actual Expenditures
	total		
Comprehensive Development Agreements (CDAs) and Associated Maintenance Contracts function	Part of the Strategic Projects Division total	75	$1.3 Billion
Design-Build Agreements (DBAs) and Associated Maintenance Contracts function	Part of the Strategic Projects Division total	75	$454.6 Million
Toll Collections function	Part of the Toll Operations Division total	20	$53.4 Million
Innovative Financing/Debt & Portfolio Management	Part of the Innovative Financing/Debt Management Office total	13	$1.1 Billion
Travel Information Centers and DriveTexas (Highway Condition Reporting System)	Part of the Travel Division total	67	$6.2 Million
Aviation Facilities Development Program	Part of the Aviation Division total	35	$111 Million
Flight Services	Part of the Aviation Division total	30	$5.5 Million
Routine Airport Maintenance Program	Part of the Aviation Division total	35	$3.9 Million
Contract Services function	26	26	$1.8 Million
Enterprise Project Delivery function	N/A	13	$0
Professional Engineering Procurement Services function	Part of the Professional Engineering Procurement Services Division total	77	$13.9 Million
Research Program	Part of the Research and Technology Implementation Office total	14	$13 Million

Table 10 Exhibit 10 List of Program FTEs and Expenditures

VII. Guide to Agency Programs

Overview

The Texas Department of Transportation presents the following guide to agency programs for each of the six chief executive administrative areas represented on the agency organizational chart (see Section VI). These areas include Executive and Commission Support, Chief Engineer, Chief Projects and Planning Officer, Chief Financial Officer, Chief Communications and Marketing Officer, and Chief Strategy and Innovation Officer.

Each section provides an overview and brief description of all offices and responsibilities within that chief organizational area, followed by responses to the Guide to Agency Programs topics (A through P) for only those key programs or functions that we are highlighting in this report. This approach provides a closer look at the agency functions and programs that represent the most significant and mission-critical areas of agency responsibility.

Executive and Commission Support

The Office of Internal Audit (AUD) is established by the Texas Transportation Commission, and its responsibilities are defined by the Audit Subcommittee of the Commission, as part of their oversight function. This structure ensures compliance with the Texas Internal Auditing Act and professional audit standards. AUD is governed by state legislation and professional standards. The office is evaluated every three years for compliance with these standards by external evaluation teams. The Office focuses on providing assurance that TxDOT's business processes are designed and operating effectively to meet agency goals and objectives related to operations, reporting, and regulatory compliance.

In Fiscal Year 2014, the Texas Transportation Commission created the Chief Audit and Compliance Officer position to oversee the Offices of Internal Audit and Compliance. Both offices operate in conformance with statute and work to provide assurance that TxDOT operates in accordance with legal, regulatory, and ethical responsibilities. In addition, the functions are aimed at improving risk management, accountability and governance through value-driven audits, evaluations, investigations and advisory services engagements. Work is performed in conformance with professional auditing standards with oversight provided by the Chief Audit and Compliance Officer and the Audit Subcommittee of the Texas Transportation Commission.

The Office of Internal Audit provides assurance that TxDOT activities are conducted effectively, efficiently and makes recommendations for sustainable, cost-effective process improvement. The office includes staff from around the state and provides agency-wide coverage through audits of division, district and office activities.

The Compliance Office operates the TxDOT Watch hotline which enables employees, business partners, stakeholders and the general public to report alleged fraud, waste, or

abuse or an alleged violation of the ethics policy. The Investigations Section within the Compliance Office independently and objectively reviews, investigates, and oversees the investigation of fraud, waste or abuse allegations, including those received through the TxDOT Watch hotline. The External Audit and Advisory Services Section within the Compliance Office performs audits of external entities with which TxDOT conducts business to provide assurance on the appropriate use of state and federal funding from TxDOT, and performs advisory service engagements within TxDOT to provide direct assistance, evaluate, or provide guidance in the development of procedures for specific functions for the department.

The Executive Director is the Chief Executive Officer, and the Deputy Executive Director, the Office of General Counsel, the Office of Civil Rights, and the Chief of Staff report directly to the Executive Director of TxDOT.

The Office of General Counsel (OGC) provides legal counsel to the Texas Transportation Commission and TxDOT administration, districts, divisions and offices. The OGC drafts administrative rules, testifies before legislative committees, and serves as legal counsel at commission meetings.

The Director of the Office of Civil Rights (OCR) serves as the Department's Americans with Disabilities (ADA)/Section 504 Coordinator, Title VI Coordinator, External EEO Coordinator, DBE Liaison Officer and Affirmative Action Officer. The OCR is comprised of five sections related to ensuring equal opportunity in employment, participation, benefits, services and contracts; preventing and eliminating unlawful discrimination; and encouraging diversity in all of TxDOT's programs and activities.

The Department's Chief of Staff oversees the Governmental Affairs Office and the Human Resources Division.

Government Affairs Office (GAO) is responsible for the Department's interaction with the United States Congress, federal agencies, the Texas Legislature, the Governor's Office, and other statewide elected officials.

The Human Resources Division (HRD) oversees statewide direction for employment policies and practices, compensation and employee performance management, talent acquisition, recruitment, tuition assistance program, and diversity outreach programs. HRD develops human resource performance objectives through workforce metrics and trend analyses; manages a substance abuse and violence prevention program; coordinates employee discipline; administers employee benefits and assistance programs; manages leave and service award programs; and administers an employee appeals program. The division maintains a business title classification system to ensure salary parity with other transportation entities and to monitor department career progression. HRD also provides workforce development and training programs in management, leadership, soft skills, performance excellence, and professional and technical areas. HRD administers the statewide Wellness Program and the Collaborative Resolution Program.

The Occupational Safety Office reports directly to the Deputy Executive Director. The Occupational Safety Division (OCC) directs and oversees the Department's safety and risk management programs. The division is responsible for creating and sustaining an organizational culture designed to eliminate preventable incidents and injuries through the use of program tools, applicable safety/skills training, and department wide initiatives, such as the implementation of Safety: Mission Zero. The division administers the Department's self-insured workers' compensation program, ensuring that injured TxDOT employees receive appropriate income benefits and the reasonable and necessary medical care to facilitate their safe and timely return to employment. The division reduces TxDOT's exposure to financial risk by managing all tort and liability claims (third party property damage and bodily injury claims), providing oversight of pre-employment physicals, and coordinating statewide access to clinics to perform substance abuse testing.

Below are responses that describe the key functions under Executive and Commission Support.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Occupational Safety Division (OCC)

Location/Division: OCC, 150 Riverside, Austin

Contact Name: Jerral Wyer

Actual Expenditures, FY 2014: $6.5 Million as of August 31, 2014

Number of Actual FTEs as of June 1, 2015: 25

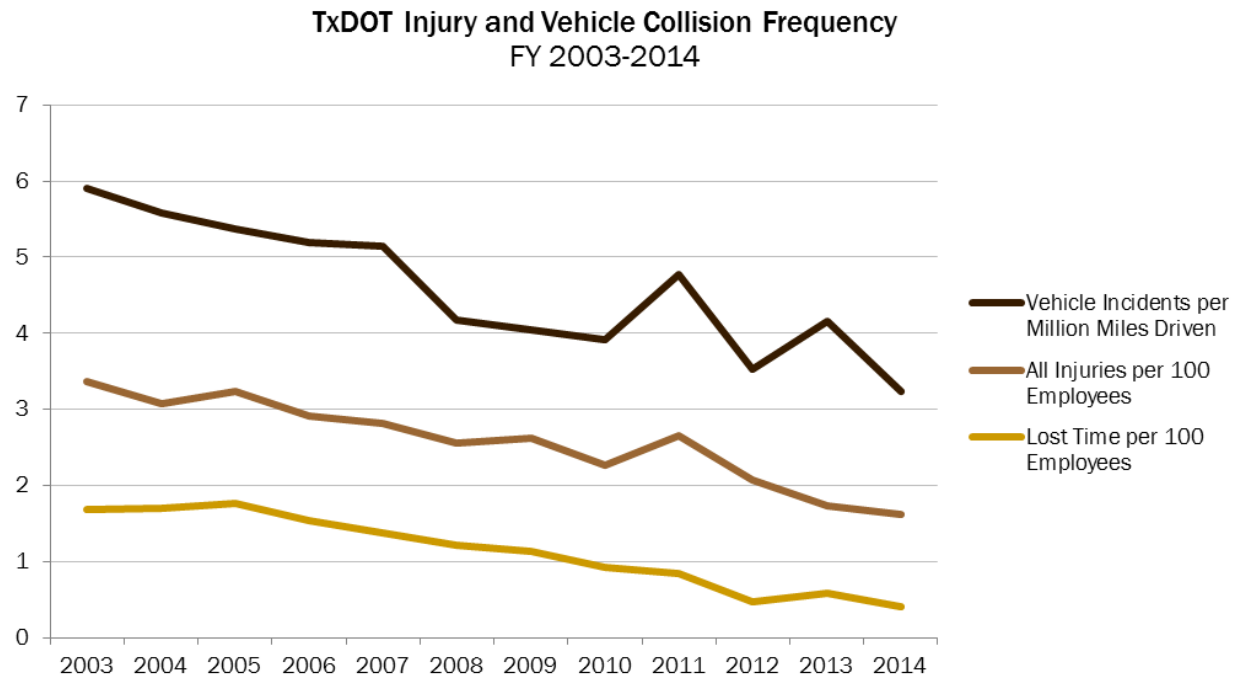
Statutory Citation for Program: Chapter 201, Transportation Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Occupational Safety Division (OCC) is to provide a safe work environment for Texas Department of Transportation employees and to assist all persons who are involved in incidents during or resulting from departmental operations. Major activities include self-insured workers' compensation program, new employee physicals and alcohol and drug testing program (contract management and bill payment), employee safety and industrial hygiene program, hazardous materials awareness for employee safety, resolution of tort claims against the department, and resolution of liability claims for department motorized vehicles and equipment.

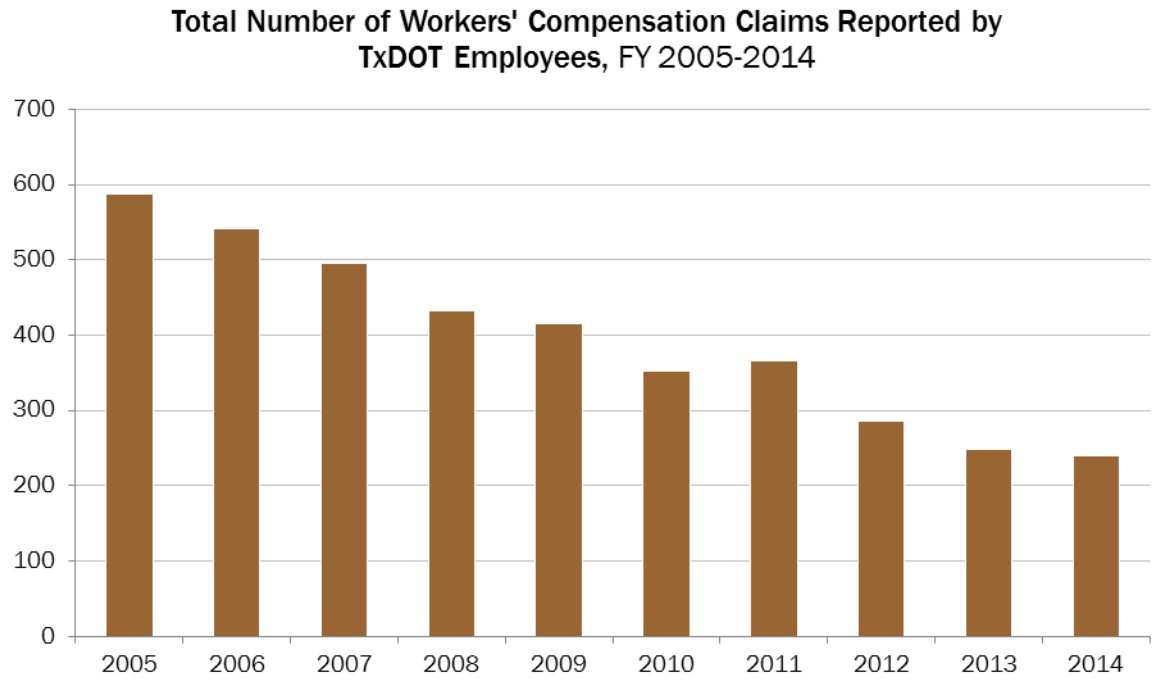
C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

Over the last 23 years, TxDOT has gradually, but consistently reduced on the job injuries, lost time incidents and recordable vehicle incidents. Below is a chart that illustrates the effectiveness of the program.

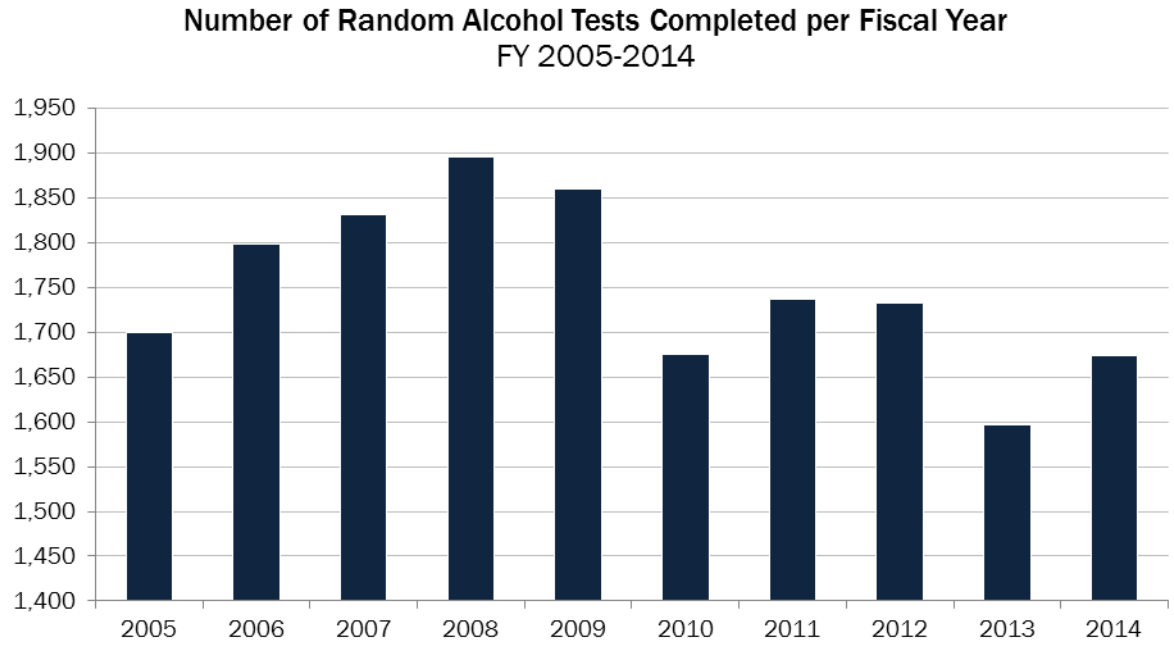


The department purchased insurance to cover the liability of vehicles and equipment, and in 2002, the insurance proposal rose to a premium of $3,200,000. Since becoming self-insured the annual average payment of claims has been just over $860,000, indicating an average savings of approximately $2,340,000 per year. The number of lawsuits resulting from claims has continued on a downward trend. From 1997 to 2001 the average number of lawsuits per year was 74. Since 2001, the number has decreased steadily to 14 lawsuits filed in 2014.

The Texas Department of Transportation has been self-insured for workers' compensation since 1938 and has evolved through the years to incorporate a very effective workers' compensation and risk management program. The below chart shows an overall reduction in reported claims from 587 in 2005 to 240 in 2014, an overall reduction of 59.11%.

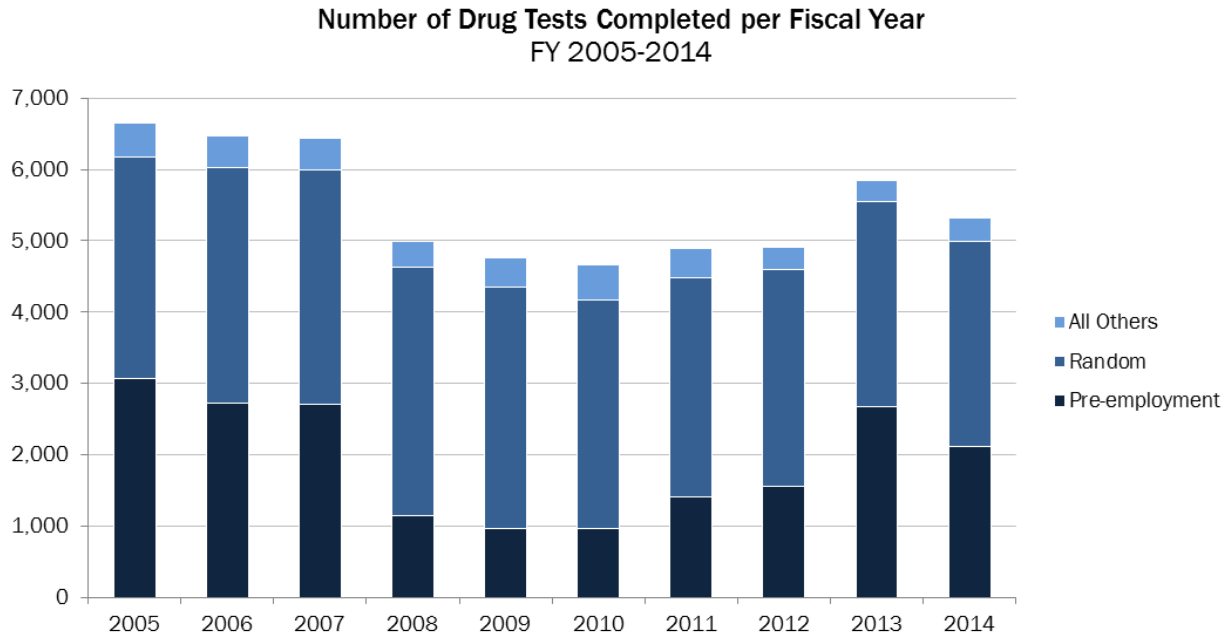


The department conducts random alcohol testing for twenty five percent of commercial drivers and safety sensitive employees.



The department's substance abuse program functions comply with department drug/alcohol regulations, and with federal regulations for commercial drivers and vessel

crew members. Audits regularly held by the U.S. Coast Guard (last one in 2014) have found TxDOT to be in full compliance with all rules and regulations.



D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

TxDOT has had an employee related hazardous materials program since 1982. Several of the original functions of this section, such as hazardous waste management, spill response/remediation, storage tank registration, etc. were re-assigned to the Environmental Affairs Division during 1991-1992.

In 1970, with the passing of the Texas Tort Claims Act, Texas Civil Practices and Remedies Code, Chapter 101, TxDOT became self-insured for Tort claims and began purchasing vehicle/equipment liability coverage from an outside insurance company. The most significant change was becoming self-insured in 2002 regarding liability claims. The intent did not change, but the service to our customers has improved. Additionally, legislation was passed in 2003 allowing the department to pay liability claims under $10,000 without going to the governor for approval. This has improved the department's ability to serve the public when there is a claim to be paid.

In 1938, the legislature gave the department the right to insure its employees for workers' compensation. The intent of the 1938 statute was to allow the department to self-insure their employees for workers' compensation, which was accomplished through what was then the Insurance Division. In 1991, as a sign of the times, the designation of the Insurance Division was changed by the legislature to the Occupational Safety Division (OCC) to reflect the growing public sentiment for safety in the work place.

The alcohol and drug testing program originated within the department in December 1989 when the Coast Guard mandated substance abuse testing on vessel crewmembers (ferry boats). In January 1995, the DOT issued orders for the substance abuse testing of commercial drivers. In February 1996, the Highway Commission passed rules requiring substance abuse testing of all safety-sensitive employees for pre-employment and post-accident. The regulations and rules of TxDOT, the DOT, and the Coast Guard were separate and distinct for several years before they finally merged into a single source of rules in 2001. The original intent has not changed; however, TxDOT has elevated this program to continue to enforce a safe workplace for all employees and the traveling public.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Safety, Hazardous Materials, and Industrial Hygiene programs affect all TxDOT employees throughout the organization and the traveling public. The Substance Abuse and Special Projects programs affect prospective and current employees of the Texas Department of Transportation (TxDOT), and the traveling public. The Tort and Liability program affects the traveling public.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Safety, Hazardous Materials and Industrial Hygiene Section functions are administered by the Section Director. The section is comprised of the Director, one Management Analyst, one Special Projects Coordinator, and five Safety Specialists. Section operations are in accordance with the policies and/or procedures established by the Occupational Safety Manual and the Handbook of Safe Practices. Many of the program policies and/or procedures have been developed as a result of direct legislation or based on federal regulations that apply to department operations.

The Tort and Liability functions are administered by a Claims Section Director, shared with Workers' Compensation. The section consists of four licensed Claims Adjusters who handle tort, liability, and safety incidents by districts as assigned.

Workers' Compensation functions are administered by a Claim Section Director, shared with Tort and Liability. The section is comprised of three licensed adjusters and two administrative assistants. The handling of workers' compensation claims is a long-term, detailed assignment by many different parties working together to arrive at a common goal. The workers' compensation section's function is to see that all of these parties come together to provide the department's employees with the best medical care reasonably possible, a reasonable income to sustain them and their families while they are

recovering, and to give the injured employee a chance to return to a satisfying, gainful employment.

The Substance Abuse/Special Projects function is managed by the Business Operations Administrator. The section is comprised of three employees who are responsible for administering the policies and procedures for pre-employment physical examinations, arranging the distribution of the drug testing custody and control forms; arranging for the set-up of drug and alcohol collection and testing facilities; negotiating service contracts with physicians, medical facilities and vendors; maintaining the department's medical directory for all doctors that provide services related to drug and alcohol testing; payment of all medical bills for drug testing services and any other assistance that is needed regarding the testing aspect of the program and the department's physical examination programs (pre-employment physicals, diver physicals and merchant mariner physicals.) The section maintains agreements with approximately 200 clinics statewide, who perform the required pre-employment physicals of all department new hires and, in most cases, will also handle the urine drug collections for the required drug test of new applicants. There is one Special Projects employee who works with developing the budget, organizing and scheduling safety trainings, initiating and handling requisitions, and providing overall support for the department safety projects.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Occupational Safety Division programs are funded by State Highway Fund 6.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Occupational Safety Division is the sole entity responsible for the operation of the department's safety, hazmat, tort, liability and workers' compensation program.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Safety, Hazardous Materials and Industrial Hygiene Sections coordinate with the Texas Department of State Health Services as the regulatory agency for Texas Hazard Communication Compliance and State Agency Wellness Programs; the Texas Department of Public Safety as the regulatory agency for licensing requirement and endorsements for commercial drivers; the Federal Department of Transportation for regulations regarding the safe transportation of hazardous materials.

The Tort and Liability Section coordinate with Texas Attorney General's Office, Highway Division for tort/liability law suits, and law enforcement (DPS, county sheriff, city police) to obtain input on accidents.

The Substance Abuse/Special Projects Section coordinates with the Department of Transportation (DOT) to administer the department's procedures for transportation workplace drug and alcohol testing programs; the United States Coast Guard (USCG) for regulations requiring mandatory drug and alcohol testing of all vessel crewmembers; the Federal Motor Carrier Safety Administration (FMCSA) for regulations requiring mandatory drug and alcohol testing of all commercial drivers; the Substance Abuse and Mental Health Services Administration (SAMSHA), governed by the Department of Health and Human Services (DHHS), for certified laboratories to perform analysis for the department's drug testing program.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

As of August 31, 2014, the Tort and Liability Section has 21 active contracts on file that provide for expert witnesses that the department intends to use at trial. Total professional fees and services expenditures for fiscal year (FY) 2014 were $86,006.93. These contracts are administered by the Attorney General's Office and by OCC's Tort Section to ensure performance is in line with the expense.

The Workers' Compensation section maintains a professional contract with a medical cost containment company, WellComp (formerly known as Forte'), for cost containment of medical expenses relating to workers' compensation. The services provided include medical bill audits, preauthorization reviews, and retrospective utilization reviews to ensure the department only paid amounts owed under medical fee guidelines and medical necessity for compensable injuries. The total payments under this contract in

FY 2014 were $288,538.17. The contract was renewed through August 31, 2016 for continued cost containment services. A request for bid proposal will be posted for a new contract beginning September 1, 2016.

TxDOT also contracts with private investigators (PI) to investigate suspected fraud cases. These types of investigations take special training and unique surveillance equipment to secure evidence necessary to successfully prosecute a fraud case against an employee, and especially against a medical provider. These PIs are used only on special cases with suspicion of fraud and each case is contracted individually with varying limits. The success ratio on these cases has been very good during the last several years.

The Substance Abuse Section has two contracts, ChemCheck and Victory Medical and Family Care, with expenditures of $270,535 in FY 2014.

The ChemChek Corporation conducts random breath alcohol tests and drug urine collections on site at TxDOT's districts and/or divisions statewide. These test are conducted at designated locations as requested by the state, for individuals selected for random substance abuse testing in accordance with federal regulations

The certified medical doctor at Victory Medical and Family Care serves as the department's Medical Review Officer (MRO) in the administration of the department's drug and alcohol testing program. The MRO annually prepares a random list, by section number, of commercial drivers and vessel crewmembers employed by TxDOT who are subject to random drug and breath alcohol testing. The MRO, as required by Federal law, reviews all drug testing results in accordance with federal regulations. They also contract with a SAMSHA certified laboratory to provide an accurate analysis of all drug specimens collected for TxDOT.

The accountability for funding and performance is provided by OCC through the Business Operations Administrator, who serves as the project manager for both contracts. This position is responsible for negotiating fees and services, supervision of time and charges, assuring records management is in accordance with the federal regulations, approving payment for services rendered, and submitting vouchers for payment to the Finance Division. Both of the above stated contracts have been recently renewed and currently there are no problems with either vendor.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Expand accountability in Transportation Code Sec. 545.157. Passing Certain Vehicles (Move Over Slow Down) legislation to equate loss of roadway maintenance/construction worker's life to those of other public servants such as law enforcement.

Texas Government Code §2113.201 currently caps employee awards at $100.00 per year. With inflated costs for awards and meals, it is difficult to recognize the milestone achievers with an award commensurate to the accomplishment. Expanding this amount would allow flexibility and ensure employees are acknowledged accordingly for the level of commitment to excellence being demonstrated.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

Chief Engineer

The Chief Engineer of TxDOT provides administrative direction and oversight to department engineering staff necessary to 1) develop and monitor state transportation programs, and 2) construct, operate and maintain the state transportation system in a manner consistent with federal and state transportation laws and policies. Three directors report to the Chief Engineer; the Director of Engineering Operations, the Director of Metro District Operations, and the Director of Urban and Rural District Operations.

The Director of Engineering Operations oversees six major transportation divisions, involved in developing rules, procedures and operating strategies needed to implement, deliver and monitor the statewide transportation programs. This focuses primarily in the design, construction, maintenance, control of traffic operations, and right of way regulations of the State's roads, highways and bridges. An office in charge of the coordination with local governments and federal agencies also reports to the Director.

The Design Division (DES) provides and monitors standard guidelines to be followed in the development of highway construction projects on interstate, state, rural, and urban highway systems. The division develops, maintains and updates program manuals to ensure transportation project development consistently follows policies and procedures established by federal and state laws and commissioner directives. Prepares standard geometric design criteria, design standards and provides federal oversight responsibility for project development. DES also reviews preliminary project design parameters to ensure compliance with established design criteria, guidelines, standards and state and federal laws. They provide district personnel with design-level mapping and aero photography used in the daily engineering operations of the department. They also develop landscape design and process plans and bid proposals to letting.

The Bridge Division (BRG) provides and develops policies, standards, manuals, and guidelines for project development, design, plan preparation, plan review, construction, maintenance, and inspection of bridges to ensure the safety and mobility of the traveling public. The division provides preliminary engineering, programming, and guidance for developing bridge projects across the state. Reviews preliminary bridge layouts and construction plans, specifications, and estimates for bridges designed by both department personnel and consulting engineering firms. BRG provides designs and details for bridges, geotechnical structures, overhead sign bridges and other traffic structures. They provide expertise and assistance with bridge construction and maintenance problems, damaged structures, and construction inspection services involving welded and bolted steel bridges. The division manages the federally mandated bridge inspection program for the state's 53,000 bridges. They also oversee programs for replacement and rehabilitation of on- and off-system structurally deficient and functionally obsolete bridges.

The Construction Division (CST) provides standard guidelines and oversight for contract administration including payment, construction regulatory compliance, and inspection and testing for all department construction contracts. The division develops, maintains

and updates program manuals to ensure transportation project construction consistently follows policies and procedures established by federal and state laws and commissioner directives. Division staff performs contractor pre-qualification, bid proposal issuance and construction and maintenance contract letting. They provide consultation to districts on project management, administration and inspection and testing from pre-letting to final project acceptance. The CST division coordinates with the Federal Highway Administration (FHWA) to assure the overall effectiveness of the construction oversight program. They perform inspection and testing of statewide construction materials to ensure their quality for construction and maintenance projects. They also oversee coordinates and manage statewide pavement designs

The Maintenance Division (MNT) provides standard guidelines, statewide administration and oversight of the maintenance budget, statewide maintenance operations, development of safety rest areas and other roadway facilities, the statewide vegetation management program, and statewide planning. The division develops, maintains and updates program manuals to ensure maintenance practices consistently follows policies and procedures established by federal and state laws and commissioner directives. It oversees and supports the maintenance contracting program, emergency contracting and the State Use Program. The division conducts statewide maintenance condition assessments, develops and administers performance based roadway and rest area maintenance contracts. It also regulates aggregate quarries and pits. The division manages the maintenance management system. MNT staff develops and supports pavement asset management plans, conducts pavement evaluations and maintains and oversees the department's pavement management information system. MNT also coordinates the department's emergency management operations.

The Traffic Operations Division (TRF) provides standard guidelines and oversight for the engineering design of traffic control devices, roadway illumination, radio operations, traffic signals, the review and analysis of speed zone requests, the review of traffic engineering related aspects of construction plans, the collection of crash records and analysis of crash data, coordinating and performing rail safety regulatory inspection activities with the Federal Railroad Administration (FRA), and coordinating highway-rail project construction, maintenance and safety improvement work activities between TxDOT and railroad companies. The division assists and supports the districts in the research, development, and implementation of the statewide Intelligent Transportation Systems program designed to improve the safety and efficiency of our highway system. It administers the Texas Traffic Safety Program, the Highway Safety Improvement Program, the Texas Safety Bond Program, the Texas Traffic Assessment Program, the Fatality Analysis Reporting System and the Safe Routes to School Program. The division staff develops, publishes and distributes the Texas Manual on Uniform Traffic Control Devices which is used by all road authorities in Texas.

The Right of Way Division (ROW) manages the acquisition of right of way and other real-property interests required for TxDOT transportation projects. The division coordinates eminent-domain proceedings with the Texas Attorney General. ROW Administers the

adjustment and relocation of utilities on right-of-way acquisition services and coordinates the disposal of surplus real property. They also perform the regulatory function for the orderly and effective control of outdoor advertising and junkyards along interstate and primary highways in accordance with the Federal Highway Beautification Act and under the Rural Roads Act, along all highways and roads located outside of corporate limits of municipalities.

Local Government Projects Office (LGP) provides standard guideline and oversight for the management of projects delivered by local governments that are partially or fully funded with federal or state funds. This office serves as the primary contact with the Federal Highway Administration and other federal agencies related to local government project functions within TxDOT.

The Director of Metro District Operations and the Director of Urban and Rural District Operations oversee 25 geographical districts primarily responsible for constructing, maintaining and safely operating the state transportation system consistent with the statewide transportation program. The Department conducts its primary activities within these districts. Varying climate and soil and differing needs of local populations make decentralization of department operations necessary. Each district, managed by a district engineer, is responsible for the design, location, construction, and maintenance of its transportation systems in their area of responsibility. Local field offices within districts are known as area offices. The Director of Metro District Operations oversees the Austin, Dallas, Fort Worth, Houston, and San Antonio districts. The Director of Urban and Rural District Operations oversees the Abilene, Amarillo, Atlanta, Beaumont, Brownwood, Bryan, Childress, Corpus Christi, El Paso, Laredo, Lubbock, Lufkin, Odessa, Paris, Pharr, San Angelo, Tyler, Waco, Wichita Falls and Yoakum districts.

Below are responses that describe the key functions under the Chief Engineer.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Project Design

Location/Division: Design Division

Contact Name: Rene Garcia

Actual Expenditures, FY 2014: $7,423,558

Number of Actual FTEs as of June 1, 2015: 66

Statutory Citation for Program: Texas Transportation Code, Subchapter D, Sec. 201.202 Divisions; Division Personnel

B. What is the objective of this program or function? Describe the major activities performed under this program.

To provide support and expertise to districts, divisions, and external transportation partners in the areas of design criteria, design manuals, design standards, preliminary and final roadway design, hydraulic/hydrology design, landscape design, enhancements, and photogrammetry mapping. In addition, to manage the development of approved transportation projects in accordance with established priorities, design criteria, procedures, guidelines, standards, state and federal laws.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Project Design function monitors and collaborates with district and division offices that processed 756 transportation projects for letting in fiscal year 2014 at a total construction cost of $3.85 billion in federal and state funds. Staff also coordinated and reviewed 47 local let transportation projects valued at $248.5 million. Staff also administered and coordinated the design phase Value Engineering program which potentially saved taxpayers over $20 million in fiscal year 2014.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Project Design's transportation project plan, and specification, and estimate (PS&E) review function has changed its focus as a result of various reorganizations in the last several years. Previously, this function was a final "last stop" in the review process, making final quality assurance and control checks to PS&E prior to processing for letting. Now, this function is performed at an earlier stage of project development to support

district offices as needed. This change now affords the ability to function more in providing preliminary engineering, hydraulic, and landscape design production assistance to the district offices. This broader focus of increased engineering design production services was also enhanced with the Photogrammetry Section joining the Design Division while other IT services were privatized.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Project Design function primarily supports district personnel, as well as division and transportation consultants involved in designing roadways and railways.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Project Design function sets the standards by which all transportation project plans will be developed. The policies and procedures for this are included in the following department manuals: *Roadway Design Manual, PS&E Preparation Manual*, *Access Management Manual*, *Hydraulic Design Manual*, *Landscape Inspection Guide, Landscape and Aesthetics Design Manual*, and the *Project Development Process Manual*. The majority of transportation project design plans are developed at the district level by either TxDOT district/division staff or private sector consultants procured by TxDOT staff. The Design Division staff then manages TxDOT's bid proposal preparation and plan reproduction in compliance with state and federal laws and in support of established funding and letting priorities.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The fiscal year 2014 funding source and amount for the Project Design function was $8.5 million from general revenue funds. These monies, funded with state funds, were split between $5 million for operating budget expenses and $3.5 million used for contracted professional services.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Internal to TxDOT, the Project Design function provides similar services on transportation highway construction projects that the Bridge and Traffic Divisions provide for bridge and traffic projects, respectively. Externally, the Federal Highway Administration carries out

many of the same type of processes for the very limited number of projects on which they retain oversight responsibilities.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The similar functions or services listed above are complimentary and not duplicative. TxDOT's internet website is one of the tools used to avoid duplication of effort. All of the previously listed functions that are unique to the Bridge and Traffic Divisions are posted on their respective websites and updated regularly for all users to view. The Project Design function also uses the annual TxDOT Transportation Conference and webinars to present new developments to educate, inform and interact with other TxDOT district, division and private consultants.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Project Design function includes interaction with local governments across the state to ensure consideration and coordination of local transportation needs, and the selection and funding of projects. Local governments develop transportation plans which feed into a comprehensive statewide plan. The Project Design function then secures funding for projects selected from that plan based on priority need and availability of funds. The Project Design function also works with local governments to provide guidance for access location determination and procedures for municipalities to be granted permitting authority to the state highway system. The Project Design function also coordinates with the Federal Highway Administration on PS&E with federal oversight, major updates to design manuals and standards for comments prior to publication. This function is to coordinate the landscape and curb ramp programs at the local level.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The Project Design function serves as a check and balance at several key steps to ensure from a statewide perspective that the professional contract services contract process is implemented consistently in accordance with appropriate state and federal laws, departmental policy, and general good contracting practices. Project Design staff are responsible for reviewing and approving work authorization and supplemental work

authorization deliverables. The Project Design function had four professional services contracts expending $2.4 million in Fiscal Year 14.

Contractor	Description	Amount of Contract
Pape-Dawson	Planning, designing, facilitating, and construction of the Statewide Curb Ramp Program	$1.9 Million
AMEC	Value Engineering Program	$350,000
HDR	Value Engineering Program	$350,000
HDR	Hydraulic/Hydrology design and analysis	$125,000

L. Provide information on any grants awarded by the program.

Grants are not awarded by the Project Design function.

M. What statutory changes could be made to assist this program in performing its functions? Explain.

No known statutory changes are needed at this time to assist this function.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The Statewide Curb Ramp Program retrofits corners on the state highway system in order to improve access to pedestrian facilities at locations not otherwise included in planned TxDOT transportation roadway projects. The ultimate goal of this program is to bring the state's system into compliance with federal and state accessibility requirements. Currently 37,447 corners on the state transportation system have been brought into compliance with these accessibility requirements.

In support of landscaping efforts, the Project Design function manages several programs. The Green Ribbon Landscape Improvement Program (GRP) allocates funds for landscaping and other enhancement activities to districts that have air quality, non-attainment and near non-attainment counties. The Construction Landscape Program (CLP) addresses new landscape development and establishment projects within each district. The Governor's Community Achievement Awards Program (GCAA), is a joint effort between TxDOT and Keep Texas Beautiful (KTB). Through a competition administered by KTB, winning cities receive a landscape development project within their city along state right of way. The Landscape Cost Sharing Program (CSP) allows the department to negotiate and execute joint landscape development projects through local governments with support from civic associations, private businesses and developers for the aesthetic improvement and maintenance of our state transportation system.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

A dispute over a request for an access permit to the state highway system, a requirement for a change or repair of an existing access connection, the denial of a request for a variance, or a finding of significant impact and threat to public safety may be elevated through the appeal process first to the Design Division, then to the Executive Director, and ultimately to a Board of Variance appointed by the Executive Director, all in accordance with 43 Texas Administrative Code, Chapter 11, Subchapter C Access Connections To State Highways, Section 11.55 Appeal Process.

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Highway Bridge Program (HBP)

Location/Division: Bridge Division

Contact Name: Gregg A. Freeby, P.E.

Actual Expenditures, FY 2014: $221,359,528

Number of Actual FTEs as of June 1, 2015: 8

Statutory Citation for Program: Title 23, Code of Federal Regulations, Section 650 Subpart D.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Texas Highway Bridge Program (HBP) is a federal-aid program that provides funding to enable states to improve the condition of highway bridges through replacement, rehabilitation, and systematic preventive maintenance. The HBP supports the Department's priority to be the safest DOT in the United States, and its goal is to maintain a safe system and connect Texas communities. With the passage in 2012 of the federal transportation bill, MAP-21, there is no longer a federal HBP. However, MAP-21 does require federal aid for off-system bridges in the same amount that was provided in 2009. TxDOT has decided to continue the HBP and has adopted the same eligibility criteria as the former federal HBP.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

TxDOT's Bridge Division publishes the biennial Report on Texas Bridges, which describes the condition of Texas bridges both on the state system and off of the state system. In August 2001, TxDOT adopted a goal that within 10 years, at least 80 percent of the bridges in Texas would be in good or better condition. TxDOT met this goal one year ahead of time, and the percentage of bridges in good or better condition has continued to climb steadily. TxDOT Administration also established the goal to eliminate structurally deficient on-system bridges.

The following lists from the 2014 Report on Texas Bridges illustrate the achievement of the first goal, and year-by-year progress toward the second goal.

Goal -- Make 80% of Texas Bridges in Good or Better Condition by September 2011

FY 2004 – 75.9% of bridges in good or better condition

FY 2005 – 76.2% of bridges in good or better condition

FY 2006 – 77.3% of bridges in good or better condition

FY 2007 – 77.7% of bridges in good or better condition

FY 2008 – 78.8% of bridges in good or better condition

FY 2009 – 79.7% of bridges in good or better condition

FY 2010 – 80.3% of bridges in good or better condition

FY 2011 – 80.5% of bridges in good or better condition

FY 2012 – 81.2% of bridges in good or better condition

FY 2013 – 81.4% of bridges in good or better condition

FY 2014 – 81.8% of bridges in good or better condition

Goal – Eliminate Structurally Deficient On-System Bridges

FY 2004 – 565 structurally deficient, on-system bridges

FY 2005 – 528 structurally deficient, on-system bridges

FY 2006 – 483 structurally deficient, on-system bridges

FY 2007 – 421 structurally deficient, on-system bridges

FY 2008 – 346 structurally deficient, on-system bridges

FY 2009 – 329 structurally deficient, on-system bridges

FY 2010 – 305 structurally deficient, on-system bridges

FY 2011 – 291 structurally deficient, on-system bridges

FY 2012 – 258 structurally deficient, on-system bridges

FY 2013 – 221 structurally deficient, on-system bridges

FY 2014 – 193 structurally deficient, on-system bridges

Since 2004, the total number of structurally deficient bridges in Texas has been reduced from 2,416 bridges to 1,025 in September 2014. In addition, the number of off-system structurally deficient bridges has been reduced from 1,851 to 832 during the same timeframe. To date, only 0.6% of on-system Texas bridges are structurally deficient. Only two other states have a lower percentage of on-system structurally deficient bridges.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Initial funding participation requirements for both on- and off-system bridges were 80% federal and 20% local. However, in 1995 TxDOT initiated a change in participation requirements for off-system bridges to pay half of the local government's share (80% federal, 10% state, 10% local).

In January 1998, the Economically Disadvantaged Counties (EDC) Program was established that allows TxDOT to adjust a county's matching funds requirement after evaluating the local government's ability to meet the requirement.

In August 2000, local government participation requirements were revised to allow 100% federal/state funding of a TxDOT-programmed "participation-waived project (PWP)" in cases where the local government agrees to perform structural improvement work on other "equivalent-match project (EMP)" deficient bridges with a dollar amount at least equal to their normal 10% project match.

Also effective in August 2000, when the local government elects to participate in the cost of a TxDOT-programmed bridge instead of being responsible for 10% of actual costs, the local government is now responsible for 10% of the estimated project costs at the time the agreement with TxDOT is executed. The local government no longer participates in subsequent overruns in costs of program-eligible project items unless it lets and manages the project.

The above changes in local government funding requirements for the HBP have resulted in more local governments being able to participate in the program and accordingly, have reduced the number of deficient bridges in Texas at a faster rate.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The HBP potentially affects all citizens who travel on publicly owned vehicular bridges in the State of Texas. As of September 2014, there are 53,018 public vehicular bridges in Texas (34,892 on-system and 18,126 off-system). All bridges that have a National Bridge

Inspection sufficiency rating of 80 or below, are structurally deficient or functionally obsolete, are eligible for the HBP.

In a more focused view, the primary persons affected are TxDOT personnel in the districts and other divisions involved in the planning, design, construction and maintenance of bridges in the state. The Bridge Division also interacts with the Federal Highway Administration (FHWA) in administering the program.

The Bridge Division works with the Texas Historic Commission (THC) and/or the FHWA, when historic bridges are being considered for replacement or rehabilitation, to develop the most appropriate alternative in complying with federal and state historic preservation laws.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

TxDOT administers the Texas HBP by selecting bridge projects for funding according to various eligibility criteria, including but not limited to structural deficiency and functional obsolescence. Once eligible projects are identified, the structurally deficient and functionally obsolete bridges are ordered by sufficiency rating and included in the program list until available funding is exhausted. Bridge projects are selected and programmed in five-year cycles that run continuously. This means that each year, a new five-year program is established, made up of the previous four years of already programmed bridges, plus additional bridges are now able to be programmed in the fifth year.

The HBP is structured around a set of ongoing processes beginning with bridge inspection. Bridge inspection is a continuous process on a two-year cycle. The inspection process yields a bridge's condition, expressed as a classification and a rating. A bridge may be classified according to FHWA standards as either Structurally Deficient (SD) or Functionally Obsolete (FO). A SD or FO bridge will also be rated using a complex formula that results in a Sufficiency Rating, a calculation that combines several different, weighted factors into one final score. Only SD and FO bridges are eligible for the HBP.

In order for a bridge to be eligible for the HBP, it must have a Sufficiency Rating (SR) of 80 or less and must either be Structurally Deficient (SD) or Functionally Obsolete (FO). SD and FO bridges with a SR of 80 or less are eligible for rehabilitation. SD and FO bridges with a SR of 50 or less are eligible for replacement. Replacement of a bridge with a SR over 50 may be justified through economic analyses. Once the classification process is complete for each year, the bridges are ranked according to their SR. The bridges with the lowest SR are given the highest priority, resulting in the HBP Eligibility List.

Project Selection begins after the end of each fiscal year when TxDOT can be certain which HBP projects have been let in the last fiscal year and which have not. The first step

in the selection process is that the Bridge Division sends the Eligibility List to all of TxDOT's 25 districts. The Bridge Coordinators in each district then work together with the local officials to modify the initial eligibility list.

Over a period of about 60 days, districts and local officials work to accommodate the most important projects for each area. For example, bridges with higher SR rankings (in other words, which are less in need of repair) may, because of special considerations, be more important to repair or replace than a bridge with a lower ranking. A special consideration bridge might be one that is the only route to a school or hospital, or that plays another such specific and important role in a community's transportation system. A special consideration project must prove to be very important because, if programmed, it will displace another project of higher priority (and a lower SR) to later in the five-year cycle. The result of this collaboration between TxDOT districts and local officials is a proposed project list from each district.

The next step in the selection process is that all 25 districts submit their proposed project lists to the Bridge Division which then combines, or programs, all 25 proposed lists into one statewide list of proposed projects. Programming of this list continues until the funding is exhausted.

Once projects are programmed into the five-year schedule, necessary agreements (for off-system) and development of plans, specifications, and estimates (PS&E) can begin. Projects can be let for construction bids in the year in which they are programmed.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The HBP is a fiscally constrained program. Each year, $230M is available for both on and off-system HBP bridges. Of that total, $60M (25%) is programmed for off-system bridges, and $170M (75%) is programmed for on-system bridges. The FHWA funds 80% of the program costs and requires a 20% match from other sources. In 1995, the Texas Transportation Commission began providing half the match amount for the local government, so that the current allocation of funding responsibility for an HBP project is: FHWA 80%, TxDOT 10%, and the local governmental entity, who provides the final 10%. There are three additional assistance programs designed to ease the financial burden on qualifying counties.

In FY 2001, TxDOT initiated its Participation-Waived Project/Equivalent-Match Project (PWP/EMP) program to allow a local government to waive its 10% cost participation requirement in an HBP off-system bridge project if it agrees to use an equivalent dollar amount to improve other deficient structures in its jurisdiction. In addition to HBP-programmed bridges, EMP work may be performed on cross-drainage structures that are not part of the National Bridge Inventory.

Texas provides additional resources for local governments to facilitate the improvement of off-system bridges. State Infrastructure Bank (SIB) is a revolving account in the State Highway Fund from which TxDOT may award loans to local governments to fund eligible transportation projects. TxDOT's Economically Disadvantaged Counties (EDC) Program allows TxDOT to adjust a county's matching funds requirements after evaluating the local government's ability to meet the requirement. TxDOT also allows a county participating in the EDC program to use its adjusted participation amount in lieu of all or part of its cost participation in the PWP/EMP program.

TxDOT spent a total of $658.3 million in FY 2014 for on-system bridge maintenance, bridge replacement and rehabilitation, and construction of new-location bridges. These funds were distributed as follows:

- $248.36 million (38%) for on-system new location
- $371.06 million (56%) for on-system replacement/rehabilitation
- $38.9 million (6%) for on-system maintenance

TxDOT spent a total of $49.3 million in FY 2014 for off-system bridge replacement and rehabilitation, and construction of new-location bridges. These funds were distributed as follows:

- $33.16 million (67%) for off-system replacement/rehabilitation
- $16.14 million (33%) for new location

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not applicable

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

All local governments can participate in the HBP if the bridge is a publicly owned vehicular bridge and meets the eligibility criteria. This includes, but is not limited to, cities, counties, river authorities, and navigation districts. TxDOT works closely with local governments on projects eligible for the program and enters into advanced funding agreements for each HBP project.

TxDOT has oversight on most HBP projects and FHWA has oversight on the remaining HBP projects. The Bridge Division functions as FHWA's primary contact with TxDOT for projects involving bridges and other structures. In addition, TxDOT works closely with the U.S. Coast Guard and the U.S. Army Corps of Engineers who has the power to regulate the construction of bridges and causeways within or across navigable waterways.

TxDOT is required to allow the State Historic Preservation Officer of the Texas Historical Commission 30 days to review the final Plans, Specifications and Estimates for all projects involving historic structures. This coordination is necessary to ensure that all proper alternatives have been analyzed when planning for the replacement or rehabilitation of historic bridges and to follow the requirements of federal law.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The amount of expenditures made in Advanced Funding Agreements for the HBP in Fiscal Year 2014 was $43,164,406. In Fiscal Year 2014, $221,359,528 was let in construction contracts for all HBP projects. There were 68 Advanced Funding Agreements executed in Fiscal Year 2014, and 197 HBP projects (69 on-system, 128 off-system) were let for construction.

The purpose of these Advanced Funding Agreements is to define the scope of work and responsibilities of the state and the local government and the funding participation for the HBP project. The purpose of the construction contract is to ensure the project is awarded to the lowest qualified bidder and the bridges are built in accordance with the plans, specifications and estimates (PS&E). The Construction Division is the office of primary responsibility for letting construction contracts and the districts have responsibility over construction inspection.

The Bridge Division reviews the PS&E for HBP projects to ensure they meet the applicable design standards. TxDOT district offices inspect the project during construction to ensure the bridges are built in accordance with the PS&E.

L. Provide information on any grants awarded by the program.

Not applicable

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Not applicable

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Not applicable

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Bridge Inspection Program

Location/Division: Bridge Division

Contact Name: Gregg A. Freeby, P.E.

Actual Expenditures, FY 2014: $26,618,404

Number of Actual FTEs as of June 1, 2015: 14

Statutory Citation for Program: Title 23, Code of Federal Regulations, Part 650, Subpart C – National Bridge Inspection

B. What is the objective of this program or function? Describe the major activities performed under this program.

The main objective of the Bridge Inspection Program is to ensure that all 53,000 publicly owned vehicular bridges in the State of Texas are inspected and inventoried as mandated by the Code of Federal Regulations. As part of this objective the Bridge Division oversees the statewide program, develops inspection policies and procedures, and maintains the statewide bridge inspection database.

The Bridge Division submits bridge inspection data annually to the Federal Highway Administration, which is then used to apportion federal highway bridge funding to Texas. At least every two years each bridge receives a routine safety inspection. Depending upon the type and location of the bridges being inspected, some bridges may receive additional special inspections or underwater and fracture-critical member inspections.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Bridge Division produces and publishes a monthly status report on the condition of bridges in the state and the progress of inspections performed and to be performed. Before the combination of reports and statewide inspection contracts managed by the Bridge Division were implemented, the number of overdue inspections would run as high as 1,500 per month. Since their implementation, overdue inspections have very nearly been eliminated. In 2013, there were only two late inspections in the entire state.

The inspection program identifies and prioritizes bridges for replacement and rehabilitation funding. Proper identification and prioritization allowed the Bridge Division to meet its goal, a year ahead of schedule, of having 80 percent of Texas bridges in good

or better condition by 2011. Since that time, the percentage of bridges in good or better condition has continued to climb, reaching 81.8 percent in Fiscal Year 2014.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Originally all bridge inspections were conducted by TxDOT district personnel. As Department staff reductions became more widespread, many districts had to utilize contracted inspection services. As a result, this lead to inconsistencies in inspection reports among the districts because each district developed its own contract requirements. With each district executing bridge inspection contracts, the time-consuming process was repeated multiple times a year, and not only resulted in duplications of actions on the part of the districts, but also on the part of consulting firms who were required to submit multiple proposals. This led to wasted time and money for TxDOT.

In 1996 the Bridge Division started offering a series of statewide bridge inspection contracts to the districts. This allowed districts to focus on the inspection process and overseeing the work that was being produced by the inspection firms, instead of having to spend time in the contracting process. A centralized contract system within the Bridge Division also standardized the inspection and reporting requirements across the Department, thus eliminating confusion and uncertainty for the inspection firms. A side benefit of the statewide inspection contracts was a reduction in the number of bridges that were overdue for inspection. This resulted because the Bridge Division's pool of available firms was able to respond more quickly to the districts' need for inspection services.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Bridge Inspection Program potentially affects all citizens of the State of Texas by ensuring that all publicly owned vehicular bridges are safe for use. Secondary groups affected are government entities that own the bridges because every bridge inspected is eligible for funding from the Highway Bridge Program that is administered by the FHWA through TxDOT. This funding is made available to cities, counties and state entities for rehabilitation and replacement of bridges in their inventory that are inspected through the program.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Bridge Division ensures bridges statewide are inspected to meet required frequencies and procedures. The Bridge Division also performs all statewide fracture-critical and underwater inspections using a combination of in-house staff and consultant contracts. In addition to fracture-critical and underwater inspections, the Bridge Division also provides technical support and guidance, consultant inspection services, management of consultant contracts, submitting inspection data to the FHWA, and oversight of the program from a statewide perspective.

The districts are the frontline of the routine inspection program. Districts perform the day-to-day operation of the routine inspection program by scheduling inspections, receiving inspection reports and data, performing primary quality control on information submitted, transmitting inspection results to local entities (if applicable), and submitting data to the statewide bridge inspection database.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

In-house expenses are covered by General Revenue funding. Funding for contracted inspection services is dependent upon the type of inspections that are being performed. If inspections are being performed on state-owned bridges, the funding comes from General Revenue. Inspections that are performed on city and county-owned bridges are reimbursed out of the federal Highway Bridge Program at 80 percent of the inspection cost. The state is responsible for the remaining 20 percent.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not applicable

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The program works directly with the FHWA every year through the mandated bridge data submission. The program must also respond to any directives that are issued by the FHWA concerning the inspection program.

The program also works directly with local government entities through transmittal of inspection findings and recommendations concerning bridges they own. This direct contact is carried out by the TxDOT districts.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

In Fiscal Year 2014, the Bridge Division utilized 24 contracts at a cost of $24,600,543 to provide the statewide routine safety bridge inspections and fracture-critical inspections for all publicly owned vehicular bridges.

Also in FY 2014, the Bridge Division managed an $850,000 contract to provide mobile LIDAR (Light Distance and Ranging) scanning of bridges. The Division has been managing LIDAR contracts since 2010. The LIDAR scans provide a safe and accurate means to determine vertical and horizontal clearances for roadways passing underneath a bridge. District personnel are charged with measuring and maintaining bridge under clearances, and the LIDAR scans provide an efficient manner in which to verify measured under clearances, as well as determine when changes to reported under clearances have occurred. Vertical and horizontal clearances are published annually on the TxDOT website, and the Texas Department of Motor Vehicles (TxDMV) relies heavily on the under clearance data when determining oversize truck permit routes.

Accountability for funding and performance is ensured through the review of work performed and results through Quality Control/Quality Assurance oversight by both District and Bridge Division staffs.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Highway Improvement Contracts

Location/Division: Construction Division

Contact Name: Roxana Garcia, P.E.

Actual Expenditures, FY 2014: $877,447

Number of Actual FTEs as of June 1, 2015: 12

Statutory Citation for Program: Transportation Code 223, Subchapters A-C, Texas Administrative Code Title 43 Part 1, Subchapter B, Rules 9.10-9.18

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Highway Improvement Contract function is responsible for the following:

- Prequalifying contractors prior to letting of highway improvement and routine roadway maintenance contracts;
- Overseeing the two-day monthly letting of all state construction and maintenance contracts through the sealed, low-bid process;
- Preparing reports and department recommendations for the monthly commission meeting to award/reject all projects;
- Executing awarded contracts;
- Monitoring contractor insurance through the duration of project and coordinate payment and performance bond information with the surety;
- Mining data for all projects from time of award through completion of project; and
- Preparing numerous management and legislative reports and requests as necessary.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Highway Improvement Contracts function currently experiences an average of 89-95% electronic bids received each month for state letting with the average being four bidders per contract. During fiscal year 2014 the Highway Improvement Contracts function processed 1,087 projects worth $4,243,012,170.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The process of sealed, low-bid Highway Improvement contracts has not changed over the years. What has changed is that TxDOT moved from 100% manual bids (data entry) received prior to 2009 to 85-90% electronic bids in 2014. This alone decreased the support personnel needed to process these projects by over 50% and reduced the time for processing to 3 hours per letting day. Other support processes have been effectively automated and paper/printers reduced. Electronic storage and signatures are being utilized.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Highway Improvement Contracts function impacts each of TxDOT's 25 districts, approximately 400-500 heavy highway contracts and small routine maintenance contracts, numerous material suppliers, the general contracting community, including the Associated General Contractors (AGC), the traveling public and the taxpayers of Texas.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Highway Improvement Contracts function administers the monthly state letting in Austin, Texas over two days each month. The Maintenance Division (MNT) administers the sealed, low-bid process for local routine maintenance contracts under $300,000 in four regions consisting of 25 districts throughout the month. Construction Division supports this effort with project release and addendum processing for electronic bidding, along with guidance and support functions.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Gasoline tax, bonds, federal funding, grants, private-public partnerships and other agency fund sources

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Maintenance Division administers the local contracts in the 25 districts. The Strategic Projects Division (SPD) administers Design-Build and Comprehensive Development Agreements (CDA).

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

For construction and maintenance contracts, separate FTP and web sites are used to display the various project information (notices, proposals, plans, estimates, etc.) for the contracting community on all three types of projects (Construction, Maintenance, and Local). Construction Division and Maintenance Division estimates are created in a different mainframe system. Local let projects (throughout the month) are not let on the same two days as state-let projects.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Not applicable

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

TxDOT endeavors to provide the traveling public and industry with a safe, effective mode of transportation at the lowest cost to the taxpayer through the issuance of Highway Improvement and routine Roadway Maintenance contracts.

Expenditures for fiscal year 2014 = $4,243,012,170

Number of contracts for fiscal year 2014 = 1,087

Top 5 Contracts – Fiscal Year 2014		
WILLIAMS BROTHERS CONSTRUCTION CO., INC.	WIDEN TO 8 ML, FRTG ROADS CONST. 2-WAY HOV LANES	$156,029,235
WILLIAMS BROTHERS CONSTRUCTION CO., INC.	WIDEN TO 6 LN RURAL FW, GRD SEP, IT	$135,868,539
WILLIAMS BROTHERS CONSTRUCTION CO., INC.	REPLACE BRIDGES AND APPROACHES, RECONSTRUCT ML	$68,441,219
WILLIAMS BROTHERS CONSTRUCTION CO., INC.	WIDEN TO 8 MAIN LANES W/AUXILARY LANES AND 2-LANE	$48,599,234
WILLIAMS BROTHERS CONSTRUCTION CO., INC.	WIDEN TO 8 MAIN LNS WITH 2 REVERSIBLE MANEGED LNS	$85,215,954

L. Provide information on any grants awarded by the program.

Not applicable

M. What statutory changes could be made to assist this program in performing its functions? Explain.

The Highway Improvement Contracts function recommends making electronic bidding mandatory. Louisiana and Arkansas Departments of Transportation currently have a mandatory electronic bidding requirement. Mandating electronic bidding would benefit the program by increasing efficiency on letting day, removing the necessity for data entry, bid tabbing, and verification of manual bids and the associated possibility of human error. Currently 8-10 employees are needed in the letting room each day of the monthly letting; 100% electronic bidding would reduce that number to 2 FTEs; one to print the bids, and one to read the bids.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Project Budget, scheduling, and advertisement is performed by the Finance Division. Plans, Specifications, and Estimates and proposal build is performed by districts with Design Division and Maintenance oversight. The process of bringing 150-180 projects to the two-day monthly state letting and executing said contracts is the bulk of Construction Division's function. The districts perform project management.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Not applicable

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Highway Beautification Act – Outdoor Advertising Regulatory Program

Location/Division: Right of Way Division – Resource Management Section

Contact Name: Gus Cannon

Actual Expenditures, FY 2014: $875,386

Number of Actual FTEs as of June 1, 2015: 21

Statutory Citation for Program: Title 23 United States Code, Chapter 1, Section 131

Title 23 Code of Federal Regulations, Chapter 1, Section, 750

Transportation Code, Section 391 – Highway Beautification on Interstate and Primary Systems and Certain Roads

Transportation Code, Section 394 – Regulation of Outdoor Signs on Rural Roads

Texas Administrative Code Title 43 Section 21.141 – Regulation of Signs along Interstate and Primary Highways

Texas Administrative Code Title 43 Section 21.401 – Control of Signs along Rural Roads

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the program is to carry out national and state law and regulations to regulate the orderly and effective display of outdoor advertising along regulated highways and road in the state. The signs related under the program are located on private property adjacent to highway right of way. In addition, the program governs the screening of junkyards and automobile graveyards pursuant to the Highway Beautification act.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

Since the centralization of the program beginning September 1, 2011 from the previous decentralized 25 district operations, the program has improved effectiveness and efficiency across the board in all areas of operations. A summary of key statistics and outcome performance measures best conveying the effectiveness and efficiency of the

program include; (1) developed and implemented a new fee structure that brought the program into a responsible revenue neutral operation; (2) developed and implemented streamlining methods to increase consistency between the primary and rural road programs; (3) developed and implemented streamlining methods to improve consistent enforcement of violations of law; (4) reduced red tape by correlating as many rules as possible from the two separate regulatory programs for the federal regulated highways (Highway Beautification Act) and the state regulated roads (Rural Roads Act); and (5) established quantitative time lines for administrative processes for items affecting the regulated industry in order to ensure maximum transparency and efficiency while complying with regulatory responsibilities. General performance statistics for FY-2014 follow:

Permits Cancelled and Signs Removed:	148
Illegal Signs Located and Enforcement Initiated:	1,563
Permit Violations Identified and Enforcement Initiated:	309
Complaints Against License Holders Received and Enforcement Initiated:	47

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The control of outdoor advertising signs came into national prominence in 1956 with the creation of the Interstate Highway System. Public opinion resulted in the U.S. Congress taking action in 1958 by providing a voluntary program under which states could enter into agreement with the Federal Government to control outdoor advertising and would be eligible for bonus Federal-aid payments. Texas was among the 25 states that chose not to voluntarily control outdoor advertising at that time.

The 89th United States Congress passed Public Law 89-285 known as the Highway Beautification Act (HBA) on October 22, 1965 *[source: 23 U.S. Code §131, §136 and §319]* and included the abandonment of the voluntary bonus program. The law was amended in 1974 to extend control of outdoor advertising regulatory responsibility.

With the abandonment of the voluntary bonus program, the Federal Government determined that if a state had not made provision for the effective control of the erection and maintenance of outdoor advertising signs, the federal appropriation of highway funds could be reduced by 10 percent. *[Source for penalty: Title 23 US Code, Sec. 131 (b)]*

On March 28, 1972 a Special Session of the 62nd Texas Legislature was convened to address two issues with the primary issue being the enactment of necessary legislation for the State to comply with the HBA. The session resulted in the enactment of Senate Bill 3 authorizing the State Highway Commission to enter into negotiations with the Federal

Government with respect to complying with federal law. The 64th Texas Legislature amended the state law with SB 908 in 1975 that codified among other things, the 1974 additions to the Federal HBA.

An agreement was entered into by the Federal Highway Administration and the State of Texas on May 2, 1972 specifically for the purpose of carrying out national policy relative to control of outdoor advertising on regulated highways and thus became the effective date of the program. The agreement is known as the "Federal/State Agreement and became effective as new law new law became effective June 29, 1972.

To supplement the effective control of outdoor advertising, many state legislatures have given counties the zoning authority for outdoor advertising along roads not regulated by the Federal HBA. Counties in the State of Texas do not have zoning authority for outdoor advertising. Recognizing the need for the effective control of outdoor advertising along roads not already regulated under the HBA, the 69th Texas Legislature passed House Bill 1330 (effective September 1, 1985) requiring state control of outdoor advertising along all highways and roads located outside of the corporate limits of cities, towns, and villages are subject to similar but separate controls. This law is known within the program and the regulated industry as the Rural Roads Act (RRA).

Since the origin of the program and the State's formal agreement with the Federal Highway Administration on May 2, 1972 the next 38 years through September 1, 2012 were managed and administered by the 25 individual district operations. Following recommendations of the Sunset Advisory Commission Staff Report, Senate Bill 1420 passed by the legislature during the 82nd Regular Session and signed into law by the Governor on June 17, 2011 with the Act becoming effective September 1, 2011.

SB-1420 addressed the logical good business need of requiring improved processes, a reduction in red tape and streamlining of program administration. Risk assessment and best practice analysis clearly indicated the program would need to be totally restructured and managed by a centralized operation of program specialists in the Right of Way Division. Beginning September 1, 2011 the newly organized Outdoor Advertising Regulatory Program began full operation as a regulatory program managed and administered by the ROW Division.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

As a regulatory program, owners of off-premise outdoor advertising signs must have an active license to operate. In addition, each physical sign structure in the licensee's inventory must have an active permit. The number of licensees is also in flux as sign owners retire, sell their business, and close their business, but the number of license holders continued to increase each year. The average number of active license holders at

any point in time during FY-2013 was 1,335 and 1,319 in FY-2014. The licensing process is addressed in state law and regulations at:

State Code: Transportation Code, §§391.061-§391.066 and §§394.0202-§394.02 *and*

State Regulations: Title 43, Texas Administrative Code §21.144, §2.148, §§21.152-§21.158, §§21.448-§21.456.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The program is centralized administered and managed in the ROW Division with 21 FTEs. The headquarter staff consists of 1 supervisor and 5 statewide compliance and enforcement whose daily tasks include licensing, permitting, assignment of field task timelines, open records request, electronic database entry, data quality, production reports, performance reports, cost accounting procedures for dispersing funds to the correct licensee account in relation to revenue lockbox receipts from the State Office of the Comptroller, illegal sign notices, direct communications to municipalities and the regulated industry, documentation and coordination with the Office of the Attorney General and the State Office of Administrative Hearings in all matters of compliance enforcement and illegal sign violation.

15 Field staff FTEs are distributed throughout the state as all 254 counties and over 150,000 of highways and roads require continuing inventory and monitoring for compliance and illegal sign enforcement. Field staff are typically on the road 3 days a week with 2 days for administrative duties back at their office. Field duties include inventory of all existing signs regulated under the program's responsibilities, new sign site monitoring for compliance issues, public complaints against illegal signs and site inspections for enforcement issues.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding for the program comes from the collection of fees from the regulated industry for license applications, permit applications, annual renewal fees license and permits, transfers of licenses and permit, administrative fines and civil penalties resulting from enforcement of violations of law and illegal signs. All funds received from these sources are deposited into the State Highway Fund (Fund 6) and are used to fund the program under the criteria of a revenue neutral operation of the program.

Transportation code, §391.004-DISPOSITION OF FEES states; *"Money the commission receives under this chapter shall be deposited to the credit of the state highway fund. The*

commission shall use money in the state highway fund to administer this chapter and Chapter 394."

Transportation Code, §394.005 states; *"Money the commission receives under this chapter shall be deposited to the credit of the state highway fund."*

Further, Transportation Code, §391.069-FEE AMOUNTS states; *"The license and permit fees required by this subchapter may not exceed an amount reasonably necessary to cover the administrative costs incurred to enforce this chapter."*

Transportation Code, §394.025-FEE states: *"The commission by rule shall prescribe a fee to issue a permit in an amount the commission determines is sufficient to enable the commission to recover the costs of enforcing this chapter."*

Transportation Code, §394.028-FEE AMOUNTS; *"The license and permit fees required by this subchapter may not exceed an amount reasonably necessary to cover the administrative costs incurred to enforce this chapter."*

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

No internal or external state agency provides services or program functions related to the regulatory outdoor advertising program. That being said, most municipalities have local building ordinances that can affect location and construction of outdoor advertisings signs. The trend for municipalities is to pass ordinances to prohibit the construction of new outdoor advertising billboards.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

A state license holder for outdoor advertising signs gives the right of the licensee to make a permit application for a sign anywhere in the state along a regulated highway or road, but within the municipal boundaries of a city codes have priority over a state issued permit. There are no memorandums of understanding, interagency agreements, or interagency contracts necessary.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The program is a federal regulatory program that has been adopted into state law in 1972. The state has a formal agreement with the Federal Highway Administration that was executed on May 2, 1972. Under the formal agreement the Federal Highway

Administration, TxDOT may authorize a political subdivision to exercise control over outdoor advertising signs in its jurisdiction, otherwise known as "local control". If the political subdivision receives approval under this section, it will be listed as a certified city and a permit issued by that political subdivision is acceptable instead of a permit issued by the department. State rules for local control are found in Title 43, Texas Administrative Code, §21.197.

Of the approximate 30,000 legally permitted outdoor advertising signs in our regulatory inventory, approximately 15% are located within incorporated city limits and carry municipal permits instead of state permits.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The program does not contract services. The use of computer, telephones and fleet vehicle services are contracted at a department level.

L. Provide information on any grants awarded by the program.

The program does not award grants.

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

TxDOT is responsible for administering and enforcing the HBA and the RRA. The HBA was passed in 1972 by the Texas Legislature to comply with the Federal Highway Beautification Act of 1965, which requires that each state regulate Outdoor Advertising Signs (OAS) along interstate and primary highways. During the same year, the department also entered into a federal-state agreement under which the state agrees to enforce the "effective control" of OAS. The consequence for failure of the department to effectively control OAS is the loss of up to 10 percent of federal transportation funding.

The categories of funding that are put at risk by failure to maintain effective control of OAS are: National Highway System, Congestion Mitigation and Air Quality, the Surface

Transportation Program and Interstate Maintenance. In 2012, these categories totaled $3.36 billion. If imposed, a 10 percent penalty would be $336 million annually.

REGULATION OF BILLBOARDS

Regulation of OAS along interstate and primary highways applies to any OAS located within 660 feet of the highway right of way, inside of urban areas. Outside of urban areas, regulation extends to include any OAS that is visible from the main traveled way of a highway. OAS within these distances is prohibited unless the location is in a defined commercial or industrial area.

In addition to regulation along interstate and primary highways, the RRA ensures the regulation of OAS erected along all non-interstate or primary highways and roads on the state highway system that are outside of the jurisdiction of a municipality.

If a municipality has been certified by the state to regulate OAS, a state permit is not required for the sign within the city limits, but the applicant must hold a state outdoor advertising license. The city's zoning ordinances and local regulations control where OAS can be located. Local ordinances may be more or less restrictive than state regulations, but may not violate either federal regulations or the federal-state agreement.

LICENSING AND PERMITTING

Before an individual or company may erect or maintain an OAS, they must obtain an outdoor advertising license that must be renewed annually. After a license has been issued, the OAS owner may apply for a permit. A permit issued or renewed is only valid for the location indicated on the original permit application and only for the OAS described on that application. A permit is valid for one year and is required for each sign.

When the original highway beautification laws were first adopted, certain existing OAS were grandfathered in and allowed to remain in place as non-conforming OAS. Locations that were more recently permitted under the HBA may subsequently also become non-conforming due to change in law, regulations or conditions.

Under the provisions of both the federal and state laws and regulations relating to OAS, many restrictions apply to non-conforming OAS. Most of these restrictions are designed to require these OAS to remain in substantially the same condition they were in when they became non-conforming. A grandfathered OAS cannot be replaced with a new OAS, but can only be maintained on a limited basis. If an OAS is not properly maintained under the non-conforming regulations, and once the permit for the OAS at such a non-conforming location is cancelled, the location is then permanently lost as no replacement OAS or permit would be allowed.

CAMPAIGN SIGNS

State law specifically prohibits the placement of campaign signs on or within any public right of way. This includes trees, telephone poles, traffic signs and other objects on the right of way. Signs in violation will be removed by TxDOT employees, a county sheriff or a constable, depending upon the jurisdiction.

Here are some basic guidelines:

- The sign must only relate to public election.
- Signs may not be placed on the public right of way.
- Signs may only be placed on private property along highways with the owner's permission.
- The sign face cannot exceed an area of 50 square feet.
- The sign cannot contain commercial endorsement.
- The sign can be erected after the 91st day before the date of the election and must be removed before the 11th day after the election date.

A candidate considering placing a sign inside of incorporated city limits should check with the local government as the signs may be subject to local ordinances as well.

TxDOT is committed to effectively controlling OAS along Texas Highways. The regulatory responsibilities of the program with physical compliance factors of the OAS such as location, spacing, lighting and height do not include control, approval or disapproval of message content. The department's goal is to ensure that the state remains in compliance with federal requirements and does not jeopardize the state's federal transportation funding.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

The Outdoor Advertising Regulatory Program is needed in order for TxDOT to comply with Federal Law as stipulated in the 1972 Federal/State Agreement. Failure to comply with the law and the agreement would be an economic disaster in a 10% penalty of all federal transportation dollars being withheld from projects throughout the state. The monitoring of regulated highways and roads is a process that will continue into perpetuity or the federal law is rescinded.

After recommendations by the Sunset Report, legislative action centralized the program under the administration and management of the ROW Division. With the centralization of the program beginning September 1, 2011, a new public complaint process was developed and implemented. During FY-2014 some 51 individual complaints were filed against license holders in the regulatory industry or owners of illegal signs. Of the 51 complaints, 47 have been concluded at varying levels of compliance and enforcement. Two attachments provide written documentation of the public complaint process and a copy of public complaint form. Information on filing a complaint against an outdoor advertising sign and the link to the complaint form are found at:

http://www.txdot.gov/business/resources/outdoor-signs.html

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

TEXAS DEPARTMENT OF TRANSPORTATION
Highway Beautification Act – Outdoor Advertising Regulatory Program
Exhibit 11: Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2013 and 2014

	Fiscal Year 2013	Fiscal Year 2014
Total number of entities inspected	51	47
Total number of complaints received from the public	51	47
Total number of complaints initiated by agency	0	0
Number of complaints pending from prior years	0	0
Number of complaints found to be non-jurisdictional	0	1
Number of jurisdictional complaints found to be without merit	0	2
Number of complaints resolved	51	47
Average number of days for complaint resolution	52.5	60.9

Table 11 Exhibit 11 Information on Complaints Against Persons or Entities

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Right of Way Acquisition for Non Toll/Turnpike Projects

Location/Division: Right of Way Division – Right of Way Acquisition Section

Contact Name: Bob Harwood, JD

Actual Expenditures, FY 2014: $642,066,514

Number of Actual FTEs as of June 1, 2015: 20

Statutory Citation for Program: U.S. Constitution, 5th and 14th Amendment

Texas Constitution, Art. 1, Section 17

Public Law 91-646 – The Uniform Relocation and Real Property Acquisition Act of 1970, as amended

Title 23 Code of Federal Regulations Part 710

Title 49 Code of Federal Regulations Part 24

Texas Property Code, Chapter 21 – Eminent Domain

Texas Transportation Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The primary objective of the Right of Way Acquisition function to provide consistent program oversight and controls to preserve and protect private property rights impacted by or acquired for a public transportation project.

The public need to acquire and assemble parcels of private property to configure the public right of way for a highway project demands the sovereign authority to do so by the power of eminent domain vested with TxDOT as the acquisition agent or the condemner for the state.

The process of condemnation is the mechanism in law by which the authority is governed, due process is assured and compensation to remedy the damage is guaranteed to the private property owner. The right of way acquisition function is performed by legal, appraisal and relocation professionals in order to affect the proper balance between the timely, cost effective delivery of the public project and the rights of the impacted private property interest owners.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Right of Way Acquisition function monitors right of way project completion in relation to construction project letting dates and in relation to estimated planned completion dates. This is reported monthly. In the first 3 quarters of Fiscal Year 2015, 88% of projects met Right of Way estimated timeframes. Right of Way Acquisition function also monitors the percentage of parcels acquired by eminent domain to indicate a proper balance between the timely, cost effective delivery of the public project and the rights of the impacted private property interest owners. The eminent domain rate was 29% for the first 9 months of Fiscal Year 2015.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The most significant event in the acquisition section has been the addition of right of way attorneys sited either at division headquarters or distributed at strategic locations around the state. There are currently four attorneys at division headquarters, including a supervising attorney. Attorneys are also located at project delivery offices in Houston, Dallas, Fort Worth and El Paso. All of the attorneys fall under the Right of Way Acquisitions Section Director, who is also an attorney. This affords opportunity for real estate expertise and direction for all of our project delivery areas and is a significant link in succession implementation for the division

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Fundamentally, the right of way acquisition function affects all individuals, businesses, non-profit organizations and other entities within the right of way footprint of any new proposed roadway or expansion of an existing roadway. Once a highway project has gone through the appropriate planning process and received environmental approval, then right of way acquisitions typically begin. The Right of Way Acquisition section is responsible for identifying, valuing, and negotiating for each parcel of right of way. This involves contacts with all affected landowners as well as tenants and other occupants to assure that they receive just compensation or appropriate relocation assistant as mandated by federal and state law.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Most land for transportation projects is obtained by negotiating with property owners. In the rare instance when TxDOT and a property owner cannot reach agreement for the voluntary sale to the state, the state may use its powers of eminent domain to acquire the necessary property. The right-of-way acquisition process does not routinely begin until after the environmental process has been completed and approvals have been obtained. Both federal and state policies, the National Environmental Policy Act and the Texas Transportation Code, must be stringently followed.

In order to acquire property for transportation project, TxDOT commissions an independent appraiser to determine the fair market value of the property. A survey of the property provides physical staking and measurements of the boundaries so that the parcel to be valued, usually only a small portion of a landowner's entire property, can be viewed and evaluated by the appraiser. Appraisers must contact landowners in advance to provide them the opportunity to be present during the inspection of the property. TxDOT's priority is to build a transportation facility as efficiently as possible. Toward this end, it is in the interest of the department to obtain an accurate appraisal, make a reasonable offer, and successfully negotiate with the affected property owner.

All TxDOT land acquisitions begin with an attempt to acquire property through negotiations with the landowner. TxDOT procedures fully protect private property rights and comply with both the United States and Texas Constitutions regarding landowner compensation. TxDOT also fully complies with the federal law known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, which established uniform and equitable land acquisition policies for federal and federally assisted programs.

After obtaining an independent appraisal for the value of the property to be purchased, TxDOT makes an initial offer to the landowner and provides them a copy of the completed appraisal. Senate Bill 18, which was enacted by the 82nd Texas Legislature in 2011, requires that the appraisal itself be initially mailed to the landowner. Landowners may seek additional counsel from an attorney or independent appraiser. After it has been reviewed, a landowner may make a counteroffer which must be supported by the landowner's own appraisal or documented conditions that were not contemplated or considered in the state's appraisal.

If the landowner establishes that significant improvements were overlooked or other discrepancies were discovered in the state's independent fee appraisal, TxDOT may have the state's appraiser revise and re-submit the appraisal. TxDOT may also seek a new appraisal from a different appraiser.

If negotiations are successful, the landowner deeds the right-of-way parcel of land to the state and is paid the negotiated value. If negotiations are unsuccessful, the state will initiate the eminent domain process. The condemnation process may also be used when a landowner cannot be located or title problems prevent the landowner from conveying a clear title.

Under the Eminent Domain process, which can take several months or longer to complete, the value of a property owner's land can be determined by an administrative proceeding before court appointed special commissioners or possibly by a jury trial if the value determined by the special commissioners is unsatisfactory to either the property owner or the state. Either the state or the landowner can file objections to the special commissioner's award. If that occurs, the amount of the award may still be deposited with the court and remains with the court for the landowner to apply to the court for withdrawal. Upon deposit of the amount of the award by the commissioners, the state takes possession of the land for construction purposes, pending the outcome of a full court hearing.

At trial, witnesses for the state and the landowner (appraisers, land planners, etc.) testify before a jury, and the jury determines the final amount of value the state is required to pay for the land. The case may be settled without having to go through a full trial, and an agreed judgment for the final amount to be paid is determined. Jury verdicts may be appealed by either party, and proceedings are not final until any appeals are concluded.

If the total amount to be paid for the land is more than the amount of the deposit after the special commissioner's hearing, the state pays the difference to the landowner. If the total amount is less than the special commissioner's award, and the landowner has withdrawn the full amount of the award, then the landowner must repay the difference to the state. In either case, a final judgment for the total amount, and complete title to the state, is entered.

In addition to payment for their property, eligible landowners and tenants are also entitled to relocation benefits. The Uniform Relocation Assistance and Real Property Act of 1970 (URA) provides certain benefits to persons displaced from real property as a result of acquisition for transportation projects. The act applies to any project or portion of a project that has received federal aid. The Texas Property Code requires TxDOT to provide relocation assistance that is compatible with URA.

There are three types of relocation assistance programs: for individuals; for businesses, farms or non-profit organizations; and for those who are not physically displaced by the project but are required to relocate personal property they own from within the acquired right-of-way.

All of these programs are generally carried forward by Right of Way Project Delivery, which is responsible for the field services necessary. A large majority of all right of way activity is now outsourced to right of acquisition service providers. These consultants

recruit and hire credentialed personnel to deliver the necessary right of way. The consultants also contract with other providers, primarily real property appraisers, to carry out the acquisition process. All of this work is done under the direction and supervision of Right of Way Project Delivery under the specific direction of a project manager.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding for the acquisition of right of way costs come from;

- Federal Funds
- State Highway Funds
- Highway Bonds
- Local Government Participation

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Private sector right of way acquisition service providers are now routinely engaged for the majority of right of way projects. For small projects, we may opt to proceed "in-house" and utilize Right of Way employees to carry out all of the functions of right of way acquisition. Because of the reduction of state-employed right of way personnel and their multiple program responsibilities, consultant providers can provide increased resources and focused attention to a specific project.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not applicable

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The right of way acquisition program works with all governmental units. Because federal funding is involved in most projects, compliance with the Uniform Relocation and Real Property Acquisitions Policy Act of 1970 ("the Uniform Act") is absolutely required. This involves frequent coordination and audit from the Real Estate Services Office of the Federal Highway Administration. The FHWA has the authority to withhold federal funding if violations of the Uniform Act and/or other federal laws and regulations are not followed. We also coordinate with other federal agencies, primarily involving

environmental mitigation issues through the Environmental Protection Agency and the U.S. Fish and Wildlife Service.

Similarly, we have incidental involvement with other state agencies in right of way acquisitions. We experience frequent right of way issues involving the Texas General Land Office, the Texas Parks and Wildlife Department, the Texas Facilities Commission and others.

We have oversight and partnerships with all other political subdivisions in the state. Most projects involve local contribution for right of way acquisition which is done under agreement with cities and counties. The local jurisdictions in many cases acquire right of way on behalf of the state. For those cases and for cases in which local governments are acting in their own right, but with federal funding involved, we are mandated to audit the local governments to assure compliance with federal and state laws and requirements.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The Right of Way Acquisition Section administers 47 contracts for Professional Real Estate Appraisal Services in the amount of $1,741,170 for fiscal year 2014. This involves management of contracts for qualified and approved appraisers for right of way acquisitions. Performance evaluations and contract monitoring are the methods used to ensure accountability for funding and performance. The top 5 contracts are Lori Johnson ($205,500), Aaron Wright ($183,000), Boyd Glendinning ($101,400), Chris Hornsby ($100,400), and John Robinson ($100,050).

L. Provide information on any grants awarded by the program.

Not applicable

M. What statutory changes could be made to assist this program in performing its functions? Explain.

The Texas Legislature just completed its 84th legislative session. Prior to the commencement of the session, the Right of Way Acquisitions Section provided TxDOT Governmental Affairs with a specific list of proposed legislation that would offer improvement to the right of way function.

These proposals included:

- Increase in Relocation Assistance Benefit Authority
- Clarification in the Property Code for reasonable period of time to strike a special commissioner in an eminent domain proceeding
- Department designation of access control
- Statutory right of entry for project development
- Outdoor advertising relocation in cities with restrictive ordinances
- Substitute acquisition and condemnation on behalf of a public utility
- Including public utility transmission facilities as part of a state transportation facility
- Amendment of the Property Code concerning service of process

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

By state law, a professional real estate appraiser used in the valuation process of parcels of real estate required for transportation projects must carry an active certification by the State of Texas as a State Certified Real Estate Appraiser. The Texas Appraiser Licensing and Certification Board promulgate rules for acquiring the certification and are responsible for all complaints and handling of enforcements for professional real estate appraisers.

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Highway Safety Improvement Program

Location/Division: Traffic Operations Division

Contact Name: Carol T. Rawson, P.E.

Actual Expenditures, FY 2014: $158,000,000

Number of Actual FTEs as of June 1, 2015: 3

Statutory Citation for Program: Title 23 United States Code Section 148

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Traffic Operation Division's Highway Safety Improvement Program (HSIP), created under 23 USC § 148, is a federal safety construction program designed to reduce the number and severity of traffic crashes. The program objectives are accomplished through "highway safety projects."

HSIP safety projects are generally focused on the following types of work:

- Barriers
- Curve Improvements
- Grade Separations
- Intersection Improvements
- Rumble Strips
- Off-System Improvements
- Widening Highways

Other types of highway safety projects may include safety treating fixed objects in the right-of-way, installing safety lighting, etc.

The HSIP is administered by the Traffic Operations Division. The Traffic Operations Division requests proposed highway safety projects from the districts through a statewide program call on an annual basis.

These projects may range from spot safety improvements and upgrading of existing conditions to new roadway construction (such as grade separations). Typically highway safety projects are small in scope, low in cost, and can be let to contract within 3 years.

All eligible proposed highway safety projects are subjected to a benefit/cost analysis. The formula used for this purpose is the Safety Improvement Index (SII). In its most basic

form, the SII is the ratio of the cost of crashes that have occurred at a location to the cost of constructing the proposed improvement.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Traffic Operation Division's Highway Safety Improvement Program (HSIP) projects make highways safer and result in fewer fatalities and injuries. A 3 year before and after crash analysis of all HSIP projects completed in 2011 indicated that those HSIP projects reduced fatal and serious injury crashes by 70% (949 fatal and serious injury crashes 3 years prior to the project being programmed versus 281 fatal and serious injury crashes 3 years after the project constructed).

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Highway Safety Act of 1966 (Public Law No. 89-564), enacted by Congress on September 9, 1966, was the first major effort at the Federal level to reduce the number and severity of highway-related crashes. The Highway Safety Act of 1973 (Title II of Public Law No. 93-87) established categorical funding for five specific program areas: highway-rail crossings, high hazard locations, pavement marking demonstration programs, elimination of roadside obstacles, and the Federal-aid safer roads demonstration. The Surface Transportation Assistance Act of 1978 (Public Law No. 95-599) consolidated these programs into the Railway-Highway Crossings Program and the Hazard Elimination Programs. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which was signed into law on August 10, 2005, (Public Law 105-99) established the Highway Safety Improvement Program (HSIP) as a core Federal-aid program. With the passage of SAFETEA-LU, the Hazard Elimination Program is currently the Traffic Operation Division's Highway Safety Improvement Program (HSIP).

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Traffic Operation Division's Highway Safety Improvement Program (HSIP) affects the public by reducing the number and severity of traffic crashes.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Highway Safety Improvement Program (HSIP) is administered by the Traffic Operations Division. The Traffic Operations Division requests proposed highway safety projects from the 25 TxDOT districts through a statewide program call on an annual basis.

All eligible proposed highway safety projects are subjected to a benefit/cost analysis. The formula used for this purpose is the Safety Improvement Index (SII). In its most basic form, the SII is the ratio of the cost of crashes that have occurred at a location to the cost of constructing the proposed improvement.

The eligible proposed highway safety projects are then categorized by the type of work and ranked from highest SII to lowest SII. The projects with the highest SII in each category are selected for funding.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Traffic Operation Division's Highway Safety Improvement Program (HSIP) Unified Transportation Plan funding level is currently $155 million per year with 90% federal and 10% state or local funding sources. Approximately 20% to 30% of eligible project proposals are funded each program year.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

No internal or external programs that provide identical or similar services or functions.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not applicable

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Texas Department of Transportation (TxDOT) works with the Federal Highway Administration (FHWA) to ensure that the Traffic Operation Division's Highway Safety

Improvement Program (HSIP) is in compliance with 23 USC § 148. TxDOT reports HSIP information via the FHWA On-line Reporting tool.

TxDOT also works with local city and county governments to fund off-system safety projects through the HSIP.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The Traffic Operation Division's Highway Safety Improvement Program (HSIP) safety projects are generally focused on the following types of work:

- Barriers
- Curve Improvements
- Grade Separations
- Intersection Improvements
- Rumble Strips
- Off-System Improvements
- Widening Highways

Other types of highway safety projects may include safety treating fixed objects in the right-of-way, installing safety lighting, etc.

These projects may range from spot safety improvements and upgrading of existing conditions to new roadway construction (such as grade separations). Typically highway safety projects are small in scope, low in cost, and can be let to contract 3 years. In fiscal year 2014 there were 304 contracts accounting for $158 million in expenditures.

TxDOT reports the Traffic Operation Division's Highway Safety Improvement Program (HSIP) projects via the Federal Highway Administration (FHWA) On-line Reporting tool.

Projects are let through the Texas Department of Transportation letting process which ensures compliance with all federal, state and local laws. All funding is tracked and approved by the Traffic Operations Division. A before and after crash analysis is performed on the HSIP projects.

These contracts are low bid construction contracts. The Top 5 contracts by dollar amount for fiscal year 2014 are as follows:

Project Number	County	Highway	Type of Work	Amount
STP 2014(767)HES	Kaufman	FM 2728	Widen	$9,419,882
STP 2014(918)HES	Nacogdoches	US 59	Install Raised Median	8,078,572
STP 2014(635)HES	Van Zandt	FM 314	Widen	7,195,400
STP 1402(180)HES	Collin	FM 546	Widen	5,997,171
STP 2014(919)HES	Nacogdoches	BU 59F	Improve Traffic Signal and Add Left and Right Turn Lanes	5,951,898

L. Provide information on any grants awarded by the program.

No grants are awarded by the Traffic Operation Division's Highway Safety Improvement Program (HSIP).

M. What statutory changes could be made to assist this program in performing its functions? Explain.

No statutory changes are needed.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

The Traffic Operation Division's Highway Safety Improvement Program (HSIP) is not a regulatory program related to the licensing, registration, certification, or permitting of a person, business, or other entity.

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Statewide Intelligent Transportation System (ITS)

Location/Division: Traffic Operations Division

Contact Name: Carol T. Rawson, P.E.

Actual Expenditures, FY 2014: $7,016,813

Number of Actual FTEs as of June 1, 2015: 10

Statutory Citation for Program: Title 23 Code of Federal Regulations Part 940 – Intelligent Transportation System Architecture and Standards

Title 23 Code of Federal Regulations, Part 511 – Real Time System Management Information Systems

Texas Administrative Code under Title 37, Part 1, Chapter 9, Subchapter C, Section 9.21 – 9.24 (AMBER ALERT)

Texas Administrative Code under Title 37, Part 1, Chapter 9, Subchapter D, Sections 9.31 – 9.34 (SILVER ALERT)

Texas Administrative Code under Title 37, Part 1, Chapter 9, Subchapter E, Sections 9.41 – 9.44 (ENDANGERED MISSING PERSONS ALERT)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Traffic Operations Division Statewide Intelligent Transportation Systems (ITS) program's primary purpose is to plan, design, test and deploy standard hardware and software solutions used for the operation of the transportation system in an efficient and effective manner.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Traffic Operations Division ITS program contains elements that detect travel flow and incidents along Texas highways, provide live and snapshot video along corridors, as well as electronic signs to provide messages to the motoring public.

These components have proven successful to:

- Reduce incident delays along the highways by providing quicker notification and advanced incident awareness for first responders.
- Gather travel flow, incident and congestion information which is provided to the traveling public so that they may make informed route and travel time decisions.
- Increase awareness of and help with the recovery of missing persons, thru the AMBER, Blue, Silver and Endangered missing programs, using the dynamic message signs.
- Reduce congestion which results in less lost time to the traveling public and a reduction in emissions.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

None.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Traffic Operations Division ITS program provides transportation operations information to the general public and cooperatively shares transportation operations information with local governments and regional transportation authorities. No specific qualifications or eligibility requirements are needed.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Traffic Operations Division administers ITS program. This program incorporates Traffic Operations Division staff as well as staff provided through ITS professional services, consultant and interagency contracts, to support the department's goals. Traffic Operations Division staff plans and schedules the contract staff's work and reviews the resultant work products.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Traffic Operations Division ITS program uses funding from State Highway Fund 006, federal earmarks and federal grants for the contract; and the Traffic Operations Division's operating budget for overhead expenditures.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The city transportation agencies perform similar ITS operational functions within the transportation facilities, within their jurisdictions. Where practical, the Local TxDOT implementation of the ITS program and the Cities are interconnected to share transportation related data with each other.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Traffic Operations Division ITS program works in conjunction with local transportation jurisdictions (Cities, Metropolitan Planning Organizations, etc.) to address the needs of the state and local jurisdiction. Sharing resources such as fiber infrastructure and roadway information reduces the need for duplication of effort and expenses.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Traffic Operations Division ITS program works with a number of city transportation operations departments, councils of government, regional mobility authorities and participation of the local Federal Highway Administration staff to address the state and regional transportation operation's needs. The relationships were original fostered during the development of the regional intelligent transportation systems architecture and deployment plans and continues today due to periodic meetings among those parties.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The Traffic Operations Division Statewide Intelligent Transportation Systems (ITS) program utilizes contracts to provide services to plan, design, develop, deploy and support statewide intelligent transportation systems (ITS).

There were four contracts in fiscal year 2014 totaling $7,016,813.

Contractor	Amount	Purpose
Southwest Research Institute	$5,001,604	Furnished labor and materials to plan, design, develop, deploy, and support statewide intelligent transportation systems
AECOM	$934,218	Furnished labor and materials to plan, design, develop, deploy, and support statewide intelligent transportation systems
Texas A&M Transportation Institute	$763,557	Furnished labor and materials to plan, design, develop, deploy, and support a variable speed limit pilot project
Kimley Horn and Associates	$317,434	Furnished labor to develop statewide specifications and standard sheets to be used within construction projects deploying intelligent transportation system

The contractors provide bi-weekly reports detailing the activities performed within the different areas of the Traffic Operations Division Statewide Intelligent Transportation Systems (ITS) program. Deliverables are received, reviewed, finalized and stored in repository. Status reports, cost breakdowns and additional supporting information is provided with each billing. These are reviewed and reconciled to the work requested and performed. Audits are performed to assure that proper contract management techniques are followed.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Railroad Safety Inspection

Location/Division: Traffic Operations Division

Contact Name: Carol T. Rawson, P.E.

Actual Expenditures, FY 2014: $794,500

Number of Actual FTEs as of June 1, 2015: 15

Statutory Citation for Program: Texas Administrative Code Title 43, Part 1, Chapter 7, sub-Chapter D – Rail Safety

Transportation Code Title 5, Subtitle C, Chapter 111

B. What is the objective of this program or function? Describe the major activities performed under this program.

To improve safety of Texas rail operations through daily inspections of railroad equipment, track, hazardous material shipments and operating practice through a partnership between the State of Texas and the Federal Railroad Administration (FRA).

Rail Safety inspectors monitor railroad compliance with federal track safety standards and are responsible for the safe transportation of hazardous materials by rail. Rail program staff investigates and analyzes rail accidents in an effort to reduce fatality and multiple injury accidents.

Rail Safety inspectors enforce state rules related to structures built over or near a railroad track, and visual obstructions at highway rail grade crossings that have passive warning devices.

Complaints received from the general public as well as from state, city and county personnel are investigated. Requests for information are handled relating to railroad operations including quiet zones, private crossings and density and speed of rail traffic.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

In an effort to promote railroad safety, the following data from the Federal Railroad Administration (FRA) provides 10 years of historical railroad accident data for the state of Texas.

1.12 TEN YEAR ACCIDENT / INCIDENT OVERVIEW
BY CALENDAR YEAR (January-December)
You Chose Months January Through December
Run Date: Wed, Jul 1, 2015
TEXAS - ALL RAILROADS SELECTED
Accident/Incident Data Is Current Through The Month of April 2015

Category	CY 2005	CY 2006	CY 2007	CY 2008	CY 2009	CY 2010	CY 2011	CY 2012	CY 2013	CY 2014	% Change From CY 2013 to CY 2014	% Change From CY 2005 to CY 2014	Total For CY 2005 to CY 2014
Number of railroads included	48	51	54	56	56	59	62	65	70	69			
TOTAL ACCIDENTS/INCIDENTS 1/	1,267	1,216	1,194	960	780	831	808	802	777	855	10.0	-32.5	9,490
Total fatalities	72	93	83	53	56	55	52	68	52	64	23.1	-11.1	648
Total nonfatal conditions	683	670	691	557	487	519	471	455	449	472	5.1	-30.9	5,454
Employee on duty deaths	2	.	.	3	1	2	1	1	1	.	.	.	11
Nonfatal EOD injuries	402	365	419	331	282	275	237	208	215	198	-7.9	-50.7	2,932
Nonfatal EOD illnesses	25	15	10	7	7	17	14	8	6	11	83.3	-56.0	120
Total employee on duty cases	429	380	429	341	290	294	252	217	222	209	-5.9	-51.3	3,063
Cases with days absent from work	303	281	313	239	187	193	163	137	156	138	-11.5	-54.5	2,110
Trespasser deaths, not at HRC	44	49	47	31	31	28	32	31	25	41	64.0	-6.8	359
Trespasser injuries, not at HRC	40	70	47	50	31	33	32	42	40	39	-2.5	-2.5	424
Passengers kld in train accs or crossing incidents	.	.	.	.	.	.	.	.	.	.	.	.	.
Passengers inj in train accs or crossing incidents	3	19	1	2	7	1	8	12	5	3	-40.0	0.0	61
Passengers kld in other incidents	.	.	.	.	.	.	1	.	.	1	.	.	2
Passengers inj in other incidents	17	17	25	11	21	21	23	25	28	23	-17.9	35.3	211
TRAIN ACCIDENTS	395	359	327	267	198	212	211	230	197	184	-6.6	-53.4	2,580
Train accident deaths	1	3	.	.	.	.	1	.	.	.	.	.	5
Train accident injuries	24	31	11	6	5	5	8	7	10	9	-10.0	-62.5	116
Human factor caused	155	141	142	97	74	75	70	86	84	71	-15.5	-54.2	995
Track caused	146	135	114	98	75	87	80	86	66	66	0.0	-54.8	953
Motive power/equipment caused	37	25	26	31	22	24	17	23	19	18	-5.3	-51.4	242
Signal caused, all track types	4	9	6	4	3	6	3	6	7	5	-28.6	25.0	53
Signal caused, main line track	.	.	1	.	.	1	1	.	.	.	.	.	3
Miscellaneous caused	53	49	39	37	24	20	41	29	21	24	14.3	-54.7	337

Category	CY 2005	CY 2006	CY 2007	CY 2008	CY 2009	CY 2010	CY 2011	CY 2012	CY 2013	CY 2014	% Change From CY 2013 to CY 2014	% Change From CY 2005 to CY 2014	Total For CY 2005 to CY 2014
Collisions	28	19	19	15	14	18	21	32	21	20	-4.8	-28.6	207
Collisions on main line track	6	4	4	2	1	1	4	5	9	4	-55.6	-33.3	40
Derailments	300	258	238	191	149	158	155	171	147	136	-7.5	-54.7	1,903
Other types, e.g., obstructions	67	82	70	61	35	36	35	27	29	28	-3.4	-58.2	470
Train accidents on main line 5/	117	97	76	81	47	51	49	60	50	45	-10.0	-61.5	673
Accidents on yard track	215	197	178	136	110	122	127	124	108	111	2.8	-48.4	1,428
HAZMAT RELEASES	9	4	6	.	3	3	2	2	.	1	.	-88.9	30
Cars carrying hazmat	1,989	1,795	1,810	1,324	1,098	1,397	1,362	1,299	1,205	724	-39.9	-63.6	14,003
Hazmat cars damaged/derailed	192	207	219	92	107	125	88	130	120	95	-20.8	-50.5	1,375
Cars releasing	11	5	6	.	6	4	3	2	.	1	.	-90.9	38
Accidents with reportable damage over $100K	77	55	58	38	41	37	36	44	38	34	-10.5	-55.8	458
PERCENT of all train accidents	19.5	15.3	17.7	14.2	20.7	17.5	17.1	19.1	19.3	18.5	.	.	.
Accidents with reportable damage over $500K	21	11	11	9	10	7	6	9	7	10	42.9	-52.4	101
PERCENT of all train accidents	5.3	3.1	3.4	3.4	5.1	3.3	2.8	3.9	3.6	5.4	.	.	.
Accidents with reportable damage over $1M	4	4	3	3	6	4	2	5	6	7	16.7	75.0	44
PERCENT of all train accidents	1.0	1.1	0.9	1.1	3.0	1.9	0.9	2.2	3.0	3.8	.	.	.
HIGHWAY-RAIL INCIDENTS	325	340	297	228	179	213	204	229	225	287	27.6	-11.7	2,527
Highway-rail incidents deaths	23	44	34	17	23	24	15	34	19	20	5.3	-13.0	253
Highway-rail incidents injuries	144	150	140	97	80	107	83	125	95	103	8.4	-28.5	1,124
Incidents at public xings	266	298	259	188	151	184	169	182	181	233	28.7	-12.4	2,111
PERCENT of total Highway-rail incidents	81.8	87.6	87.2	82.5	84.4	86.4	82.8	79.5	80.4	81.2	.	.	.
OTHER ACCIDENTS/INCIDENTS 3/	547	517	570	465	403	406	393	343	355	384	8.2	-29.8	4,383
Other incidents deaths	48	46	49	36	33	31	36	34	33	44	33.3	-8.3	390
Other incidents injuries	515	489	540	454	402	407	380	323	344	360	4.7	-30.1	4,214

FOOTNOTE 1. Total Accidents is the sum of Train Accidents, Crossing Incidents, and Other Accidents/Incidents

FOOTNOTE 2. Class I Railroad Group selections are reported based on the System Reporting Level to ensure all subsidiary railroads are included

FOOTNOTE 3. Other Accidents/Incidents are events other than Train Accidents or Crossing Incidents that cause physical harm to persons
FOOTNOTE 4. Data does not support rates being calculated when either or both Region and/or State are selected.
FOOTNOTE 5. Percent Change columns are not calculated when the current year is 'Partial' or 'No Data' is available. See FAQ for More Detail.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Federal Railroad Safety Act of 1970, now found at 49 U.S.C. Chapter 201 (formerly, 45 U.S.C. §§ 421, 431 et seq.), established national uniformity of railroad safety laws, rules, regulations, orders, and standards. The statute allows State inspectors to be certified by FRA to conduct investigative and surveillance activities to assure that the application and interpretation of Federal railroad safety rules, regulations, orders, and standards reflect the same national uniformity.

49 U.S.C. § 20105. States were brought into FRA's national program by FRA's adoption of State Safety Participation Regulations located in 49 CFR Part 212. State programs generally emphasize planned, routine compliance inspections. However, States may undertake additional investigative and surveillance activities consistent with overall program needs, individual State capabilities, and specific State commitments.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Rail Safety affects all railroads operating in Texas from a regulatory and accident or complaint investigation standpoint. All new inspectors are subject to completion of a FRA On-The-Job training (OJT) program. Upon completion of training, inspectors receive federal certification in the applicable discipline allowing them to conduct investigative and surveillance activities. The purpose of the railroad safety program is to promote safety in all areas of railroad operations in order to reduce deaths, injuries and damage to property resulting from railroad accidents.

Before participation in the FRA OJT program can begin, a State agency must enter into a multiyear agreement with FRA. This agreement delegates investigative and surveillance authority regarding all, or any part, of Federal railroad safety laws in the five safety inspector disciplines. States do not have authority to participate in an investigation of railroad applications to waive certain aspects of rail safety regulations, to inspect steam locomotives, to monitor railroad noise levels, or to serve as the Inspector-in-Charge (IIC) for FRA headquarters-assigned accident investigations.

The (5) five disciplines for the State Rail Safety Participation Programs are listed below.

1. Track

The track inspector is required, at a minimum, to be able to conduct independent inspections of track structures for the purpose of determining compliance with the Track Safety Standards (49 CFR Part 213), to make reports of those inspections, and to recommend enforcement actions when appropriate to promote compliance.

2. Motive Power & Equipment (MP&E)

The MP&E inspector is required, at a minimum, to be able to conduct independent inspections of railroad equipment to determine compliance with all sections of the Freight Car Safety Standards (49 CFR Part 215), Safety Glazing Standards (49 CFR Part 223), Locomotive Safety Standards (49 CFR Part 229), Safety Appliance Standards (49 CFR Part 231), and Power Brake Standards (49 CFR Part 232), to make reports of those inspections and to recommend enforcement actions when appropriate to promote compliance.

3. Operating Practices (OP)

The OP inspector is required, at a minimum, to be able to conduct independent inspections to determine compliance with all sections of the Federal operating practice regulations (49 CFR Parts 217, 218, 219, 220, 221, 225, 228, and 240 and the Hours of Service Act (45 U.S.C. 61-64b), to make reports of those inspections, and to recommend enforcement actions when appropriate to promote compliance.

4. Signals & Train Control (ST&C)

The highway-rail grade crossing inspector is required, at a minimum, to be able to conduct independent inspections of all types of highway-rail grade crossing warning systems to determine compliance with Grade Crossing Signal System Safety Rules (49 CFR Part 234), to make reports of those inspections, and to recommend enforcement actions when appropriate to promote compliance.

5. Hazardous Materials (HAZMAT)

The HAZMAT inspector is required, at a minimum, to be able to conduct independent inspections to determine compliance with all pertinent sections of the Federal hazardous materials regulations (49 CFR Parts 171 through 174, and 179), to make reports of those inspections and findings, and to recommend enforcement actions when appropriate to promote compliance.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

States were brought into the national program by FRA adoption of regulations. State Safety Participation Regulations are located in Title 49 Code of Federal Regulations (CFR) Part 212. By 1975, promulgation of regulations had enabled States to enforce track and freight car safety standards. In 1980, legislation broadened State involvement to include the Safety Appliance, Locomotive Inspection, Signal Inspection, and Hours of Service acts. State Safety Participation Regulations were revised again in 1992 to permit States to perform rail hazmat inspections, in essence allowing them to participate in all five safety disciplines. In 1995, the Grade Crossing Signal System Safety Regulations (49 CFR Part 234) authorized both Federal and State signal inspectors to assure that railroads were properly testing, inspecting, and maintaining automated warning devices at grade crossings. These devices include flashing lights, gates, bells, and related circuitry.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Traffic Operations Division Rail Safety Inspection Program receives funding to administer the State Rail Safety Participation Program from an annual user fee billed to each operating railroad in Texas.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

State Rail Safety Participation Program work is specific to Texas rail safety efforts with support provided by the FRA.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

In relation to Rail Safety, 49 CFR Part 212 states the purpose of state programs is to supplement the federal inspection effort. Routine inspection duplication is avoided through having assigned geographical territories and by frequent communication between federal and state railroad inspectors. Although there are occasions when federal or state inspectors conduct inspections in the same territory, there's minimal duplication of effort.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Traffic Operations Division's Rail Safety Inspection Program works with the FRA to conduct surveillance investigations on railroads operating in Texas. Other agencies that work with the Railroad Investigators include but not limited to: local law enforcement agencies, local fire departments, the Texas Parks and Wildlife Department, the Texas Department of Public Safety and the Texas Commission on Environmental Quality.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Currently the Traffic Operations Division's Rail Safety Inspection Program has a contract with Signius Communication for afterhours answering of railroad telephonic notification requirements per Texas Administrative Code Title 43, Part 1, Chapter 7, Sub-Chapter D, Rail Safety. The Traffic Operations Division paid Signius $1,163 in Fiscal Year 2014.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Increased rail traffic related to Crude Oil by Rail movements has created a need for additional state Railroad Investigators. Only a fraction of the rail routes in Texas are being inspected by state Rail Investigators. Current legislation may want to be considered at the state level for additional state Railroad Investigators.

Positive Train Control (PTC) is another up and coming regulation (technology) that will need trained inspectors to enforce the federal regulations. Current legislation may want to be considered at the state level for additional State Railroad Investigators.

With the demand for railroad transportation increasing faster than the state's ability to assure adequate safety measures, resources are currently needed to assure oversight of the railroads in Texas to keep up with future growth and technology.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Nationally, there are 165 rail safety state inspectors, who constitute one-third of the national rail safety inspection force. Texas has the third largest state program with 15 full-time inspector positions. The roles of state and federal safety inspectors are clearly defined and complementary. Rail safety inspectors employed by Traffic Operations Division are well-trained safety experts who work closely with the FRA to assure safe rail operations for the benefit of rail passengers, the general public and industry employees.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

The Traffic Operations Division responds to telephonic notification, written, and e-mail inquiries and complaints from the general public, other state and federal agencies, railroads, and law enforcement for railroad safety issues. Staff gathers, verifies, and organizes information for use with investigations. The Traffic Operations Division's Rail Safety Investigators investigates railroads and shippers, gathers evidence, and inspects and copies records needed to determine compliance, citing violations and any action warranted for achieving compliance. The Traffic Operations Division's Rail Safety Investigators may, in specific cases, consider penalties and violations to gain compliance.

Activities include:

- Informing customers and the public of TxDOT's jurisdiction,
- Interpreting laws (state and federal),
- Investigating and citing violations,
- Mediating disputes between parties, and
- Assisting in any way to achieve compliance with railroad safety rules and regulations.

After an investigation is performed and violations are identified, the Traffic Operations Division's Rail Safety Investigators may write violations requesting proof of corrections and compliance with rules and regulations. Others request acknowledgment of receiving the violations and direct a follow-up investigation to be conducted within a certain time. The investigation and ensuing reports develop a picture that usually describes the severity of repeat violations and non-compliance. The severity of the continued non-compliance could be based on frequency and/or similarity of violations, number of investigations and repeat violations (history). When follow-up indicates continued non-compliance or non-cooperation, other actions may be initiated, including recommendations for individual

liabilities and/or warning letters from regional Federal Railroad Administration. Per Texas Administrative Code Title 43 Chapter 43 Part 1 Chapter 7 Subchapter D Rule §7.40, this allows for the attorney general of Texas to bring an action in any court of competent jurisdiction and proper venue.

The Traffic Operations Division's Rail Safety Investigators may recommend a penalty for compliance and the penalty amount depends on the type of violation.

Levels of penalties are based on severity of violations. Maximum penalty amounts are set out in 49 CFR penalty schedule under each part. Administrative penalties are typically $7,500 for a single violation per day. An aggregate penalty amount for multiple violations may be in an amount into the tens of thousands. Each day a violation occurs or continues is a separate violation for purposes of imposing a penalty. Actual penalty amounts imposed are based on statute and rules and include the seriousness of the violation--including the nature, circumstances, extent, and gravity of any prohibited acts and the hazard or potential hazard created to the health, safety, or economic welfare of the public; the economic harm to property or the environment caused by the violation; the history of previous violations; the amount necessary to deter future violations; efforts made to correct the violation; and any other matter that justice may require.

The Traffic Operations Division's Rail Safety Investigator receives allegations by telephone, letter, and e-mail, and determines whether an allegation is within States jurisdiction. If the allegation is not within jurisdiction, it is referred to the appropriate agency, if applicable, and status information is provided to the complainant or inquirer. When an allegation is within jurisdiction and can be corroborated, staff obtains pertinent information, refer the allegation to a Rail investigator, and keep the complainant apprised of the investigation's progress. Complaints without proper information are not accepted. Staff note when a complainant wishes to remain anonymous. Staff also advise a complainant immediately when there is difficulty in corroborating an allegation and advise the complainant when no further action will be taken. At times, staff simply provide information or facilitate between parties to reach resolution.

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

TEXAS DEPARTMENT OF TRANSPORTATION
Rail Safety Inspection Program
Exhibit 11: Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2013 and 2014

	Calendar Year 2013 **	Calendar Year 2014 **
Total number of regulated entities	686 *	686 *
Total number of entities inspected	261	212
Total number of complaints received from the public	187	94
Number of complaints pending from prior years	14	26
Number of complaints resolved	175	200

* Railroad Companies and Shippers within Texas as-of 7/2/2015

** Data was only available from the Federal Railroad Administration on a Calendar Year basis

Table 12 Exhibit 11 Information on Complaints Against Persons or Entities

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Systemic Widening Program

Location/Division: Traffic Operations Division

Contact Name: Carol T. Rawson, P.E.

Actual Expenditures, FY 2014: 0 Projects

Number of Actual FTEs as of June 1, 2015: 3

Statutory Citation for Program: Transportation Code, Title 6, Subtitles A (Chapters 201-204) and B (Chapters 221-250)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Traffic Operations Division's Systemic Widening Program is designed to reduce the number and severity of traffic crashes on narrow rural highways. The systemic Widening Program is a funding program to widen rural, 2-lane, 2-way highways on the state highway system with an existing paved surface width of less than 24 feet and with average daily traffic greater than or equal to 400 vehicles per day.

The Systemic Widening Program is administered by the Traffic Operations Division. The Traffic Operations Division requests proposed highway widening projects from the 25 TxDOT districts through a statewide program call on a scheduled basis.

These projects may widen the narrow highways to a maximum paved surface width of 28 feet.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Traffic Operations Division's Systemic Widening Program projects make rural narrow highways safer and result in fewer fatalities and injuries. The Texas Department of Transportation (TxDOT) asked the Texas A&M Transportation Institute (TTI) to analyze and review three years of pre- and post-improvement data on more than a thousand miles of narrow two-lane highways that had been widened. The numbers show that on 1,159 miles of added highway shoulders, there were 133 fewer fatalities and 895 fewer injuries compared to prior to widening.

TTI has estimated that these projects could save up to 44 lives each year or 880 lives over 20 years-- and prevent 298 injuries each year or 5960 injuries over the same time period.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Traffic Operations Division's Systemic Widening Program began as a pilot program in fiscal year 2013. The pilot program widened 46 miles of 12 different highways totaling $24 Million.

The Systemic Widening program was added to the Unified Transportation Plan in fiscal year 2015. Five projects were programmed totaling $15 Million in fiscal year 2015.

The Texas A&M Transportation Institute (TTI) finalized the research needed to assign a total risk factor weight (TRFW) to the widening projects in 2015.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Traffic Operations Division's Systemic Widening Program affects the public by reducing the number and severity of traffic crashes on rural narrow highways.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Systemic Widening Program is administered by the Traffic Operations Division. The Traffic Operations Division requests proposed highway safety projects from the 25 TxDOT districts through a statewide program call on a scheduled basis.

All eligible proposed highway widening projects are evaluated using a total risk factor weight (TRFW). A statewide assessment of fatal and incapacitating crash types is performed for the associated roadway characteristics. The roadway characteristics considered include paved surface width, average daily traffic, truck percentages and highway alignment. The TRFW is calculated by analyzing the total number of fatal and serious injury crashes and the crash overrepresentation of the same crashes as compared to the sample size for each roadway characteristic.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Traffic Operations Division's Systemic Widening Program Unified Transportation Plan funding level is currently $15.5 million per year with 100% state funding sources.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

No internal or external programs that provide identical or similar services or functions.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

No internal or external programs identified in Question H.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Texas Department of Transportation (TxDOT) does not work with local city governments on projects because all of the Traffic Operations Division's Systemic Widening Program projects are rural and on the state highway system.

TxDOT does not work with the Federal Highway Administration (FHWA) for the systemic widening projects because the Traffic Operations Division's Systemic Widening Program is 100% state funded.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The Traffic Operations Division's Systemic Widening Program projects are highway widening projects on rural, 2-lane, 2-way highways on the state highway system with an existing paved surface width of less than 24 feet and with average daily traffic greater than or equal to 400 vehicles per day. These contracts are low bid construction contracts.

There were no projects in fiscal year 2014. Projects are let through the Texas Department of Transportation letting process which ensures compliance with all federal, state and local laws. All funding is tracked and approved by the Traffic Operations Division. A before and after crash analysis is performed on the systemic widening projects.

L. Provide information on any grants awarded by the program.

No grants are awarded by the Traffic Operations Division's Systemic Widening Program.

M. What statutory changes could be made to assist this program in performing its functions? Explain.

No statutory changes are needed.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Not Applicable

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Texas Traffic Safety Program

Location/Division: Traffic Operations Division

Contact Name: Carol T. Rawson, P.E.

Actual Expenditures, FY 2014: $134,805,930

Number of Actual FTEs as of June 1, 2015: 47

Statutory Citation for Program: National Highway Safety Act of 1966 (Title 23 United States Code Section 401)

Texas Traffic Safety Act of 1967 (Transportation Code, Chapter 723)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The mission of the Traffic Operations Division's Traffic Safety Program is to identify traffic safety problem areas and implement programs to reduce the number and severity of vehicular crashes through the statewide Traffic Safety Program.

The Traffic Operations Division's Traffic Safety Program uses information, data, technology, resources, and skills to identify priority traffic safety issues, plan initiatives, generate coordinated action, and evaluate and communicate results. The program objective is to operate the program in a manner that reduces crashes, injuries, deaths, and their related losses.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

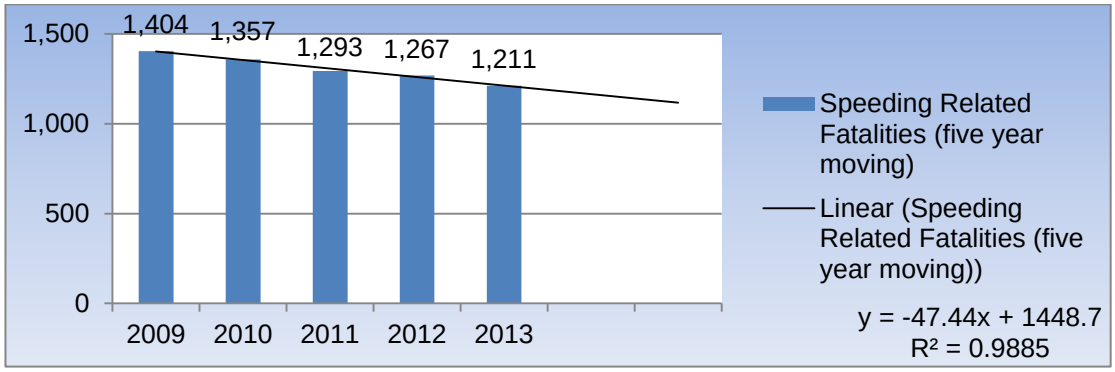
The Traffic Operations Division's Traffic Safety Program uses Performance targets and performance measures that have been developed for each program area that receives funding and incorporates the Traffic Safety Performance Measures for States and Federal Agencies, identified above in the development of the Texas Highway Safety Plan (HSP). Program areas outside of the GHSA (Governors Highway Safety Association) and National Highway Traffic Safety Administration (NHTSA) Core performance measures have also been included, as sufficient justification for addressing those issues have been established in the problem identification process and appropriate performance measures have been developed by TRF-TS. These performance measures contain:

- Documentation of current safety levels;
- Quantifiable annual performance targets, and;
- Justification for each performance target that explains why the target is appropriate and data driven.

The Traffic Operations Division's Traffic Safety Program utilizes strategies, targets/goals, and performance measures for each of the program areas that can be found in the Texas Highway Safety Plan. A chart containing Texas Traffic Safety targets, strategies, objectives, and measures is located under "Manuals & Reports" on the eGrants Resources Page, provides the goals and strategies of the Texas Traffic Safety Program and includes the most current status of the targets for the strategies and goals. Each project included in the HSP will address one or more of these targets/goals or strategies.

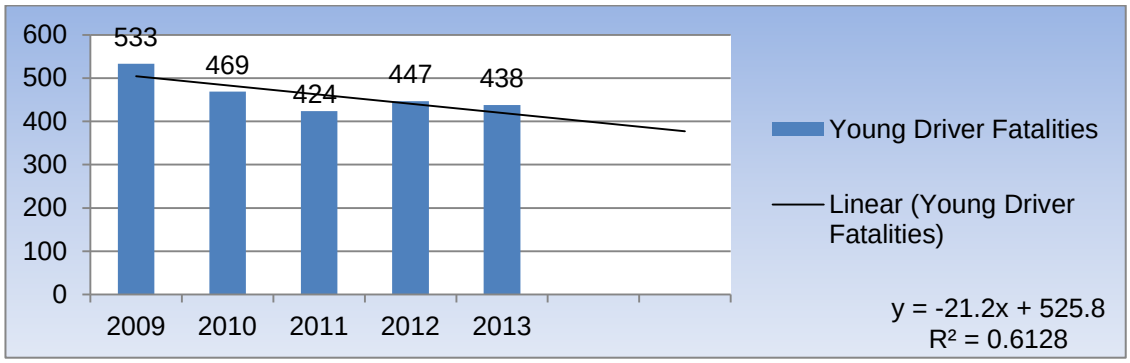
Two examples of the reductions in fatalities and injuries in this program are contained below:

State of Texas: Speeding Related Fatalities, 2009-2013



Source: Fatality Analysis Reporting System (FARS, April 21st, 2015).

State of Texas: Young Driver Fatalities, 2009-2013



Source: Fatality Analysis Reporting System (FARS, April 21st, 2015).

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Chapter 723, Texas Transportation Code, the Traffic Safety Act, declares it to be a vital government purpose and function of the state and its legal and political subdivisions to establish, develop, and maintain a program of traffic safety in Texas. Section 723.032 authorizes TxDOT to enter into grants and contracts to carry out a duty or activity that is part of the statewide Traffic Safety Program.

The National Highway Traffic Safety Administration (NHTSA) was officially established in 1970 by the Highway Safety Act of 1970 (Title II of Pub.L. 91–605, 84 Stat. 1713, enacted December 31, 1970, at 84 Stat. 1739). In 1972, the Motor Vehicle Information and Cost Savings Act (Pub.L. 92–513, 86 Stat. 947, enacted October 20, 1972) expanded NHTSA's scope to include consumer information programs. Since then, automobiles have become far better in protecting their occupants in vehicle impacts. The number of deaths on American highways hovers around 33,000 annually, [3] a lower death rate per vehicle-mile traveled than in the 1960s.

NHTSA, and the TxDOT-TRF Traffic Safety Section, is responsible for implementing programming that reduces deaths, injuries and economic losses resulting from motor vehicle crashes. This is accomplished by setting and enforcing safety performance standards for motor vehicles and motor vehicle equipment, and through grants to state and local governments to enable them to conduct effective local highway safety programs. The laws and regulations of the State of Texas and TxDOT policy also govern the Texas Traffic Safety Program. On the state level, the Texas Traffic Safety Act of 1967 authorizes the program. The program is administered under the rules specified in Title 43, Texas Administrative Code, §§25.901 – 25.913.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

According to 23 USC 402, each State shall have a highway safety program approved by the Secretary, designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom. Such programs shall be in accordance with uniform guidelines promulgated by the Secretary. Such uniform guidelines shall be expressed in terms of performance criteria. In addition, such uniform guidelines shall include programs (1) to reduce injuries and deaths resulting from motor vehicles being driven in excess of posted speed limits, (2) to encourage the proper use of occupant protection devices (including the use of safety belts and child restraint systems) by occupants of motor vehicles, (3) to reduce deaths and injuries resulting from persons driving motor vehicles while impaired by alcohol or a controlled substance, (4) to prevent accidents and reduce deaths and injuries resulting from accidents involving motor vehicles and motorcycles, (5) to reduce injuries and deaths resulting from accidents involving school buses, (6) to reduce

accidents resulting from unsafe driving behavior (including aggressive or fatigued driving and distracted driving arising from the use of electronic devices in vehicles), and (7) to improve law enforcement services in motor vehicle accident prevention, traffic supervision, and post-accident procedures.

The Secretary shall establish a highway safety program for the collection and reporting of data on traffic-related deaths and injuries by the States. Under such program, the States shall collect and report such data as the Secretary may require.

The purposes of the program are to ensure national uniform data on such deaths and injuries and to allow the Secretary to make determinations for use in developing programs to reduce such deaths and injuries and making recommendations to Congress concerning legislation necessary to implement such programs. The program shall provide for annual reports to the Secretary on the efforts being made by the States in reducing deaths and injuries occurring at highway construction sites and the effectiveness and results of such efforts.

The Secretary shall establish minimum reporting criteria for the program. Such criteria shall include, but not be limited to, criteria on deaths and injuries resulting from police pursuits, school bus crashes, aggressive driving, fatigued driving, distracted driving, and speeding, on traffic-related deaths and injuries at highway construction sites and on the configuration of commercial motor vehicles involved in motor vehicle crashes. Such uniform guidelines shall be promulgated by the Secretary so as to improve driver performance (including, but not limited to, driver education, driver testing to determine proficiency to operate motor vehicles, driver examinations (both physical and mental) and driver licensing) and to improve pedestrian performance and bicycle safety. In addition, such uniform guidelines shall include, but not be limited to, provisions for an effective record system of crashes (including injuries and deaths resulting therefrom); crash investigations to determine the probable causes of crashes, injuries, and deaths; vehicle registration, operation, and inspection; highway design and maintenance (including lighting, markings, and surface treatment); traffic control; vehicle codes and laws; surveillance of traffic for detection and correction of high or potentially high crash locations; enforcement of light transmission standards of window glazing for passenger motor vehicles and light trucks as necessary to improve highway safety; and emergency services.

Such guidelines as are applicable to State highway safety programs shall, to the extent determined appropriate by the Secretary, be applicable to federally administered areas where a Federal department or agency controls the highways or supervises traffic operations.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Traffic Operations Division's Traffic Safety Program is the Highway Safety Office (HSO) for Texas, and is managed by the Traffic Safety Section (TS) in the Traffic Operations Division (TRF) of the Texas Department of Transportation (TxDOT).

The Traffic Operations Division's Traffic Safety Section is comprised of the traffic safety director, a programs director, two supervisors, two lead workers, a planner, a policy and procedures coordinator, an eGrants project manager, an eGrants business analyst, and seven program managers. Also, there are thirty (30) traffic safety specialists (TSS) located in the twenty five TxDOT districts throughout the state of Texas.

In addition, the State of Texas also utilizes private contractors including advertising agencies and other organizations to provide services such as the law enforcement liaison (LEL) program.

Once the RFP process is complete, a list of submitted proposals is generated that meets the minimum qualifications for funding. These proposals are separated by program area and assigned to scoring teams. Scoring teams are comprised of TRF-TS program managers, Traffic Safety Specialists (TSSs) and other staff.

The subgrantee's prior performance and grade will be reviewed as a component of the subgrantee's "demonstrated effectiveness" in providing traffic safety projects and will be considered during the awarding of projects. After all proposals are scored, TRF-TS staff will check the proposing agency's performance grade for the project's previous grant period. Agency projects that received a grade of A, B, or C will be determined to have provided sound performance in the administration of the grant during the previous grant period. Projects that received a "D" grade should not be awarded a grant through the current year's RFP process unless it is determined to be in the best interest of TRF-TS to do so. In these cases, the agency will be considered a "high risk" subgrantee and will be expected to demonstrate improved performance through the first three months of the grant period.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

For FY 2014, the Traffic Operations Division Traffic Safety Program has the following funding sources and amounts:

23 USC 402:	$17,013,424.11
23 USC 405 (b)	$4,247,565.00
23 USC 405 (c)	$3,727,521.34
23 USC 405 (d)	$10,012,020.52
23 USC 405 (f):	$ 315,846.85
Local Provided Match:	$ 50,799,796.75
State Funds:	$10,435,998.00

The State funds used are match from salaries and the budget for the Traffic Operations Division. The Traffic Safety Program also has "carry forward" funds. These are Federal funds that are awarded to the State of Texas but unused in the year in which they are awarded and are carried forward into the next fiscal year for use in funding programs.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TxDOT is the designated agency for behavioral programming, as well as the Governor's Highway Safety Representative. Duplication of services is mitigated by our coordination of these programs. We have policy and protocols in place to ensure that there is no duplication of services within the Traffic Safety Program. The Traffic Safety Program does have grants in place with several other state agencies to provide programming. We have grants in place with the Texas Department of Public Safety and the Texas Department of State Health Services. We also have working arrangements within TxDOT to accomplish our targets and performance measures.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Traffic Operations Division's Traffic Safety Program works very closely with Federal and local governments.

1. Federal government: The Traffic Safety Program is funded directly by the NHTSA. We have a positive working relationship with the NHTSA Region 6 offices located in Fort Worth. This office provides assistance and oversight to all of our programming. The program also has a positive relationship with the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), and the Federal Motor Carrier Safety Administration (FMCSA).
2. Local governments: The Traffic Safety Program works very closely with a large number of cities, counties, and regional governments to actively address traffic safety issues in their jurisdictions. A vast majority of this interaction is in the forms of grants for additional law enforcement activities for seat belt violations, impaired driving, and speeding enforcement.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The mission of the Traffic Operations Division's Traffic Safety Program is to identify traffic safety problem areas and implement programs to reduce the number and severity of vehicular crashes through the statewide Traffic Safety Program. The goal of the Texas Traffic Safety Program is to use information, data, technology, resources, and skills to identify priority traffic safety issues, plan initiatives, generate coordinated action, and evaluate and communicate results. The program objective is to operate the program in a manner that reduces crashes, injuries, deaths, and their related losses.

In FY 2014, the Traffic Operations Division Traffic Safety Program had a total of 318 projects that expended $134,805,930.48 in Federal, State and Local Funds (FY 2014 Annual Report).

The top five projects by awarded federal dollar amount, including vendor name and purpose are as follows:

1) Sherry Matthews Advocacy Marketing
   Click it or Ticket Media Campaign
   Federal Award: $2,000,000
2) Texas Department of State Health Services
   Trauma Registry Traffic Records Project
   Federal Award: $1,586,978.75
3) Sherry Matthews Advocacy Marketing
   Labor Day Impaired Driving Media Campaign
   Federal Award: $1,500,000
4) Texas Department of Public Safety
   Comprehensive Selective Traffic Enforcement Program
   Federal Award: $1,368,254.65
5) Sherry Matthews Advocacy Marketing
   Distracted Driving Media Campaign
   Federal Award: $1,200,000

The U.S. Department of Transportation (USDOT) NHTSA Region 6 office monitors the Traffic Operations Division's Traffic Safety Program to ensure the proper application of its grant funds. The Traffic Safety Section performs periodic reviews of the grant programs, the Project Managers, and the TxDOT Traffic Safety Specialists, to ensure that the procedures are being followed, to help provide operational consistency, and to ensure compliance with laws and regulations. The Project Managers and TxDOT Traffic Safety Specialists monitor each grant project assigned to them in order to ensure that they are being properly and efficiently implemented. Monitoring is both a state and federal requirement of the Uniform Grant Management Standards (UGMS). Monitoring is required in order to assure compliance with state and federal requirements, and to assure that objectives and performance measures are being achieved.

The Project Managers and TxDOT Traffic Safety Specialists review the Performance Reports (PR) to determine accuracy and completeness before accepting them. They work with the subgrantee to correct errors or to add information. The subgrantee provides regular reports on performance, based on the agreed-upon performance measures, in order to receive reimbursement of expenses

All purchase orders are assigned a program manager and are managed through eGrants as any other project would be managed. At this time, we are unaware of any contracting problems as it pertains to the process and selection of vendors for these services. If there is an issue with an individual vendor, the Traffic Safety Program has policy and procedure in place to rectify those issues should they arise.

L. Provide information on any grants awarded by the program.

All of the Traffic Operations Division Traffic Safety Program funds and programs are grants. For information regarding specific projects, please see our Fiscal Year 2014 Highway Safety plan for details on these programs and projects. https://www.txdot.gov/apps/eGrants/eGrantsHelp/Reports/HSPP_FY14.pdf

M. What statutory changes could be made to assist this program in performing its functions? Explain.

There are several countermeasures that are available in other states around the country that have shown considerable potential to affect traffic safety positively that are currently not available in the State of Texas. Passage of compliant statutes would also increase the available funding for programming in these areas.

- Statute covering texting and distracted driving statewide that conforms to the requirements of 23 USC Section 405 (23 CFR 1200.24)
- Statute covering ignition interlock that conforms to the requirements of 23 USC Section 405 (23 CFR 1200.23)
- Statute covering graduated drivers licensing that conforms to 23 USC Section 405 (23CFR 1200.26)
- A universal, mandatory, motorcycle helmet statute
- Statute granting permission for law enforcement agencies to conduct sobriety checkpoints

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

For more information regarding these programs, please see:

Fiscal Year 2015 Highway Safety Plan:
https://www.txdot.gov/apps/eGrants/eGrantsHelp/Reports/HSPP_FY14.pdf

Fiscal Year 2014 Annual Report:
https://www.txdot.gov/apps/eGrants/eGrantsHelp/Reports/TexasTrafficSafetyAnnualReport-2014.pdf

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Not Applicable

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Routine Maintenance Contracts (RMC) Letting & Agreements

Location/Division: Maintenance Section Support / Maintenance Division

Contact Name: C. Michael Lee

Actual Expenditures, FY 2014: $559,131

Number of Actual FTEs as of June 1, 2015: 7

Statutory Citation for Program: Transportation Code, Title 6, Subtitles A (Chapters 201-204) and B (Chapters 221-250)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Routine Maintenance Contracts (RMC) Letting and Agreements section is to provide statewide support for the routine maintenance contract (RMC) letting and payment process, and supports the development of various agreements with cities, counties and other agencies with TxDOT's 25 districts. This section also supports the letting of emergency contracts affiliated with natural and man-made disasters

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Routine Maintenance Contracts (RMC) Letting and Agreements section affects current and prospective contractors statewide. Approximately 1,200 RMCs are let annually, with up to 2,600 contracts active at any given time. These contracts are for various routine maintenance of the highway system to include mowing of the right of way, and the rehabilitation of low volume roadways.

Approximately 1,100 multiple use agreements (MUA) are executed statewide to allow various entities to utilize TxDOT owned rights of way for uses such as boat ramps, parking, etc. The section also provides support for the accommodation of utilities on state owned rights of way along with nearly 300 Municipal Solid Waste Agreements, 10 Memorandum of Agreement/Understanding, and approximately 40 Highway Crossing Agreements

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

None

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Routine Maintenance Contracts (RMC) Letting and Agreements functions affect internal and external customers, including the traveling public, contractors, and service providers.

Certain types of contracts require that contractors be qualified in order to bid.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Routine Maintenance Contract (RMC) Letting and Agreements function is comprised of 7 full time employees (FTEs) that report directly to the Director of the Maintenance Section, and Maintenance Division Deputy Director. The section works directly with district staff in a support role.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Employee salaries for the RMC Letting and Agreements group are paid by Strategy 13023. No funds other than salaries are part of the Maintenance Division budget. All contracts referenced for this group are managed by the districts. The RMC Letting and Agreements group simply assists the districts in establishing contracts for work that comes out of the districts' budgets.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The Design Division (DES) has similar duties related to plan review and proposal development for statewide construction let projects. Many of these contracts involve federal funds and, therefore, include federal provisions that are not typically part of the routine maintenance contracts (RMCs). The Construction Division (CST) manage the state

wide letting of RMCs, while the districts manage the local letting (under $300,000) of RMC projects

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Routine Maintenance Contract (RMC) Letting and Agreements section coordinates with the Construction Division (CST) monthly for state let routine maintenance projects.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Not applicable.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Not applicable.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

In Appropriation Year (AY) 2014, TxDOT budgeted $1.1 billion for maintaining state system roadways.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Not applicable.

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Performance Based Maintenance of Highway (Contracts)

Location/Division: Performance Based Contract Section / Maintenance Division

Contact Name: John Roberts

Actual Expenditures, FY 2014: $7,702,300

Number of Actual FTEs as of June 1, 2015: 3.5

Statutory Citation for Program: Transportation Code, Title 6, Subtitles A (Chapters 201-204) and B (Chapters 221-250)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Performance Based Contract Section is the development of innovative contracting methods that produce long term agency savings by allowing the contractor freedom to schedule and perform routine maintenance that meets performance standards rather than the more traditional prescriptive work.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

Contracts that have been awarded were for dollar values below the engineer's estimates indicating substantial savings. During execution, the contracts have performance measures and condition assessments which determine payment to contractors and indicate the level of service.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The most recent version of this program began with the development of contracting guidelines and documents in 2013, and the subsequent awarding of three (3) contracts in FY 2014. Previous to the current program, contracts dating back to 1999 through 2012 have been awarded in the Waco, Dallas, Austin, and Houston districts with similarity toward having major roadway maintenance elements under one provider's responsibility. This program has been evolving to attain acceptable levels of service and appropriate risk assignment.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This program affects the traveling public and internal TxDOT maintenance forces. The services provided by the contractors contribute to the safe and efficient travel of the traveling public, and the ability for TxDOT forces to provide additional services on roadways outside the contract boundaries.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

This program began with administration from the Maintenance Division through coordination and support from the districts. The program is evolving to district administration of each project with support provided by the Maintenance Division.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Performance Based Maintenance Contracts are funded through Strategy 13045.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Similar services are provided through contracts with the Virginia Department of Transportation, Florida Department of Transportation and other agencies outside of TxDOT.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not applicable.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Not applicable.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

In fiscal year (FY) 2014, $7,336,314.51 was expended for three (3) performance based highway maintenance contracts. The general purpose of these contracts is to provide routine maintenance of highways and roadside appurtenances.

CSJ	Contractor	$ Expended in FY 2014
6262-50-001	DBI Services, LLC	$ 3,186,983.57
6262-18-001	ISI Contracting Inc.	$ 2,507,197.94
6262-53-001	Texas Sterling Construction Co.	$ 1,642,133.00

Performance is measured by condition assessments of the roadways, periodic inspection of the work performed, and key performance indicator attainment.

Currently, most contracts are beginning with some execution resulting in unsatisfactory performance during the first months of implementation. Contractor understanding of the contract requirements does not appear to be adequate to achieve performance expectations. Current full time equivalent (FTE) allocations do not provide for adequate oversight of contractor performance.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Not applicable

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Pavement Management Program

Location/Division: Pavement Preservation Branch / Maintenance Division

Contact Name: Magdy Mikhail, P.E.

Actual Expenditures, FY 2014: $5,500,000

Number of Actual FTEs as of June 1, 2015: 16

Statutory Citation for Program: 23 U.S.C. § 150(c)(3)(A)(i)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Pavement Management Program is to assess the condition of pavements, determine preventive maintenance and rehabilitation needs, report conditions to the Federal Highway Administration (FHWA), and provide support for forensic research and pavement performance studies.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Pavement Management Program (PMP) helps TxDOT manage 197,757 lane miles of roadway. This program is used to measure the effectiveness of the highway improvement program. The percentage of lane miles with a conditions score above 70 is used as a performance measure that is monitored annually. TxDOT was able to maintain a stable pavement condition despite limited funding and increased loading from oil & gas activities.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Pavement Management Program (PMP) began as an in-house effort sampling about 10 percent of the Texas highway system per year in September 1982. The PMP became federally-mandated in January 1989, and was expanded to include 50 percent of the Texas highway system per year in September 1992, and by September 2000 was expanded to sample 100 percent of the highway system per year. The program involves all 25 TxDOT districts, contract pavement raters, and calibrated electronic vehicles for measuring pavement ride quality, rutting, skid resistance, and structural strength.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Pavement Management Program affects the Federal Highway Administration (FHWA), department Administration, divisions, districts, and area offices.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The timeline is annual, based on State fiscal year (September 1 to August 31). The following timeline is an example for Fiscal Year 2016:

- July-August 20015: Train and certify contract pavement raters
- July-September 20015: Repair and calibrate automated equipment (rut and ride)
- August 2015: Build FY 2016 database
- September-October 2015: Train and certify equipment operators (rut and ride)
- September-December 2015: Rate pavement distress (cracks, potholes, patches, etc.)
- September 2015 to March 2016: Measure pavement rutting and ride quality
- September 2015 to August 2016: Repair and calibrate structural strength equipment
- September 2015 to August 2016: Train and certify structural strength operators
- September 2015 to August 2016: Measure pavement structural strength, as needed
- February-May 2016: Repair and calibrate automated equipment (skid)
- April-May 2016: Begin analysis of statewide FY 2016 data
- April-June 2016: Train and certify equipment operators (skid)
- April-August 2016: Measure pavement skid resistance
- April 2016: Provide values for routine maintenance budget preparation
- May 2016: Report status of statewide pavement condition goal (90 percent “good” or better)
- June 2016: Publish “Condition of Texas Pavements” annual report
- June 2016: Provide ride quality measurements for Federal HPMS
- August 2016: Provide values for preventive maintenance and rehab fund allocation

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Pavement Management program is funded from strategy 105.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Pavement Management Program works with the Texas Maintenance Assessment Program (TxMAP) in the Maintenance Division, and the Texas Traffic Assessment Program (TxTAP) in the Traffic Operations Division to offer a full assessment of the state highway system.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Primary work is with the Federal Highway Administration (FHWA), in support of their annual Highway Performance Monitoring System (HPMS) program.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

ESG Consulting	$ 166, 581
Dynatest Visual Rating	$ 2,069,611
TTI Verification Rating	$ 293,631
TTI Skid Calibration	$ 12,000
Total	**$ 2,541,823**

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Pavement Management Information System (PMIS) is an automated system used to store, retrieve, analyze and report information to aid in pavement-related decision-making. PMIS supports network-level pavement decisions at the division, district, area office, and maintenance section level. The PMIS decision support for pavement managers is based on analyses conducted from pavement condition data collection surveys done at the beginning of each fiscal year.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Emergency Operations Program

Location/Division: Maintenance Division

Contact Name: Gilbert Jordan

Actual Expenditures, FY 2014: $146,928

Number of Actual FTEs as of June 1, 2015: 2

Statutory Citation for Program: Transportation Code, Title 6, Subtitles A (Chapters 201-204) and B (Chapters 221-250)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Emergency Operations Program is to oversee TxDOT's response to emergencies and disasters such as hurricanes, wildfires, tornadoes, and flooding. The manager of this program serves as TxDOT's Emergency Management Coordinator and works closely with the Texas Division of Emergency Management, other state agencies, and all districts and divisions within TxDOT.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

TxDOT's Emergency Operations Program has been an effective function as services have been called upon by the Governor's Office to address and/or oversee critical functions during an emergency, including manning rest areas to assist evacuees, developing / monitoring a statewide fuel availability plan in conjunction with the private sector, and to develop a contra-flow plan for all coastal areas during hurricane evacuations.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Emergency Operations Program's involvement in day-to-day emergency operations has increased and includes working with the State Operations Center, TxDOT internal Emergency Operations Centers, the Federal Emergency Management Agency (FEMA) and the Federal Highway Administration (FHWA) on state reimbursement issues. The program is involved in emergency situations, including wildfires, floods, snow and ice control, hurricanes, and major security concerns.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Emergency Operations Program benefits all Texans, especially evacuees during emergencies. In addition, these functions affect the local economies as they provide a safe and efficient transportation system to move people and goods.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Emergency Operations function is administered by the Emergency Management Coordinator, and one Planner. During emergency operations, the affected districts and division provide support personnel (a representative) to a local emergency operation center (EOC). The emergency operations program respond to the Maintenance Division's EOC or State Operations Center (SOC), depending on severity of the incident.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Emergency Operations program seeks reimbursement from the Federal Emergency Management Agency (FEMA) and the Federal Highway Administration (FHWA) for damages to department infrastructure.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Local governments, state and federal agencies generally have an emergency management coordinator (EMC) to include one to two planners, one finance officer, one logistics officer, and assistant EMC. All operate under the National Incident Management System (NIMS) which requires emergency management to function similarly. The differences in staff are generally associated with the size of the agency or entity.

Other than the two dedicated employees, on a day to day basis, TxDOT's emergency operations personnel work in a more decentralized organization structure by reporting directly to a division or district.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Emergency Operations Program works directly with the Texas Division of Emergency Management and all of the state agencies and other entities involved in any disaster coverage. It also works closely with Federal Emergency Management Agency (FEMA) and the Federal Highway Administration (FHWA) in tracking and requesting reimbursements for emergency funds spent responding to a disaster or emergency.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Emergency Operations Program interacts with local, regional, state and/or federal government. These interactions may include law enforcement, emergency management personnel, fire department, elected officials, public works personnel etc.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Contracting for this program is performed at the district level. In fiscal year (FY) 2014, $11,459,811.12 was expended for a total of 22 emergency contracts. The top five contracts are shown in the chart below.

District	CSJ	Contract Description	Completion Costs	Contractor
Corpus Christi	6271-57-001	Spot Base Repair	$2,865.000.00	Brannan Paving Co., LTD
Abilene	6267-25-001	Bridge Repair	$2,081,312.10	J. H. Strain & Sons, Inc.
San Antonio	6271-45-001	Spot Base Repair	$2,072,520.67	Clark Construction of Texas, Inc.
El Paso	6266-50-001	Bridge Repair	$782,984.49	J. D. Abrams, L.P.
San Antonio	6277-09-001	Removal of Damaged Beam & Section of Deck	$523,056.49	Hunter Industries, Ltd.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

Chief Planning and Projects Officer

The Chief Planning and Projects Officer oversees all aspects of transportation planning and strategic project delivery through the supervision of three main functional areas: the Planning Office, the Project Management Office, and the Strategic Projects Division. The Planning and Project group was established based on recommendations from the Sunset Commission, the Grant Thornton Audit, and the TxDOT Restructure Council identifying the need for an organization within TxDOT primarily focused on the transportation planning and project development process, and the implementation of TxDOT's major projects portfolio.

Planning Office

The Planning Office includes six divisions directly involved with transportation planning, high efficiency, and environmental affairs related to the use of state highways and roads, the rail system, and port operations. Descriptions of these six divisions follow:

The Transportation Planning and Programming Division (TPP) administers the Statewide Long-Range Transportation Plan, the Statewide Transportation Improvement Program, the Unified Transportation Program, freight planning, metropolitan planning organization (MPO) planning activities, the Economically Disadvantaged Counties Program, Texas State Planning and Research Work Program (Part I), and the Texas Transportation Corporation Act. In addition, TPP is responsible for the federal Highway Performance Monitoring System, corridor feasibility studies, urban transportation planning, road utility districts, international bridges, road inventory, railroad crossing inventory, reference marker locations, mapping and map distribution, traffic volume analysis, traffic forecasting, travel demand modeling, vehicle weight and classification studies, and speed and origin-destination studies. TPP's data collection function, while not widely recognized, is a significant component of the federal reporting requirements and will become even more significant as the department works toward a more performance based planning and project selection process. The division also coordinates multimodal / intermodal transportation issues.

The Environmental Affairs Division (ENV) oversees TxDOT's environmental program. The division is responsible for recommending policies and developing guidance and procedures for project investigations, public involvement, and environmental, social, and economic studies as part of the project development process. The division is also responsible for environmental approvals for projects in compliance with state and federal requirements. ENV is TxDOT's environmental liaison with state and federal resource agencies, environmental and special-interest groups, and the public. The division also provides assistance with hazardous materials and other environmental issues on construction and maintenance projects and on TxDOT property. ENV also administers contracts to support projects statewide.

The Maritime Division (MRD) supports the development of high value growth in Texas' maritime system, by taking an integrated and systems approach to examine the needs and challenges of the ports and waterway system and potential solutions. MRD provides a vehicle for TxDOT to work with national and statewide transportation policy-makers, port and waterway operators, the private sector freight community, and local partners to address specific system-wide issues facing the ports and waterway system. This support includes serving as a resource for Texas ports and working with them to address port and maritime needs, working to increase use of the Gulf Intracoastal Waterway, and promoting waterborne transportation and related intermodal projects essential to maintain Texas' economic competitiveness.

The Public Transportation Division (PTN) is responsible for encouraging, fostering, and assisting public transportation in Texas, and promoting cycling and walking as alternatives to driving, continually working to make roadways more bike-friendly. The division grants state and federal funds for public transportation projects. It works in partnership with the Federal Transit Administration to support and monitor rural and small urban intercity bus transportation, job access and reverse commute service, and various capital projects including transit vehicle procurement and facility construction. The division sponsors and monitors research and development in public transportation. PTN also provides technical assistance, training, and planning support to the transit industry. State law also charges TxDOT with the responsibility of regional planning for public transportation and as such PTN oversees and assists regions within the state as they proceed to develop local regional plans. PTN hosts TxDOT's state bicycle program coordinator and each of its 25 state districts has its own district bicycle coordinator who serves as a point of contact with the public on local biking matters.

The Rail Division (RRD) is responsible for statewide rail planning and rail project development for all non-highway-related rail efforts and issues in the state. RRD provides project management and oversight for state and federally funded rail programs and projects. RRD also manages lease and operating agreements for rail services on state-owned facilities and state-subsidized passenger rail routes. The statewide rail safety and security program for rail transit fixed guideway public transportation systems is also managed by RRD in conjunction with the Federal Transit Administration.

The International Relations Office (IRO) assists the agency with support on border and international issues. The IRO coordinates operations and information relating to international activities for TxDOT and acts as the liaison for TxDOT on international activities at the international, national, and state levels. The IRO is the first point of contact for international visitors and coordinates visits of international delegations. The IRO provides information for the Commission, the Legislature, other agencies, and the public on matters regarding international relations and responds to inquiries from foreign individuals and governmental agencies. The long-term objectives of TxDOT's international activities are to improve the international exchange of transportation information and expertise and improve Texas-Mexico border transportation infrastructure planning.

Project Management Office

The Project Management Office (PMO) provides tools and guidance to increase the efficiency, productivity, and accountability of TxDOT. This includes guidance and policy development for enterprise-wide portfolio, program, and project management activities, risk management, and change control management. This office also integrates and promotes project and program management best practices including planning, development and execution of processes, procedures, and training for on-time and on-budget delivery of transportation projects. Lastly, PMO performs activities related to agency and project-performance measurement and reporting including the collection of data, development of meaningful metrics, and delivery of useful reports and dashboards in an effort to aid TxDOT leaders in making informed business decisions.

Strategic Projects Division

The Strategic Projects Division (SPD) is charged with developing and supporting opportunities to deliver innovative, regionally-significant projects that reduce congestion, improve efficiency in the movement of people, goods and services, and enhance user's quality of life. SPD does this by developing strategic partnerships with public and private entities and using various innovative project delivery methods, contracting, funding and financing tools. SPD is a one-stop project development service for TxDOT's comprehensive development agreements (CDAs) and design-build (DB) contracting programs which entails leading and executing procurements, contracting, right of way (ROW) acquisitions, project feasibility studies, public meetings and outreach, and coordinating with multiple stakeholders, public officials at local, state and federal levels, districts and planning organizations to ensure on-time project delivery. The division works collaboratively with the districts, regions, and other TxDOT divisions and offices, as well as regional mobility authorities (RMAs), MPOs, cities and counties, to implement corridor program initiatives.

The SPD framework includes seven offices that are directly involved in the development, execution, and implementation of the DB and CDA programs: Procurement and Implementation Coordination Support (PICS) office, ROW and Utilities Office, Business Operations and Administration Management (BOAM) Office, three Strategic Project Offices (SPO) for the Dallas/Fort Worth, Houston, and Central/South regions, and Operations & Maintenance/Quality Management (OM/QM) Office.

Below are responses that describe the key functions under the Chief Planning and Project Officer.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Freight Planning

Location/Division: Transportation Planning and Programming (TPP)

Contact Name: Caroline Mays

Actual Expenditures, FY 2014: $3,944,000

Number of Actual FTEs as of June 1, 2015: 3

Statutory Citation for Program: 23 U.S.C. § 167

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Freight Planning Branch is responsible for managing the Texas Freight Advisory Committee (TxFAC) and developing and implementing the long-range Texas Freight Mobility Plan (TFMP). In addition, the branch develops and manages other freight-related plans and studies, identifies high priority and strategic freight transportation projects, and works to incorporate considerations of freight needs into other TxDOT divisions. Freight planning modes include highway, rail, waterway, air cargo, and pipeline.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The TxFAC was established on January 31, 2013, and has been meeting on a quarterly basis since that time. The TFMP has been under development since 2013 (receiving regular review and input from the TxFAC) and is in the final stages of preparation. The TFMP is expected to be presented to the Commission for approval later this year. In addition, contracts are in place for related studies, including an I-45 Freight Corridor Study and an Oversize/Overweight Corridor Study.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Freight Planning Branch was created in 2012 with the primary purpose to develop a statewide freight planning program. One of the key activities has been the development of the TFMP, the first freight-centric plan to be prepared by TxDOT. The functions of the branch have evolved to include extensive private and public sector outreach, as well as providing technical assistance to TxDOT divisions and districts, MPOs and local

governments. The branch also provides support on federal and state legislative issues related to freight transportation.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Freight projects listed in the TFMP are eligible for increased federal funding. This affects all entities that receive/rely upon federal funds for planning, developing, constructing, and operating the transportation system in Texas, including but not limited to TxDOT, MPOs, and freight transportation providers and sub-providers.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Freight Planning Branch is housed under the Systems Planning Section of TPP. Branch staff is composed of the branch manager and two planners. The branch interacts regularly with other TxDOT divisions and districts, as well as MPOs, universities, and the public and private sectors.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Federal Funding (80%) Source: Federal Aid Highway Programs authorized under Moving Ahead for Progress in the 21st Century (MAP-21).

State Funding (20%) Source: General Revenue

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

None

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

MPOs – Assist the branch in executing its initiatives at the local level.

RMAs – Provide input on priorities and give feedback on important issues affecting the transportation of freight.

Federal Highway Administration – Provides guidance regarding MAP-21 requirements and guidelines for future funding.

Federal Railroad Administration – Provides guidance regarding federal railroad requirements and guidelines for future funding.

United States Maritime Administration – Provides guidance to support programs concerning ports and waterways.

Customs and Border Protection – Provides information on important gateways and border activity.

Federal Motor Carrier Administration – Provides information on motor carrier data and routes.

State Universities – Provide important transportation research.

Texas Department of Motor Vehicles – Provides data on licensing and permitting of vehicles within the state.

Texas Department of Public Safety, Motor Carrier Division – Provides information on motor carrier data and routes.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Contracts are in place to address additional freight planning activities tangential to the TFMP. Fiscal year 2014 expenditures total $3,666,310 (3 contracts).

- CDM Smith, Texas Freight Mobility Plan, $5,000,000
- CTR, Freight Network Study, $320,620
- UNT, Freight Study, $150,000

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Statewide Planning

Location/Division: Transportation Planning and Programming (TPP)

Contact Name: Michelle Conkle

Actual Expenditures, FY 2014: $2,127,757

Number of Actual FTEs as of June 1, 2015: 3

Statutory Citation for Program: 23 U.S.C. § 135, 23 C.F.R. § 450.214, Texas Transportation Code § 201.601, and 43 T.A.C. § 16.54

B. What is the objective of this program or function? Describe the major activities performed under this program.

TxDOT must develop an integrated statewide plan for the management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the State and an integral part of an intermodal transportation system for the United States.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The development of a statewide, long-range transportation plan is required every four years (or more often as necessary), and is one of several key requirements for receiving federal funds for planning, developing, constructing, and operating the transportation system in Texas.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

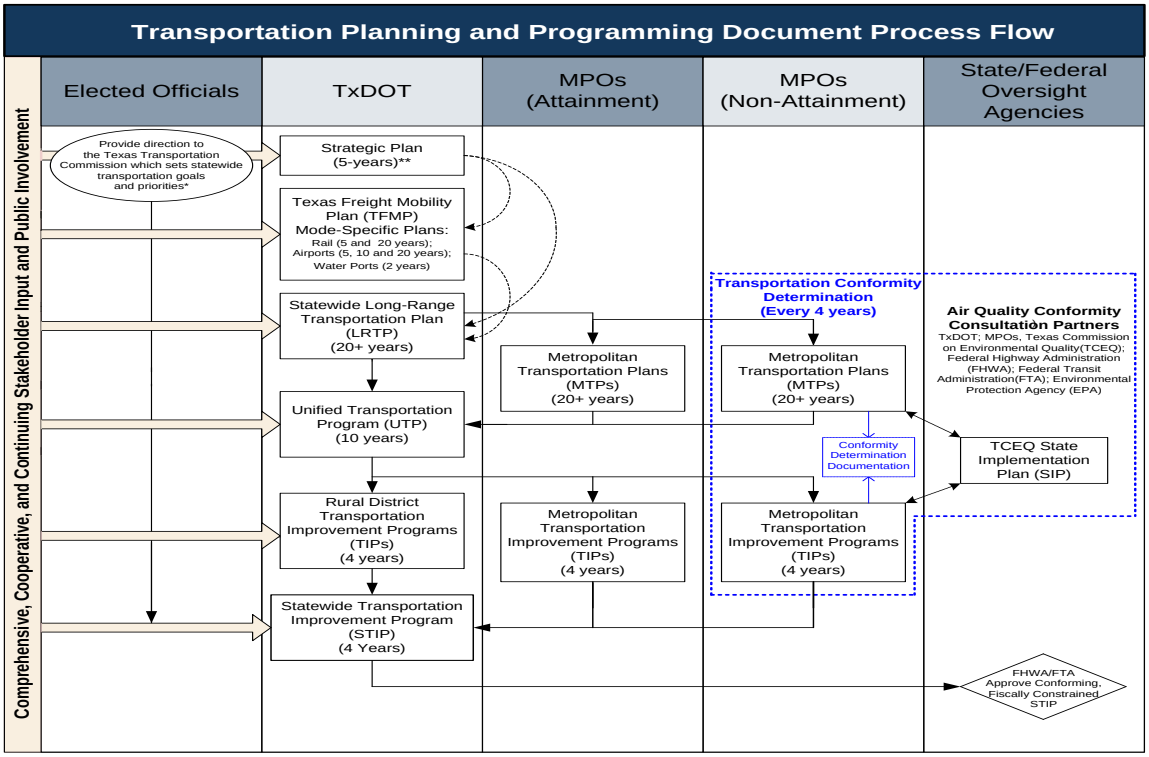
TxDOT's most recent statewide long-range transportation plan – the Texas Transportation Plan (TTP) 2040 – is the first performance-based, multimodal plan required by federal law.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The statewide planning process affects all entities that receive/rely upon federal funds for planning, developing, constructing, and operating the transportation system in Texas, including but not limited to TxDOT, MPOs, and transportation providers and sub-providers.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The TTP 2040 was adopted by the Commission on February 26, 2015. This plan provides the framework for the Statewide Transportation Improvement Program (STIP), as well as regional transportation plans (MTPs) and programs (TIPs) as illustrated below.



* Elected Officials provide direction to the Commission, but are also engaged in the PI process and development of all plans and programs
** TxDOT's Statewide LRTP reflect TFMP and Modal Plan content by reference. All plans are to be consistent with TxDOT's Strategic Plan goals.

Plan development requires consultation with local and tribal governments and must allow for participation by interested parties. The TTP 2040 was developed in coordination with TxDOT divisions and districts, and included numerous statewide opportunities and activities that solicited input from:

- Users of the transportation system (all modes), including disabled, low-income, minority, and non-English speaking populations
- MPOs and Rural Planning Organizations (RPOs)

- Public transportation agencies (metropolitan and rural)
- Freight shippers and providers of freight services
- Private providers of transportation
- Affected state and federal resource agencies
- Affected tribal governments
- State and local elected officials (metropolitan and non-metropolitan areas)
- All other interested parties

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Federal funding (80%) Source: Federal Aid Highway Programs authorized under Moving Ahead for Progress in the 21st Century (MAP-21).

State funding (20%) Source: General Revenue

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

None

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The statewide planning function involves working with MPOs which are the local decision making bodies responsible for carrying out the metropolitan transportation planning process. A MPO must be designated for each urban area with a population of more than 50,000 as determined by the most recent decennial census. In addition, the function involves working with rural planning organizations (RPOs) which are associations of local governments that plan rural transportation systems and advise TxDOT on rural transportation policy. There is also collaboration with public transportation agencies that provide public transportation throughout the state (rural and urban).

Statewide planning also includes input from the Federal Highway Administration, the Federal Transit Administration, and state and local elected officials. The planning process

also includes input from the private sector, such as freight shippers and private providers of transportation.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The contract expenditures in fiscal year 2014 were $1,868,529 for the development and implementation of the Texas Transportation Plan 2040. This is a $5,000,000 contract and represents the only contract for this function. There is a Quality Assurance/Quality Control plan developed as a deliverable under this contract.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Unified Transportation Program (UTP)

Location/Division: Transportation Planning and Programming (TPP)

Contact Name: Jessica Butler, P.E.

Actual Expenditures, FY 2014: $450,000

Number of Actual FTEs as of June 1, 2015: 4

Statutory Citation for Program: Texas Transportation Code §§ 201.991, 222.034, 43 T.A.C. §§ 16.105, 16.153, 16.154

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the UTP is to authorize projects for construction, development, and planning activities, including projects involving highways, public transportation, aviation, state waterways and coastal waters, and rail.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

Through the 2015 UTP, the commission distributed more than $34 billion for a 10-year period through 12 categories of funding. This allows the districts and MPOs to plan for and develop future projects. The first two years of the UTP represent the 2-year letting schedule.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

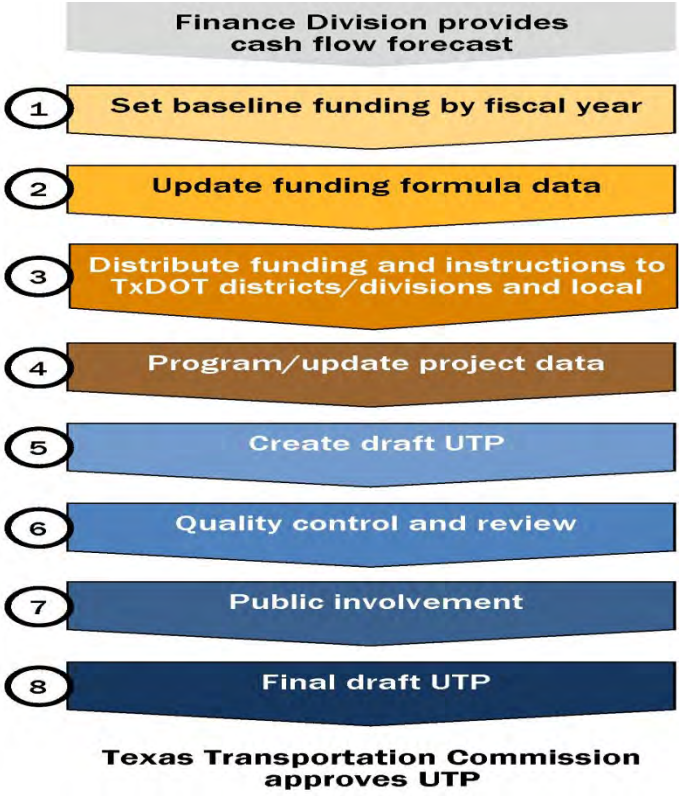
The Commission has adopted administrative rules located in Title 43, Texas Administrative Code, Chapter 16, governing the planning and development of transportation projects, which include guidance regarding the development of the UTP. These rules require the Commission to adopt the UTP not later than August 31 of each year. In addition, the UTP now lists all known projects planned for development or construction within the 10-year period, ranks all projects as Tier 1, 2, or 3, and identifies major transportation projects.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

UTP development and implementation affects all entities that receive/rely upon federal and state funds for planning, developing, constructing, and operating the transportation system in Texas, including but not limited to TxDOT, MPOs, and transportation providers and sub-providers.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The UTP begins with a cash flow forecast prepared by the Finance Division. TPP uses the forecast to distribute funding, by category, to TxDOT districts and local partners for the purpose of programming projects. Selected projects are subject to internal and external review (public involvement) and are ultimately approved by the Commission prior to August 31 (see chart below).



G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources include federal funds authorized under the current federal highway bill, state highway funds, and non-traditional funds such as the Texas Mobility Fund, Proposition 12, Proposition 14, Proposition 1, concessions/regional toll revenue, and local funds. These funds are distributed through both allocation funding categories and project specific categories.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

None

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

As discussed in section F, the UTP is developed with the TxDOT districts and the MPOs.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Beginning September 1, 2014, TxDOT-TPP entered into a 24 month Interagency Contract (IAC) with Texas A&M Transportation Institute to provide assistance and support with a number of statewide and planning programs. The total contract amount is for $2.5 million. The contract expenditures in fiscal year 2014 were $200,000 to provide technical support to the Unified Transportation Program team. This IAC, is a continuation of work from previous IACs.

Specific support and assistance provided to both TxDOT administration and staff, as well as the state's metropolitan planning organizations through this MPO include assistance with:

1) Development of planning documents (e.g. Unified Transportation Program, Texas Freight Mobility Plan, and Metropolitan Transportation Plans);
2) Development of planning processes and procedures (e.g. MPO management reviews and analyses, access management strategies, functional classification review, air quality analysis and nonmetropolitan planning procedures)
3) Development and implementation of training activities and materials for TxDOT staff and MPOs.
4) Development and integration of financial forecasts into Metropolitan Planning processes including assisting them with integration of TRENDS, which is the long-range financial forecast tool TxDOT and MPOs use, in their MTPs.
5) Review and development of federal, state and local legislative, regulatory and policy matters.
6) Development and implementation of special study matters.

There is a Quality Assurance/Quality Control plan developed as a deliverable under this contract.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Statewide Transportation Improvement Program (STIP)

Location/Division: Transportation Planning and Programming (TPP)

Contact Name: Lori Morel

Actual Expenditures, FY 2014: $83,000

Number of Actual FTEs as of June 1, 2015: 2

Statutory Citation for Program: 23 U.S.C. § 135, 23 C.F.R. § 450.216, 43 T.A.C. § 16.103

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective is to identify projects, programs, and services that are very near to being constructed or implemented in order to meet needs much earlier in the transportation planning process.

The STIP is TxDOT's four-year capital improvement program developed under federal law, in cooperation with TxDOT districts and MPOs. A federally-approved STIP is required for projects to be eligible for federal funding. The STIP is revised quarterly and updated every two years.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

Performance will be tracked under MAP-21 beginning in FY 2016.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

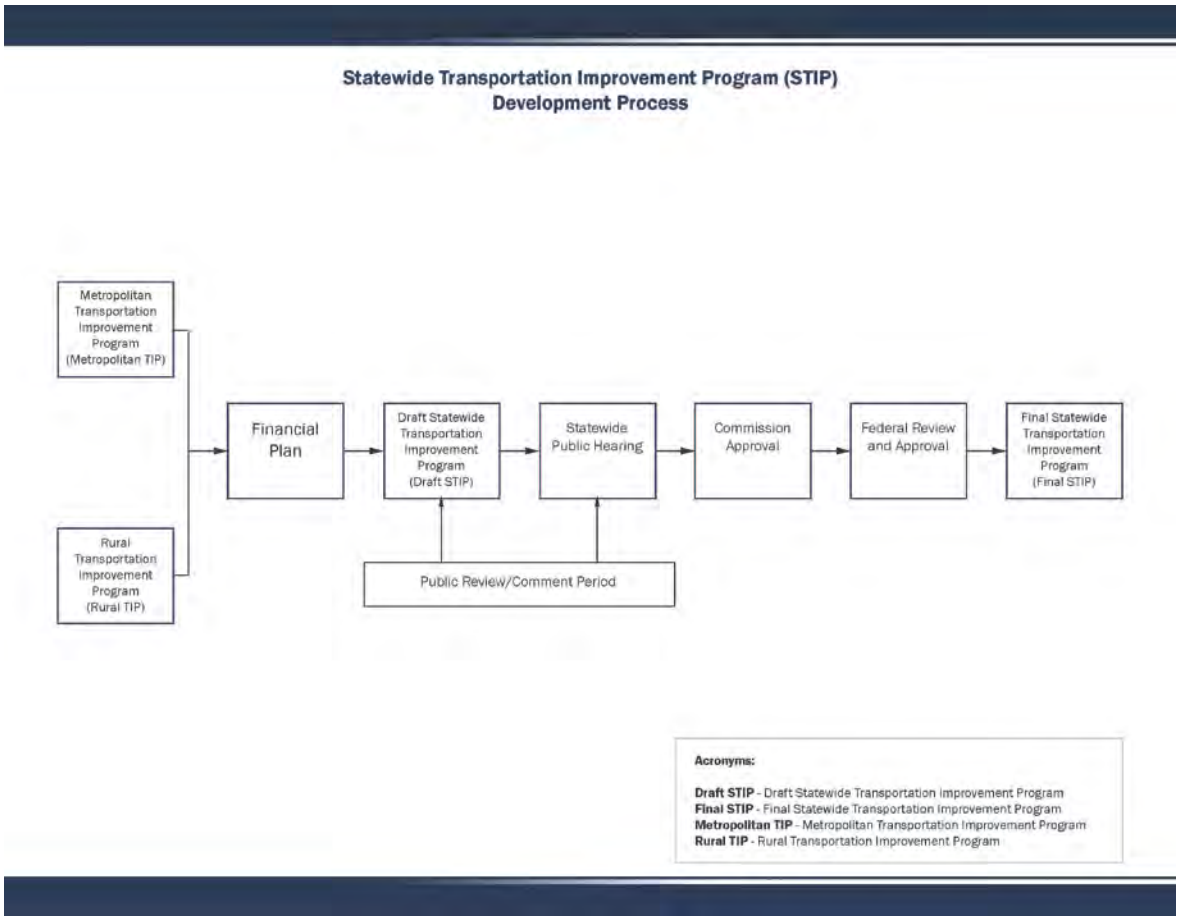
In November of 2014, the STIP development and federal approval processes transitioned to an electronic database management system known as TxDOT's eSTIP Portal. The eSTIP is used by personnel in TxDOT divisions and districts, MPOs, and the Federal Highway and Federal Transit Administrations (FHWA and FTA, respectively).

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Development and implementation of the STIP affects all entities that receive/rely upon federal funds for planning, developing, constructing, and operating the transportation system in Texas, including but not limited to TxDOT, MPOs, all rural planning entities, all transportation providers and sub-providers (rural and urban), and the users of the transportation system.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Every two years, TPP develops an updated STIP in coordination with TxDOT districts/divisions, MPOs, rural planning entities and tribal governments. The STIP is then reviewed and input accepted through a public involvement process to allow for comment before adoption and submission to FHWA and FTA (see flowchart below).



G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Federal Aid Highway Programs and State General Funds as allocated in the categories defined in the Unified Transportation Program.

http://www.txdot.gov/inside-txdot/division/transportation-planning/utp-development.html

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

None

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

None

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

None

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

http://ftp.dot.state.tx.us/pub/txdot-info/tpp/stip/2015-2018/introduction.pdf

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Gulf Intracoastal Waterway (GIWW) function and Maritime Planning and Coordination function

Location/Division: Maritime Division (MRD)

Contact Name: Dan Harmon, Division Director

Actual Expenditures, FY 2014: $543,535.43

Number of Actual FTEs as of June 1, 2015: 7

Statutory Citation for Program: Texas Transportation Code, Title 4, Chapters 51 and 55

B. What is the objective of this program or function? Describe the major activities performed under this program.

MRD is responsible for two functions: the Gulf Intracoastal Waterway (GIWW) function and the maritime planning and coordination function.

GIWW Function:

The objective of this function is to fulfill TxDOT's statutory responsibilities as the non-federal sponsor for the Texas portion of the GIWW (or GIWW-T) as outlined in Chapter 51 of the Texas Transportation Code. The major activity associated with the GIWW function is the provision of right-of-way and disposal areas for byproducts of dredging operations and maintenance as agreed upon by Texas and the federal government in the Sponsorship Resolution signed in 1983. MRD also facilitates the dredging of the waterway, minimizes environmental impacts, develops beneficial uses for dredge material whenever practical, and participates in and sponsors studies pertaining to the operation and maintenance of the GIWW.

Maritime Planning and Coordination Function:

The objectives of this function are to promote the intermodal connectivity of Texas ports, waterways, marine infrastructure, and operations, as well as to promote the importance of waterborne transportation to Texas' economic competitiveness. Major activities include communicating the importance of maritime transportation to the Texas economy and working with outside stakeholders such as the Texas Ports Association, Intracoastal Canal Association, and the Texas Waterway Operators Association. MRD participates with the Freight Advisory Committee to ensure that maritime needs and initiatives are included in freight planning.

MRD also supports and facilitates the activities of the Port Authority Advisory Committee (PAAC) and oversees the production of the biennial Port Capital Program. The Port Capital Program provides a strategic listing of priority port projects of statewide significance and their potential economic impact to the state that should receive funding from the Port Access Account Fund, if funding becomes available.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

GIWW Function:

The GIWW is more important than ever to the Texas economy due to increased residential and industrial coastal development, as well as energy sector development. The GIWW is the nation's third busiest inland waterway. In 2012, the Texas portion of the GIWW handled nearly 78 million short tons of cargo and carried about 67 percent of all GIWW traffic. As such, proper maintenance of the GIWW-T is imperative for the state.

As part of a 50-year GIWW dredged material management plan, there are more than 200 designated disposal areas on the GIWW-T. About five million cubic yards of dredged material are either placed in authorized placement areas and/or used for beneficial use annually. In 2014, TxDOT sponsored the creation of the first *Master Plan for the Gulf Intracoastal Waterway in Texas (Master Plan)* by the Texas A&M Transportation Institute (TTI). The *Master Plan* examined the needs of the GIWW-T, costs of not addressing the needs, the shortfall in federal funding levels, and potential funding sources to fill the gap. The *Master Plan* identified the Brazos River Floodgates as the greatest challenge on the entire GIWW in terms of navigational efficiency and safety. MRD is currently funding and managing a United States Army Core of Engineers (USACE) grade feasibility study on the potential replacement or reconfiguration of the Brazos River Floodgates. By funding the study, TxDOT will be expediting the process by at least 18 months.

Maritime Planning and Coordination Function:

Since its creation in 2012, MRD has made great strides in increasing the effectiveness of TxDOT's maritime planning and coordination function. MRD has focused on better organizing the PAAC to think more strategically about the entire Texas port system instead of individual ports. Currently, MRD is working with the PAAC and consultants to develop a Strategic Mission Plan for the Texas port system to drive the future activities of the PAAC. Under MRD's direction, the Port Capital Program has evolved into a process and a document that utilizes a more rigorous approach to identify high-priority port infrastructure projects that not only benefit the respective port, but the Texas economy as a whole. Though the Port Access Account Fund has never received state funding, the 84th Texas Legislature included a rider in its budget authorizing the use of up to $20 million from the Texas Mobility Fund for approved port capital improvements as a result of the more robust Port Capital Program.

Additionally, MRD has promoted the importance of the Texas port system to the state through port tours, developing informative materials relating to the maritime industry in Texas, and commissioning the first ever comprehensive *Texas Port Report*. Conducted by the University of North Texas in 2014, the *Texas Port Report* took a comprehensive approach to evaluating the Texas maritime system and its needs. The *Texas Port Report* and the Texas Maritime Transportation System Brochure were used by the ports during the 2015 legislative session to educate members about the importance of Texas ports to the state's economy. These helped influence the legislature to include the rider in the 2016-2017 budget for funding port capital improvements.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

TxDOT created MRD in November 2012 at the suggestion of the Texas House Committee on Transportation, as well as the Panama Canal Stakeholder Working Group, to support the development needs of the Texas maritime system. Until the creation of MRD, maritime-related activities were carried out by the Multimodal Planning Section within the Transportation Planning and Programming Division.

<u>GIWW Function</u>:

TxDOT's GIWW function began in 1975 when TxDOT was named the official non-federal sponsor for the GIWW-T through the Texas Coastal Waterway Act. In 1983, Texas and the federal government signed a Sponsorship Resolution detailing the non-federal sponsor's duties, which have been codified in Chapter 51 of the Transportation Code. One of the major duties is acquiring placement areas for dredged material. TxDOT is also statutorily required to develop a report on the GIWW prior to each legislative session that assesses the waterway. In 2014, TxDOT sponsored the creation of the first *Master Plan for the Gulf Intracoastal Waterway in Texas* by TTI.

<u>Maritime Planning and Coordination Function</u>:

TxDOT's role in port planning and coordination began in 2001 when the 77th Texas Legislature amended the Transportation Code to create Chapter 55 – Funding for Port Security, Projects, and Studies. This chapter established the PAAC, the requirement for Port Capital Program, and the Port Access Account Fund. TxDOT's more holistic maritime planning and coordination function did not begin until the creation of MRD in 2012. Since the creation of MRD, TxDOT has been more involved with the PAAC and the development of the Port Capital Program. Historically, the Port Capital Program only contained a listing of capital projects for individual ports and not all ports participated. Projects were not analyzed or prioritized based on statewide significance. Under MRD's direction, the Port Capital Program now utilizes a strategic approach to identify high-priority port infrastructure projects that have the potential to create great benefit for the port as well as the Texas economy as a whole.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Both the GIWW and the maritime planning and coordination functions have a great impact on the Texas economy. The Texas maritime industry as a whole supports 1.4 million jobs and generates $82.8 billion in personal income and $6.5 billion in state and local tax revenue.

The maritime planning and coordination function affects the Texas seaports. Texas has 11 deep draft ports and six shallow draft ports that handle commercial cargoes. MRD serves as a liaison between Texas ports and TxDOT and also works to support the activities of the PAAC, including the development of the Port Capital Program.

MRD's functions affect the energy industry. The dramatic growth in oil and gas, particularly as it relates to the Eagle Ford Shale play, has had a significant impact on Texas ports and the GIWW-T. Proper maintenance of the GIWW-T channel is imperative as there is a need to accommodate an ever increasing volume of goods, particularly related to petroleum products and petrochemicals.

The fishing and shrimping industries also benefit from the GIWW-T. In Texas, the commercial fishing industry generates $2.5 billion in sales, $677 million in income, and supports 26,000 jobs annually. Maintaining the channels allow for ease of access for the fishing and shrimping industries.

Both the GIWW and the maritime planning and coordination functions affect shippers and consumers by enabling goods to make it to the market for public consumption. For instance, in 2013, Texas ports handled more than two million containers (68 percent of the containers handled in the Gulf of Mexico), approximately 80 percent of which remained within the state.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The MRD Planning and Strategy Section focuses on the overarching strategy of the division, legislative issues, assisting with innovative financing opportunities, and ensuring the consistency of plans and reports. The Planning and Strategy Section is comprised of the Planning and Strategy Director, Port Coordinator, Waterway Coordinator, Program Coordinator, and Special Project Coordinator.

<u>GIWW Function</u>:

For the GIWW function, MRD represents TxDOT and the state in land acquisitions, planning studies, operations and maintenance projects, development of associated

environmental projects, and overall GIWW-related coastal management activities. The Waterway Coordinator serves as the point of contact for USACE and is lead on all GIWW-related issues.

Maritime Planning and Coordination Function:

For the maritime planning and coordination function, MRD staff serve as a liaison between the maritime transportation community and TxDOT, oversee the activities of the PAAC and the development of the Port Capital Program, and conduct or sponsor studies relevant to the Texas maritime transportation system, such as the Texas Port Report. The Port Coordinator serves as point of contact for the Texas port community and manages the PAAC.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

GIWW Function (Fund 6)

- Appropriation 13026 (Strategy C.1.5) = $236,468

Maritime Planning and Coordination (Fund 6)

- Appropriation 13019 (Strategy A.1.1) = $201,869
- Appropriation 13025 (Strategy A.1.2) = $500,000

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

None

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

None

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Maritime Administration (MARAD) – MARAD is the agency within the U.S. Department of Transportation dealing with waterborne transportation. TxDOT uses MARAD's programs

for the benefit of the Texas maritime system, including the Marine Highways Program to incorporate waterways into the US transportation system and the Strong Ports Program.

U.S. Army Corps of Engineers (USACE) – USACE is an agency under the U.S. Department of Defense, Army, and is responsible for keeping waterways open for navigation and commerce through channel maintenance and dredging for ports, ship channels, and the GIWW. As non-federal sponsor of the GIWW-T, TxDOT, via MRD, partners with USACE for improvement projects on the waterway. In addition to USACE, MRD works with the Inland Waterway Users Board (IWUB), an advisory board established to monitor the Inland Waterways Trust Fund and make recommendations to USACE and Congress on investment priorities for the fund.

Agency Partners for Permitting Process - The continued maintenance of the GIWW deals with various environmental issues and the protection of the state's natural resources. The permitting process is led by USACE and involves input from the National Marine Fisheries, U.S. Fish and Wildlife Department, Environmental Protection Agency, Texas Parks and Wildlife, General Land Office, Texas Railroad Commission, Texas Water Development Board, and Commission on Environmental Quality and TxDOT. MRD's role in the review process is ensuring that the navigability of the waterway is maintained.

Governor's Economic Development and Tourism Division (EDT) – EDT markets Texas as one of the world's premier business locations and travel destinations. MRD has participated in EDT's Texas Wide Open for Business initiative by providing information about Texas ports and maritime infrastructure. MRD is currently collaborating with EDT on the development of the Texas Global Gateway website, a resource that will highlight Texas' ports and transportation connectivity to potential business.

Ports – MRD serves as a liaison between Texas ports and TxDOT and regularly works with the ports to identify any issues (e.g., signage, new intersections, construction projects) and potential funding options (e.g., grants).

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The general purpose of MRD contracting is maritime planning and engineering, specifically related to technical services, stakeholder engagement, project identification and prioritization, and preparation of legislatively required documents including the Strategic Mission Plan and Port Capital Program. Total expenditures for MRD's one contract in FY 2014 were $325,079. The contract was with Dannenbaum Engineering Corporation for up

to $1,000,000 for various engineering and technical services related to maritime transportation activities. Methods used to ensure accountability include regular status meetings, progress reports, regular budget monitoring against progress/deliverables, multiple levels of invoice review/approval, budget negotiation on new work authorizations with the consultant. Although MRD is not experiencing any contracting problems, the division would benefit from having a more flexible contracting vehicle that does not limit the pool of bidders only to engineering firms.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

GIWW Function: The GIWW function would benefit by amending Chapter 51 of the Transportation Code to authorize the Texas Transportation Commission to use state funds to assist USACE with the costs of maintenance and dredging activities for the GIWW-T, fund infrastructure projects along the GIWW-T, and fund studies to determine the feasibility of capital projects. Though the GIWW-T main channel was designed to be 125 feet wide by 12 feet deep, many portions of the channel have not be maintained at the authorized depth due to inadequate funding. Not maintaining the GIWW-T will result in a lost economic opportunity for Texas. As such, it is imperative that Texas enables proper maintenance of the GIWW-T to accommodate the ever increasing volume of goods, particularly related to petroleum products and petrochemicals.

Maritime Planning and Coordination Function: The maritime planning and coordination function would benefit by funding the Port Access Account Fund. The Port Access Account Fund was created in 2001 by the 77th Texas Legislature to fund port security, transportation, and facility projects, as well as port studies. However, the Texas legislature has never appropriated funds to the Port Access Account Fund. The majority of other states in direct competition with Texas ports provide funding or subsidies for their ports. Funding from the Port Access Account Fund would be used for projects identified in the Port Capital Program and approved by the Texas Transportation Commission. Additionally, the PAAC supports updating Chapter 55 of the Transportation Code to reflect emerging trends and needs of the Texas maritime system.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

MRD has surveyed other states regarding how they administer waterway and maritime planning functions. Texas is unique in that there is a statewide entity to support these functions administered through TxDOT. However, the support Texas provides to its port system is limited only to planning and coordination. Texas remains one of the only maritime states that does not provide direct funding or subsidies for its ports. Other

states are actively funding their ports to improve their competitiveness. This represents a lost economic opportunity for the Texas economy.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Bicycle and Pedestrian Coordination

Location/Division: Public Transportation Division (PTN)

Contact Name: Eric Gleason

Actual Expenditures, FY 2014: $75,289

Number of Actual FTEs as of June 1, 2015: 1

Statutory Citation for Program: Texas Government Code § 2001.031,

Texas Transportation Code § 201.902,

23 U.S.C. Chapter 1 and §§ 213, 217, 450

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Bicycle and Pedestrian Coordination Program provides support and guidance for plans to enhance the use of the state highway system by bicyclists and pedestrians. Section 201.902 of the Texas Transportation Code specifies the designation of a statewide bicycle coordinator to assist TxDOT in this area. Activities that support this program include coordinating Bicycle Advisory Committee recommendations for Texas Bicycle Tourism Trails; administering the program call for the Transportation Alternatives Program (TAP); providing technical expertise concerning bicycle/pedestrian matters to the 25 TxDOT district offices; and conducting a wide variety of other tasks and activities, such as providing guidance to TxDOT-sponsored research projects and the technical advisory panel member that assists districts, divisions, and the administration with bicycle/pedestrian issues.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

When the Bicycle and Pedestrian Coordination Program started, TxDOT constructed facilities for bicyclists/pedestrians on a limited basis. District planners and designers are now required to consider both bicycle and pedestrian accommodation on all projects.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

None

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This program has the potential to impact all users of the state highway system. Section 201.902 of the Transportation Code provides, "A bicycle coordinator shall assist the department in developing rules and plans to enhance the use of the state highway system by bicyclists."

Federal statute also requires TxDOT and metropolitan transportation planning to consider and accommodate bicyclists and pedestrians in all transportation projects, if feasible.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The bicycle and pedestrian coordinator functions as a subject area expert and resource for both internal and external customers, and assists the 25 district bicycle and pedestrian coordinators with design, policy, regulation, and public information issues. The coordinator works with the department's Bicycle Advisory Committee to obtain input from the public, Department of Public Safety, and public health and education professionals. The Bicycle Advisory Committee meets on a quarterly basis to discuss and make recommendations to the Texas Transportation Commission (through the coordinator and the Public Transportation Division).

The coordinator also acts as the Program Manager for the Transportation Alternatives Program (TAP), a project financing program implemented by the latest federal transportation statute. The Transportation Commission adopted rules that concentrate TxDOT's TAP activities on construction of bicycle and pedestrian infrastructure. The coordinator oversees all phases of TAP project selection, from program call for projects, through evaluation of submitted proposals, to preparing a list of recommended projects. The coordinator conducts an extensive public involvement process prior to the program call, and continues to provide guidance to potential proposal sponsors.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Expenditures for all construction projects, including bicycle and pedestrian accommodations and TAP projects, are administered by the Design, Construction, and Finance Divisions.

State Administration of Funds

Fund Source Federal by Catalog of Federal Domestic Assistance (CFDA)	Amount
Highway Planning and Construction (20.205)	$75,289

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The Bicycle and Pedestrian Coordination Program works with TxDOT's district offices to evaluate bicycle and pedestrian projects in rural areas for potential programming in the transportation planning documents, while Metropolitan Planning Organizations (assisted by TxDOT) plan for these projects in urbanized areas. Districts also prepare project plans, specifications, and estimates for transportation projects for which bicycle and pedestrian accommodations are included. The Design Division reviews all project plans to assess the district evaluation of bicycle and pedestrian accommodations, and reviews the design of included accommodations compared with adopted standards. The bicycle and pedestrian coordinator assists in this activity as needed.

The bicycle and pedestrian coordinator does not select or make recommendations for project selection by district offices or MPOs, but instead provides guidance on many aspects of bicycle and pedestrian project planning and implementation. However, through the TAP process the bicycle and pedestrian coordinator is closely involved in making recommendations for project selection by the commission.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Bicycle and Pedestrian Coordination Program works with TxDOT's district offices, and the Public Transportation, Transportation Planning and Programming, Design, and Traffic Operations Divisions to coordinate the different responsibilities regarding planning, design, and operation of the state highway system. The bicycle and pedestrian coordinator assists districts and divisions with project review, application of current

guidelines, research, and best practices. By working closely with staff in districts and divisions, the bicycle coordinator helps mitigate potential duplication. There is no conflict or overlap with other department programs.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Bicycle and Pedestrian Coordination Program acts as program manager for the Transportation Alternatives Program, providing guidance to cities, counties, MPOs, and other government agencies that are considering TAP proposals. The bicycle and pedestrian coordinator also works with the Federal Highway Administration to ensure compliance with federal statutes and guidelines, both regarding the TAP program and other bicycle and pedestrian projects.

Recommendations on Texas Bicycle Tourism Trails are coordinated with the Texas Economic Development and Tourism Office and Texas Parks and Wildlife. This is a statutory requirement contained in section 201.9025 of the Transportation Code.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

None

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The Bicycle and Pedestrian Coordination Program is responsible for promoting cycling and walking as alternatives to driving, and assisting TxDOT districts and divisions to make roadways more bike-friendly. PTN hosts TxDOT's state bicycle and pedestrian coordinator, and each TxDOT district office has its own district bicycle coordinator who serves as a

point of contact with the public on local biking matters. PTN provides support to a legislative advisory committee known as the Bicycle Advisory Committee (BAC). BAC advises the Texas Transportation Commission on bicycle issues. PTN and the bicycle coordinator also administer the project recommendation process for proposals funded by the Transportation Alternatives Program.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Federal Transit Administration (FTA) and State Public Transportation Grant Program

Location/Division: Public Transportation Division (PTN)

Contact Name: Eric Gleason

Actual Expenditures, FY 2014: $90,381,617

Number of Actual FTEs as of June 1, 2015: 47

Statutory Citation for Program: Texas Transportation Code chapters 455, 456, and 461

United States Code, title 49, subtitle III, chapter 53

B. What is the objective of this program or function? Describe the major activities performed under this program.

PTN administers the FTA and State Grant Program in support of the department's effort to promote public transportation projects statewide by assisting small urban and rural transportation providers, communities, nonprofit organizations, and political subdivisions in the development and delivery of public transportation services to the general public. This strategy provides for the allocation and monitoring of Federal Transit Administration grant program funds and state public transportation grant funds. It also includes training and technical assistance, support of regional planning for coordination of services, as well as monitoring state, federal and local legislation and regulations affecting public transportation.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Program allocates funding on a formula and competitive project basis. It ensures compliance with state and federal statutes, regulations, and policies. TxDOT's district offices monitor grant awards through various means, including site visits and other venues to assess transit system compliance.

Visits by department personnel in Austin are made to the field staff regularly to ensure uniformity across the state according to a schedule based on risk analysis and exceptional need, or at least once every five years.

Performance is measured by Objective Outcome (Key) Measure, "Percent Change in Public Transportation Trips". In 2014 the percent change was 1.15%; Goal was 1.0%. The

measure "Percent Change in Public Transportation Trips" is calculated by comparing the total number of trips for the current period (state fiscal year) with the previous period. A "trip" is when a passenger boards a public transportation vehicle operated by (or under contract to) an urban or rural transit district, or an agency that provides specialized transportation for seniors or persons with disabilities, and that receives grant funds from TxDOT in support of public transportation.

The number of trips is reported by those agencies to TxDOT using an online reporting system. There are currently 30 urban transit districts, 37 rural transit districts, and almost 70 active agencies providing specialized transportation for seniors or persons with disabilities; which receive grant funds from TxDOT.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

PTN has its origins by act of the Texas Legislature, which established the Texas Mass Transportation Commission in 1969 with a small staff and budget to focus on transit planning activities. In 1974, the Texas Highway Department was designated to manage the federal transit program for elderly persons and persons with disabilities. The two state agencies merged in 1975 to form the State Department of Highways and Public Transportation.

At the same time, the Legislature established the state Public Transportation Fund with appropriations of $15 million per year to match federal grants. PTN was established as a separate organizational unit in 1988. When TxDOT was created in 1991, the enabling legislation affirmed that public transportation would continue to be a part of TxDOT's mission.

The latest federal transportation authorizing legislation, "Moving Ahead for Progress in the Twenty-First Century" (MAP-21), significantly changed several of the federal programs, including eliminating the Job Access-Reverse Commute Program and New Freedoms Program and changing the apportionment and administration of the Seniors and Individuals with Disabilities Program.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Program awards funds to various organizations throughout the state for public transportation projects. Those benefiting from the funds are the citizens in Texas using the public transportation projects. Namely these are projects encompassed within non-urbanized or small urban areas, but also citizens served by nonprofits, intercity buses, and other related entities. Some of the grant funding is exclusively provided to transit districts, which are designated by state statute as political subdivisions of the state. The

rural transit districts are bound by county lines, excluding any urbanized areas. Urban transit districts serve their respective urbanized area. In 2014, Texas had 38 rural transit districts covering 247 counties, 30 urban transit districts serving all small urbanized areas, and four agencies within the Dallas-Fort Worth-Arlington urbanized area. There were also 69 separate agencies providing services to Seniors and Individuals with Disabilities and 8 metropolitan transit authorities (MTA). Texas' population in municipalities served by urban transit districts is 4,958,724. The Texas rural population is 6,197,604, of which 5,953,405 (96%) live in counties that participate in rural transit districts. There are 1,410,593 seniors and people with disabilities in rural areas, and 468,437 in small urbanized areas, who are eligible to be served by specialized agencies providing public transportation.

The 2014 ridership by agency type is detailed below:

Agency Type	Number of Agencies	Unlinked Passenger Trips
MTA	8	265,193,052
Urbanized	30	24,624,416
Rural	38	6,512,765
Seniors/Indv. with Disabilities	69	611,197
Total	145	296,941,430

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

PTN includes staff located at the Austin headquarters that administer policy, assist in oversight and compliance activities for the programs, and act as primary point of contact with the Federal Transit Administration and other agencies; in addition, field staff known as public transportation coordinators (PTCs) are located in various TxDOT district offices. The PTCs assist with coordinating and managing the program at the local level, working directly with program grant recipients. Policy and overall coordination for the various public transportation grant programs is provided by the Public Transportation Division in Austin. Coordination with specific grantees and oversight of grants is provided by TxDOT district-based PTCs.

Based upon the federal authorizing statute and program guidance, and state statute and rules, PTN makes recommendations to the commission for funding awards. These recommendations are based upon adopted funding allocation formulas, or review of project proposals submitted in response to specific program calls.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Grants:

Fund Source	Amount
State Highway Fund 006	$31,018,944
Federal Pass-Through by CFDA	
Non-Urbanized Area Formula Grants (20.509)	$39,477,434
Seniors & Disabled Capital Assistance Programs (20.513)	$5,987,885
State Planning and Research (20.515)	$1,401,433
Bus and Bus Facilities (20.526)	$9,804,548
Total	**$87,690,244**

State Administration:

Fund Source	Amount
State Highway Fund 006	$1,180,300
Federal by CFDA	
Non-Urbanized Area Formula Grants (20.509)	$661,360
Seniors & Disabled Capital Assistance Programs (20.513)	$580,420
State Planning and Research (20.515)	$234,110
New Freedom program (20.521)	$35,183
Total	**$2,691,373**

Note: The above amounts are higher than a typical fiscal year, because the Grants amount for CFDA 20.526 includes two years of FTA apportionments, as this was a new program. In most fiscal years this figure would be about half of this amount.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Large transit systems and the federally-funded portion of small urban systems fall under the oversight of the FTA. This external oversight by FTA of these systems follows the same rules, regulations, policies and statutes as those federal programs which TxDOT administers. In this manner, the oversight is identical, but dissimilar as most of the properties are different (large urban transit agencies) or the levels of interest in the property are at varying levels (e.g., FTA oversight of large, capital-intensive projects such as rail).

Within TxDOT, other grant programs also exist. However, the similarities are few, especially with respect to the rules, regulations, policies, and statutes that govern the programs; and the impacted populations. The other grant programs at TxDOT include traffic safety grants, small airport improvement grants, and the transportation alternatives program.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

PTN notes no duplication or conflict with activities administered by FTA. PTN maintains regular communication with the regional FTA office in Fort Worth, and maintains close ties regarding administration of each federal program.

There is no conflict or overlap with other department grant programs.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Federal Transit Administration: Funding agency from which federal funds are provided; issues rules, regulation, policies and direction.

Metropolitan Planning Organizations: Local planning organizations required to coordinate planning of urban projects in the local Transportation Improvement Plans and review and provide comments on Unified Planning Work Program.

Rural and Urban Transit Districts: Political subdivisions of the State of Texas receiving funding for transit programs.

Councils of Government (COGs) and multi-county service organizations: These may participate as partners in the regional coordinated public transportation planning process, as described in Transportation Code, Chapter 461.

Various Counties: Some counties are recipients of grant funding, if the county is a transit operator.

Other Texas State Agencies: Other agencies participate in various funding programs, for example, local offices of the Health and Human Services Commission agencies help evaluate proposals for the FTA Section 5310 program (Enhanced Transportation for Seniors and Individuals with Disabilities).

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

PTN administers training, technical assistance, administrative services, and information resource service contracts; expenditures in FY 2014 for these contracts totaled $381,210. Four contracts accounted for those expenditures:

- Texas A&M Transportation Institute ($368,369 for training, technical assistance, inventory)
- University of Texas at Austin ($2,650 for technical assistance)
- Dell Marketing L.P. ($7,053 for information resources)
- Goodwill, Inc. ($3,138 for administrative services).

To ensure accountability for funding and performance, each contract was managed by a contract manager who reviewed and approved/disapproved all invoices and supporting documentation, and who was responsible for reviewing work and making recommendations about oversight of the contract. There are no significant current contracting problems.

L. Provide information on any grants awarded by the program.

PTN administers FTA grants, including general service rural public transportation, enhanced mobility of Seniors and Individuals with Disabilities, planning, and bus facility capital replacement. State grants are allocated to eligible urban and rural transit districts, and may be used for capital, operating, administrative, and planning activities.

1. Formula Grants for Rural Areas (49 U.S.C. § 5311), CFDA: 20.509

Provides capital, planning, and operating assistance to states to support public transportation in rural areas with populations less than 50,000, where many residents often rely on public transit to reach their destinations. Eligible sub-recipients include State or local government authorities, nonprofit organizations, and operators of public transportation or intercity bus services that receive funds indirectly through a recipient. Eligible expenses include planning, capital, operating, job access and reverse commute projects, and the acquisition of public transportation services. Funds are allocated both competitively and by formula, including demographic information and performance data.

2. Bus and Bus Facilities Formula Grants (49 U.S.C. § 5339), CFDA: 20.526

Capital projects to replace, rehabilitate, and purchase buses, vans, and related equipment, and to construct bus-related facilities. Eligible sub-recipients include public agencies or private nonprofit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income. The funds are awarded according to reported vehicle condition information.

3. Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities (49 U.S.C. § 5310), CFDA: 20.513

This program is intended to enhance mobility for seniors and individuals with disabilities by providing funds for programs to serve the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services. Eligible sub-recipients include states or local government authorities, private non-profit organizations, or operators of public transportation that receive a grant indirectly through a recipient. Funds are awarded by a cooperative process including significant input from agencies serving seniors and individuals with disabilities.

4. Statewide and Nonmetropolitan Transportation Planning (49 U.S.C. § 5304), CFDA: 20.515

Funding is apportioned to assist with funding of a variety of federal planning requirements, including but not limited to addressing annual planning emphasis areas which are generally annually defined by the Federal Transit Administration, state planning requirements, and other technical assistance activities. Eligible sub-recipients include MPOs, local governmental authorities, operators of public transportation systems, educational institutions, and non-profit organizations.

5. State-Funded Grants.

State funds, which are appropriated by the legislature in the biennial general appropriations act, are available for capital, planning and operating costs. Capital funds can be spent on buses and bus facilities, technology introductions, and innovative techniques and methods. Planning funds are available for engineering design, evaluation of public transportation projects, and other technical studies. These expenditures can often be used as the required match for federal program funds awarded to the recipient.

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Development and/or enhancement of public transportation is often difficult because it requires substantial amounts of money. The resources of governments (federal, state and

local) have not kept pace in meeting the capital and operating needs necessary to accomplish this. These limited resources, primarily used to maintain established systems, significantly constrain efforts to expand and/or establish new systems in areas that are currently not served or underserved particularly due to population growth. In addition, the transit systems located in areas adjacent to the United States/Mexico border realize an additional burden placed on their resources. Likewise, systems are expecting increasing demands as the population continues to age and urban areas become increasingly congested, at the same time the costs of building and expanding services are increasing.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

PTN is responsible for encouraging, fostering and assisting public transportation in Texas. The division grants state and federal funds for public transportation projects. It works in partnership with the Federal Transit Administration to support and monitor rural and small urban transit, intercity bus transportation, job access and reverse commute service, and various capital projects including transit vehicle procurement and facility construction. The division sponsors and monitors research and development in public transportation. PTN also provides technical assistance, training, and planning support to the transit industry. State law additionally charges TxDOT with the responsibility of regional planning for public transportation and as such PTN oversees and assists regions within the state as they proceed to develop local regional plans. PTN provides support to a legislative advisory committee, the Public Transportation Advisory Committee (PTAC). PTAC advises the Texas Transportation Commission on matters of their respective areas. Members of PTAC are appointed by the Texas Governor, the Lieutenant Governor, and the Speaker of the House of Representatives.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Rail Planning, Coordination, and Management function

Location/Division: Rail Division (RRD)

Contact Name: Gil Wilson

Actual Expenditures, FY 2014: $34,190,555.41

Number of Actual FTEs as of June 1, 2015: 14

Statutory Citation for Program: Texas Transportation Code § 91.004

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective is to facilitate the continuing development, improvement, and maintenance of a best in class rail system for the state of Texas. The major activities are:

- providing freight and passenger rail planning, project development and operations expertise and assistance to state and local governments, and the TxDOT organization;
- administering the Lease and Operating agreement between TxDOT and Texas Pacifico Transportation, LTD for the continued operations of the South Orient Rail Line between San Angelo Junction (near Coleman) and Presidio, Texas;
- serving as the liaison between railroads in Texas and TxDOT, as well as other political subdivisions of the state and other entities concerned with railroads;
- developing and updating the Texas Rail System Plan;
- making applications for funding from the Federal Railroad Administration (FRA) and other federal grant programs;
- administering lease agreements on other state owned or supported rail facilities; and,
- serving as the liaison to Amtrak and other passenger, commuter, and transit rail initiatives.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

<u>South Orient Improvements</u> – Beginning in 2009, RRD oversaw rehabilitation of the east end of the state-owned South Orient line from near Coleman to San Angelo using $26.2 million in federal, state, local, and private funding. Annual carload interchanges have risen from 2,031 pre-2009 to 25,360 in 2014, a 1,148% increase.

RRD was awarded the 2013 AASHTO President's Award in Rail Transportation for the project.

Tower 55 Improvement Project - RRD applied for and received a $34 million TIGER grant toward a program of projects to address rail, highway, and pedestrian mobility issues caused by congestion in Fort Worth near Tower 55, one of the busiest at-grade rail intersections in the nation. The grant was combined with $65 million from BNSF and Union Pacific and $1 million each from TxDOT and the city of Fort Worth. RRD oversaw the project, which increased capacity and fluidity on the national rail freight system with $1.17 billion in benefits projected over a 20-year period from reductions in train delays, vehicular delays, passenger rail delays, avoided train or freight diversions, reduced operating costs, and reduced environmental costs from vehicular and train emissions. The Benefit-Cost ratio was determined to be 7.9 to 1. The project began in 2012 and was completed on time, within budget, and with no lost time injuries on August 28, 2014.

TxDOT's Administration has nominated the Tower 55 project team for the 2015 AASHTO President's Award in Rail Transportation.

BNSF Signal Timing Project – RRD applied for and received a $3.8 million High Speed Intercity Passenger Rail (HSIPR) grant to adjust signal timing on over 63 miles of the BNSF Fort Worth Subdivision to support increased train speeds on Amtrak's Heartland Flyer passenger route. RRD oversaw the project, which was finished in 2014 and allowed the Heartland Flyer train speeds to increase from 55 mph to 79 mph in Texas, saving 16 minutes on travel time.

Chihuahuita Improvement Project – RRD worked with BNSF Railway to develop and implement a project to rehabilitate 550 feet of track and construct a new connection to the BNSF international rail bridge in El Paso. The project allowed the re-routing of international rail freight which had previously blocked all grade crossings into the historic Chihuahuita neighborhood during homeland security inspections. When the crossings were blocked, emergency services could not access the neighborhood and children were observed crawling under trains to get to/from school. RRD oversaw the $1 million project, which improved freight fluidity and capacity as well as addressing these public safety concerns.

RRD received TxDOT's 2011 Environmental Achievement Award for the project.

TRE Valley View Project – RRD was awarded a $7.2 million HSIPR grant to construct additional track on the Trinity Rail Express line at Valley View. The project will improve commuter rail service between Dallas and Fort Worth and allow the rerouting of Amtrak's Texas Eagle passenger rail train from the UP corridor through Tower 55 to the TRE line, improving the Texas Eagle's performance and freeing up track time through Tower 55. RRD is overseeing the project.

Dallas-Fort Worth New Core Express – RRD was awarded a $15 million HSIPR grant for preliminary engineering and environmental clearance of a higher speed passenger rail service between Dallas and Fort Worth that would connect to the proposed Texas Central Railway High Speed Train (TCR) between Dallas and Houston. The grant also includes monitoring and coordinating with the TCR Project. RRD has contracted with a professional engineering firm to perform the work and is managing the engineer's activities and the project.

Texas Oklahoma Passenger Rail Study – RRD was awarded a $7 million HSIPR grant for a South Texas to Oklahoma passenger rail corridor feasibility study, service development plan, and environmental studies. RRD has contracted with a professional engineering firm to perform the work and is managing the engineers' activities and the project. When completed, the documentation may serve as a business prospectus for private investors to use in developing all or portions of the corridor.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Rail Division was formed in October 2009 in response to a recommendation by the Sunset Commission that TxDOT should have a Rail Division (*Sunset Advisory Committee Final Report, Texas Department of Transportation, July 2009*, p.166-67), by combining rail activities from the Transportation Planning & Programming Division, the Traffic Operations Division, and the Public Transportation Division. In November 2013, the Rail-Highway Grade Crossing improvement program and the Rail Safety Inspection program were transferred to the Traffic Operations Division, locating these safety functions with most of TxDOT's other safety-oriented activities.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The program affects 49 private sector freight railroads operating in Texas through the ongoing advancement and updating of the state rail plan, development of projects for possible federal grant funding, coordination of the interaction of rail freight with land and sea ports, intermodal connectivity, and management of state-owned rail facilities. The Rail Division manages state and federal funds appropriated for freight rail projects other than highway-rail grade crossing improvements.

The program affects passenger and commuter rail developments in the state through the passenger portion of the rail plan and the legislative mandate to update the passenger portion of the plan annually. This affects the existing Trinity Rail Express and Capital MetroRail commuter systems, the DART and Houston METRORail light rail systems, planning for new passenger rail systems, and the national Amtrak system. RRD also manages state and federal funds allocated to the Lone Star Commuter Rail Project

between Georgetown and San Antonio, which impacts the proposed development of commuter rail service in the Central Texas I-35 Corridor. The rail fixed guideway public transportation oversight program affects any light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, or automated guideway that is not regulated by the Federal Railroad Administration, is included in FTA's calculation of fixed guideway route miles, and receives funding under FTA's formula program for urbanized areas (49 U.S.C. § 5336), or has submitted documentation to FTA indicating its intent to be included in FTA's calculation of fixed guideway route miles to receive funding under FTA's formula program for urbanized areas. In addition, RRD provides TxDOT representation on high-speed passenger rail developments in the state, as mentioned earlier.

The program affects sea ports in the state through coordination activities between freight railroads and port authorities and by providing technical assistance on port-owned rail projects. The program has provided peer review, comments, and approval for multiple sea port rail improvement projects as well as periodic construction inspection activities to assist the ports in assuring contractor compliance with plans and specifications for port rail projects.

The program affects Commuter Rail Districts, Freight Rail Districts, and Rural Rail Transportation Districts in the state through coordination activities with these entities in state rail planning activities. The program also affects some of these entities when RRD manages state or federal funds for studies, programs, or projects that are directed to a specific district.

The program affects land ports in the state through coordination with the federal, state, and local governments at the port as well as the railroads that operate at those locations. There are 8 international rail bridges between the U.S. and Mexico, 6 of which are located in Texas. This concentration of rail land ports in Texas results in a significant volume of NAFTA trade crossing the border between the U.S. and Mexico. RRD coordinates rail planning and program development efforts with the stakeholders in the port areas and has been directly involved in project development and management at the BNSF "Black Bridge" location in El Paso through the Chihuahuita Improvement Project (see Section C above) and the current project to reconstruct the SORR rail bridge between Presidio, Texas and Ojinaga, Mexico.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

RRD has 3 sections:

Rail Division Administration includes the Division Director, Executive Assistant, Administrative Assistant, and Resource Management Analyst. The Administrative Staff is responsible for overall management of the Division, Budget, Resources, and Personnel.

The Rail Programs Section includes the Rail Programs Section Manager, 2 Rail Operations Specialists, a Transportation Specialist, and an Environmental Specialist. Rail Programs Section is responsible for:

- development of scope, plans, specifications, environmental clearances, and agreements for state and federally funded rail construction, rehabilitation, and improvement projects;
- project management of state and federally funded rail programs and projects;
- management of lease & operating agreements for state rail facilities, such as the South Orient line;
- inspection and oversight of operations and conditions on state rail facilities and state funded or subsidized passenger rail services;
- coordination of operations and activities on state rail facilities and state funded programs or projects with federal, state, and local agencies;
- monitoring of potential rail line abandonments and coordination of response;
- conducting due-diligence inspections, negotiations, and determination of viability on rail lines and facilities TxDOT is considering for acquisition or support;
- analysis & needs assessments of existing rail infrastructure (public and private);
- review & comment of PSE for rail districts, ports, railroads, etc.; and,
- providing technical expertise on rail operations, infrastructure, and equipment for divisions, districts, local governments, etc.

The Rail Planning Section includes the Rail Planning Section Manager, 3 Rail Planners, and a Rail Oversight Manager. Rail Planning Section is responsible for:

- statewide freight and passenger rail system planning;
- rail system project development and coordination;
- providing rail planning support to TxDOT districts, rail districts and other entities within the state that have rail authority or interests;
- coordinating with railroad operators in the state to determine freight needs;
- coordinating state rail plans with the FRA and Amtrak;
- analyzing federal and state legislation for impacts to the state's freight and passenger rail system;
- managing the statewide Rail Fixed Guideway Public Transportation System (RFGPTS) rail safety and security program in conjunction with the Federal Transit Administration (FTA);
- performing on-site safety and security inspections and reviews of RFGPTS transit controlled property, rail transit vehicles, and rail operations; and,
- reporting annually and as requested to FTA.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

FY 2014

- Fund 6 = $31,561,623.50
  - Strategy E.1.1 – Rail Plan, Design, Manage = $1,478,272.57
    - FHWA Reimbursements = $360,437.92
  - Strategy E.1.2 – Contract Rail Plan/Design = $3,458,583.16
    - FRA Reimbursements = $1,798,842.64
    - FHWA Reimbursements = $640,129.05
  - Strategy E.1.3 – Rail Construction = $26,624,767.77
    - FRA Reimbursements = $23,833,806.84
- General Revenue = $2,628,931.91;
  - Strategy E.1.2 – Contract Rail Plan/Design = $1,788,972.41
    - SB 1, Rider 32 = $1,339,191.25
    - FRA Reimbursements = $449,710.66
  - Strategy E.1.3 – Rail Construction = $561,678.49
    - SB1, Rider 27
  - Strategy E.1.4 – Rail Safety = $278,281.01
    - SB 1, Rider 20

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no internal or external programs that provide identical services to the affected stakeholders. Some similar services are provided by internal programs in the Traffic Operations Division, Rail Safety Section (TRF-RS), which were transferred from RRD to TRF in 2013. TRF-RS performs coordination activities regarding rail safety issues and rail-highway crossings issues with railroads, federal agencies, other state agencies, local governments, and TxDOT Districts and Divisions. In contrast, the Rail Division program performs coordination activities regarding all other aspects of rail planning, project development, construction, rehabilitation, improvement, operations, management, and connectivity with the same entities.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Rail Division works closely with the Traffic Operations Division on any projects that have "overlapping" responsibilities between the different Divisions. The Rail Division

engages TRF-RS on issues involving the rail safety program and rail-highway crossings and TRF-RS similarly contacts RRD when their projects or activities cross into RRD areas of responsibility. There are no MOU's, interagency agreements, or interagency contracts involved in this coordination.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Federal Railroad Administration (FRA) – FRA is an agency within the U.S. Department of Transportation (USDOT) that oversees the safety and development of the national rail system. FRA has regulatory authority over all railroad activities that may impact the safety of railroad operations, equipment, infrastructure, employees, and the public. FRA also administers federal grant programs that provide assistance for the development of rail projects. RRD interacts with FRA in the management of grants that are awarded for rail projects in Texas. RRD also interacts with FRA in coordinating safety oversight of state-owned or leased rail facilities.

Federal Transit Administration (FTA) – FTA is an agency within the USDOT that provides financial and technical assistance to local public transit systems. Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, and people movers. FTA provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. The FTA oversees grants to state and local transit providers. These grantees are responsible for managing their programs in accordance with federal requirements, and the FTA is responsible for ensuring that grantees follow federal mandates along with statutory and administrative requirements. RRD interacts with FTA in the state safety oversight of rail fixed guideway transit systems in the state.

Surface Transportation Board (STB) – STB is an agency within the USDOT that oversees the licensing of railroad operators, construction of new rail facilities, competitive access issues between railroads, rate disputes on certain commodities, and the abandonment of railroad lines. RRD interacts with STB on most of these issues when they impact rail planning and development in the state. RRD investigates proposed rail line abandonments to determine if TxDOT should consider acquiring the line to prevent its abandonment or preserve it for future use.

U.S. Army Corps of Engineers (USACE) – USACE is an agency under the U.S. Department of Defense, Army, and has oversight of the construction of dams, locks, dredging, and the construction of bridges over waterways. RRD interacts with USACE on a project-specific basis, such as the reconstruction of the international rail bridge at Presidio on the South Orient line. RRD also coordinates with USACE during other planning and program rail initiatives that may include crossing waterways.

Gulf Coast Freight Rail District (GCFRD) – GCFRD is a statutory entity whose members are Harris County, Fort Bend County, Waller County, Galveston County, the Port of Houston

Authority, and the City of Houston. Its purpose is to optimize the rail network in the Houston region to meet freight needs and commuter mobility. RRD coordinates rail planning activities in the region with GCFRD. RRD is also providing assistance in invoice review and as the fiscal agent for GCFRD's first freight rail improvement project, known as the "Belt Junction" project.

Lone Star Rail District (LSRD) – LSRD is a statutory commuter rail district whose members are Bexar, Hays, Travis, and Williamson Counties, the Cities of Austin, Georgetown, New Braunfels, San Antonio, San Marcos, and Schertz, and the Alamo Area MPO, the Capital Area MPO, Alamo Regional Transit, Capital Area Rural Transit System, Capital Metropolitan Transportation Authority, and Via Metropolitan Transit. Its purpose is the development of regional passenger rail service in central Texas along the Austin to San Antonio corridor. RRD coordinates rail planning and development activities in the Austin to San Antonio Corridor with LSRD and also serves as LSRD's fiscal agent for state and federal appropriations.

Rural Rail Transportation Districts (RRTDs) – The 67th Texas Legislature passed HB 1822, which authorized the creation of rural rail transportation districts to acquire and operate a rail system within the district's boundaries. Over 40 RRTDs have been created. A 2013 report by the Texas Transportation Institute listed 20 RRTDs as inactive, 8 as semi-active, 13 active, and 1 "unknown." RRTDs are not required to notify TxDOT of their formation or activities. RRD interacts with the active RRTDs during rail planning activities in their area and provides technical assistance to RRTDs whenever possible.

Metropolitan Planning Organizations (MPOs) – MPOs are federally mandated local transportation planning organizations in urban areas with populations over 50,000. RRD interacts with MPOs around the state in coordinating the planning and development of rail projects that impact the MPO area. Certain MPOs provide funding freight and passenger rail projects in their areas with varying levels of coordination and assistance from RRD.

Local Governments - RRD coordinates rail planning, program, and project development activities with county, city, and other local officials for both statewide rail planning initiatives and on a project specific basis when those projects impact the local government's area.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

RRD has a small staff with limited capability to oversee TxDOT's rail program on a statewide basis. Consultant contracts are used to provide additional manpower for rail planning, analysis, project development, and oversight. In fiscal year 2014, $3,845,818.37 was spent on three contracts:

- $7,652,211; CH2M Hill, Inc.; Texas-Oklahoma Passenger Rail Study
- $6,660,000; Parsons Brinckerhoff, Inc.; Engineering & environmental review of intercity passenger rail service from Dallas to Fort Worth, Texas.
- $4,999,832; HDR Engineering, Inc.; Short Term Rail Program

The program utilizes a three-step process for internal performance and invoicing review:

- A Project Manager (PM) is assigned to each Work Authorization issued and is responsible for oversight of the contractor's activities, work product, deliverables, and quality control. The PM is assisted with invoicing issues by a Contract Specialist (CS) and the Business Operations Administrator (BOA). When an invoice is received, CS reviews it for compliance with the terms of the contract.
- The invoice is then given to the PM for their review and verification that the work identified in the progress report was performed, confirms that consultant staff was working as reported, verifies that the hours they have worked were reported accurately, and confirms that the deliverables have been received and accepted for the invoiced billing period.
- Final review and evaluation is made by BOA to ensure that the invoice charge information is accurate and there are sufficient budget/funds to ensure successful payment of the invoice. The invoice is then entered into the system for payment.

<u>Current Issue</u>: The CH2M Hill contract reached the contract maximum before the scope of work was completed. RRD's Project Manager is working with TxDOT's Contract Specialists, the Contract Services Office, and CH2M Hill's Project Manager to identify any irregularities in their past performance, invoicing, scope, and work product in order to determine how the project can proceed and if any additional funds should be added to the contract.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Funding - The program could perform its functions more effectively and efficiently if there were a dedicated funding source for advancing rail projects in the state. In 2005, voters approved a constitutional amendment that created the Texas Rail Relocation and Improvement Fund (TRRIF). No funds have been appropriated to the TRRIF since it was created and no funding source has been established to direct revenue into it. A statutory requirement that directed some revenues from a legislatively approved source would enable TxDOT's rail program to be more effective and efficient.

Rail Fixed Guideway Public Transportation System Oversight – The program is responsible for safety and security oversight of Rail Fixed Guideway Public Transportation Systems (RFGPTS) in conjunction with the Federal Transit Administration. Federal regulations included in MAP-21 increase the level of state oversight of RFGPTS systems. Associated state regulations must be passed to provide the state authority for TxDOT to implement the MAP-21 requirements.

Rail District Oversight – Rail Districts are political subdivisions of the state that are required by regulation to report their formation to the Texas Transportation Institute. There are currently no legislative requirements for Rural Rail Transportation Districts, Freight Rail Districts, or Commuter Rail Districts to coordinate their activities with TxDOT. Some entities such as Gulf Coast Freight Rail District and Lone Star Rail District must coordinate their activities due to federal and state requirements when funds are appropriated to their projects through TxDOT. All types of rail districts should have similar formation and coordination requirements with TxDOT as Regional Mobility Authorities do in order to provide some oversight of their activities. This could help with statewide rail system development and improvement as well as addressing some difficult situations, such as the Top of Texas' Rail District's ownership of rail right-of-way in the State of Oklahoma.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

As stated in Section B above, the mission of RRD is to facilitate the continuing development, improvement, and maintenance of a best in class rail system for the State of Texas. That mission is advanced by:

RRD's Role in Passenger Rail – Support existing and planned traditional passenger rail services in the State while promoting private sector investment in passenger rail by

defining the benefits and assisting in the identification of risk mitigation strategies for these projects.

RRD's Role in High Speed Passenger Rail – Work to develop a better understanding of the costs, ridership, and risks of high speed rail in Texas. Work with public and private sector interests to facilitate implementation by coordinating state and federal environmental processes, potential state, federal, and private sector funding opportunities, and administering state policies as appropriate.

RRD's Role in Freight Rail – The Division's role in freight rail is multi-faceted:

- Proactively manage state-owned rail facilities, such as the South Orient Railroad;
- Assist in planning for freight movement in Texas (including rail corridors and projects);
- Facilitate the development of a strategic rail network and connections to the highway system;
- Coordinate the interaction of rail freight at the land, sea, and airports of Texas;
- Work with private sector railroads, develop projects for possible federal discretionary funding;
- Coordinate the development of freight rail projects with MPOs and Rural Rail Districts; and,
- Provide project management services for state and federally funded rail projects.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Environmental

Location/Division: Environmental Division (ENV)

Contact Name: Carlos Swonke, Director

Actual Expenditures, FY 2014: $13,062.966.07

Number of Actual FTEs as of June 1, 2015: 78.83

Statutory Citation for Program: 43 T.A.C. §§ 1.2(c), 2.2

B. What is the objective of this program or function? Describe the major activities performed under this program.

ENV is responsible for developing and implementing the environmental program for the department as a whole, ensuring compliance with approximately 35 federal statutes and executive orders and approximately 12 Texas statutes, as well as a wide array of associated regulations, agreements, policies and established standards related to environmental issues. In this capacity, ENV:

- develops, administers, and distributes environmental policies, procedures, manuals, and guidance.
- provides training and technical support to the districts.
- establishes the quality assurance and quality control program for environmental work, and evaluates and assesses the implementation of environmental procedures to identify opportunities for continuous improvement.
- addresses issues related to air and water quality, animal and plant ecology, archeology/historic properties, environmental justice and community impacts, hazardous materials and traffic noise.

Federal and State law require environmental review and approval prior to a project being constructed. ENV is the decision-making authority for project-level environmental decisions for complex projects processed as Environmental Assessments (EAs) or Environmental Impact Statements (EISs). TxDOT has historically made environmental decisions on state projects, and now also exercises decision-making authority on assigned federal projects. A Memorandum of Understanding (MOU) executed by the Federal Highway Administration (FHWA) and TxDOT on December 16, 2014, assigned TxDOT certain National Environmental Policy Act (NEPA) responsibilities for environmental review, consultation, and other actions required under federal environmental law that pertain to the review or approval of a specific highway projects pursuant to the Surface Transportation Project Delivery Program (NEPA assignment program) codified at 23 U.S.C. § 327.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

Texas Transportation Code § 201.759 establishes a number of deadlines for review of environmental documentation. TxDOT has achieved a success rate of well over 90% in meeting these deadlines. The table below reflects TxDOT's performance in meeting these deadlines since September 1, 2013, with the most current data available at this time. The table indicates an improvement from 2013 to 2014.

Document/Process	Percent Projects Meeting Deadline		
	2013 (from September 1)[1]	**2014**	**2015 (to May 31)**
Classification Letter	95	98	99
Administrative Completeness	89	98	98
PCE	100	N/A	N/A
CE	100	100	99
Draft EA	86.67	100	100
EA	100	100	100
Reevaluation	100	100	100
Final EIS (FEIS)	100	100	100

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

From the early 1970s through 1985, various entities were combined to eventually create the Highway Design Division's Environmental Studies Section, with more than 60 employees who specialized in cultural resources, archeology, biology, project management, and other areas. An independent Environmental Affairs Division was created in 1992 that focused on policy and oversight. In 1993, these 2 entities merged to create the current organization.

Compliance with federal environmental requirements has been an important part of TxDOT's environmental program throughout its history. The NEPA assignment program, effective December 16, 2014, represents an important shift in the environmental program for TxDOT. Prior to December 16, 2014, TxDOT's federal environmental activities were subject to direct FHWA review and approval. Texas is the second state in the country to participate in the NEPA assignment program. With NEPA assignment, TxDOT's environmental program includes federal environmental review and approval

[1] Start date based on available data.

responsibilities, effectively removing FHWA from review and approval responsibilities for assigned federal aid projects and therefore, streamlining environmental activities.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The largest part of ENV is focused on the development of projects so that they can be approved for construction. In this role, ENV is integral in project delivery in that it works with TxDOT administration, TxDOT districts, other local governments, and permitting agencies to prepare a project for construction. TxDOT's environmental program affects a wide range of internal and external stakeholders. ENV works directly with the 25 TxDOT districts and various divisions to address environmental requirements for projects and to facilitate integration of environmental requirements with various department functions. ENV regularly coordinates with numerous state and federal agencies regarding both project and programmatic issues. TxDOT districts work with local entities and the public regarding environmental compliance and potential environmental effects relating to their projects.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

ENV oversees the environmental operation of all 25 TxDOT district offices. TxDOT districts design and oversee development of all district transportation projects. In each district, one or more environmental staff members are responsible for environmental compliance activities for all projects in the district. In general, the district environmental staff conducts initial environmental surveys, prepares or oversees preparation of environmental documents, performs local interagency coordination, and implements public involvement, as well as other activities related to environmental compliance. Districts have the authority to make environmental decisions on routine projects, which are processed as categorical exclusions (CEs).

Approximately 90% of TxDOT projects are processed as CEs and are approved at the district level. The remaining projects are environmental assessments (EAs) and environmental impact statements (EISs). EAs and EISs are developed collaboratively by a core team, consisting of a representative of the district and a representative of ENV. All EAs and EISs require technical studies, although the number and scope are highly variable depending on project-specific circumstances. ENV houses technical experts that assist project sponsors with development and review of technical studies, resource agency coordination, permits, mitigation, and other aspects of technical work. ENV also develops agreements with resource agencies to streamline the coordination process. State funded and federally assigned EAs and EISs are approved by ENV.

At the time of project approval, there may be outstanding issues to be resolved. For example, sometimes environmental investigations are unable to be completed until new right of way is acquired because landowners deny the department right-of-entry to conduct investigations. Some permits cannot be acquired until more detailed design information is developed than that available during the environmental process. These issues must be addressed before the project proceeds to construction. ENV reviews projects prior to letting to ensure that all requirements have been addressed. The environmental approval to proceed to construction is known as the Letter of Authority. Environmental decisions are based on the information available at the time they are made, and may need to be reevaluated if there are changes to the project or the environment before or during construction of the project.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

General revenue funding (Fund 6) (Budget Strategy) Appropriation ERP

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

TxDOT's environmental program is focused on compliance with federal, state and local environmental requirements for construction and maintenance of TxDOT projects and facilities. Many of these projects are also FHWA projects, subject to FHWA's environmental program. TxDOT's assumption of FHWA responsibilities under the NEPA assignment program combines two similar agency programs to eliminate potential delays. No other programs provide similar services or functions as a whole. TxDOT is required to coordinate with numerous federal and state agencies that administer the environmental laws, regulations, and other requirements that apply to TxDOT projects and facilities.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TxDOT has MOUs or other agreements with a number of agencies. Most of these are intended to streamline required agency coordination. Each agreement is discussed below.

- In 2014, TxDOT entered an MOU with FHWA to assign certain FHWA responsibilities under NEPA and other federal environmental laws to TxDOT. This MOU reduces project delivery time by eliminating FHWA review time.

- In 1995, FHWA, the Advisory Council on Historic Preservation (ACHP), the State Historic Preservation Officer (SHPO), and TxDOT entered into a Section 106 Programmatic Agreement (PA) to streamline compliance under the National Historic Preservation Act. This PA was amended in 2005. A replacement PA that addresses new responsibilities relating to the NEPA assignment program is pending gubernatorial signature. The PA assigns specific responsibilities relating to Section 106 approvals to TxDOT, and identifies classes of projects that meet the criteria for projects with no potential to affect historic properties. Under the PA, most projects are defined as projects with no potential to affect historic properties.
- Since 2002, FHWA and TxDOT have signed PAs with 16 federally-recognized Native American tribes to streamline the Section 106 tribal consultation process. The Tribal PAs streamline the review process by allowing TxDOT to coordinate directly with the tribes while clearly indicating FHWA is always available for government to government consultation, if requested by the tribe. The PAs clarify for the tribes the process that TxDOT will use to coordinate on Section 106 eligibility, effect, and mitigation, thus improving communication with the tribes and preventing delays. The procedures outlined in each of the PAs with tribes are identical, except for the Areas of Concern which are specific to each tribe based on the tribes' ancestral occupations of different areas of Texas. The correspondence between the specific tribes and TxDOT is limited to projects within the tribal Area of Concern. The Tribal PAs greatly reduce the amount of correspondence TxDOT sends and the amount of information the tribes review.
- In 2013, TxDOT signed an MOU with the Texas Historical Commission (THC) to ensure compliance with the Antiquities Code for all projects without FHWA involvement. The MOU grants authority to TxDOT for the review and approval of projects without direct oversight from THC. TxDOT has operated under a similar MOU for some time; the MOU is periodically updated. TxDOT also has an interagency contract with THC that provides for expedited project reviews.
- In 2013, TxDOT entered an updated MOU with the Texas Parks and Wildlife Department (TPWD), which defines the process for coordinating transportation projects with TPWD. Additional details are provided in a series of PAs between TxDOT and TPWD, which limit the number of projects that require coordination and establish protocols to streamline the coordination process. TxDOT and TPWD have operated under MOUs since 1999.
- TxDOT entered into an updated MOU with the Texas Commission on Environmental Quality (TCEQ) in 2013 to provide a mechanism by which TCEQ reviews transportation projects that have the potential to affect resources within TCEQ's jurisdiction, and to promote the mutually beneficial sharing of information between TxDOT and TCEQ.
- TxDOT has a Cooperative Agreement with the U.S. Fish and Wildlife Service (USFWS) that provides a designated Transportation Liaison dedicated to reviewing TxDOT projects. A dedicated reviewer reduces review times for TxDOT projects.
- TxDOT has developed an agreement with the U.S. Army Corps of Engineers (USACE) Galveston District to streamline the permitting process. This agreement is pending gubernatorial signature.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

TxDOT's Environmental Affairs Division coordinates with many federal and state environmental resource agencies. TxDOT is required to coordinate with numerous federal and state agencies that administer the environmental laws, regulations, and other requirements that apply to TxDOT projects and facilities. These agencies include the following:

- Federal: U.S. Fish and Wildlife Service; U.S. Army Corps of Engineers; U.S. Coast Guard; Natural Resource Conservation Service; Environmental Protection Agency; Federal Highway Administration
- State: Texas Historical Commission; Texas Parks and Wildlife Department; Texas Commission on Environmental Quality; Texas General Land Office; Texas Forest Service; Texas Transportation Institute

Local governments across the state may serve as project sponsors. In this role, local governments develop transportation projects that are subject to the TxDOT environmental process. TxDOT provides assistance and oversight for these projects.

Metropolitan Planning Organizations (MPOs) across the state work closely with TxDOT for regional transportation planning. MPOs play an important role in the environmental process for projects in metropolitan areas, particularly on air quality issues. MPOs may also conduct regional analyses for environmental issues that can be used in the environmental process for projects.

TxDOT districts may also coordinate with other local or regional entities, depending upon the specific nature of a project.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Scientific services contracts, engineering contracts, and interagency agreements, cover 9 technical areas: biological services, wetland delineations, stormwater services, hazardous materials assessments, historical studies, archeological general services, archeological survey services, radiocarbon dating, and environmental documentation services. In fiscal year 2014, ENV entered into 75 contracts totaling $7,422,572.69.

The five largest were:

- $2,600,000.00 – Arcadis US, Inc. (57-1XXSG001) – hazardous materials assessments
- $2,500,000.00 – Prewitt & Associates, Inc. (57-3XXSA003) – archeological general services
- $2,000,000.00 – Versar, Inc. (57-9XXSA005) – archeological general services
- $1,800,000.00 – Coastal Environments, Inc. (57-5XXSA002) – archeological general services
- $1,750,000.00 – Jacobs Engineering Group (57-3XXSD003) – documentation services

Scientific Services contracts are indefinite deliverable contracts issuing work using work authorizations. Work authorizations specify the scope of work, work schedule, and an estimated budget using rates from the contract. Invoices are paid only after receiving approved deliverables. Performance issues are addressed as they arise, and evaluations are done at the end of each contract period and at renewal periods. Any contracting issues that have occurred are at the work authorization level and are handled on a project-by-project basis.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Comprehensive Development Agreements (CDAs) and associated Maintenance Contracts

Location/Division: Strategic Projects Division (SPD)

Contact Name: Katharine D. Nees, P.E.

Actual Expenditures, FY 2014: $1,268,461,515

Number of Actual FTEs as of June 1, 2015: 75

Statutory Citation for Program: Texas Transportation Code Chapter 223, Subchapter E, and Chapter 371

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective is to leverage private financing, contributions, and innovations to expedite the delivery of major, regionally significant projects. TxDOT has authority to develop 12 CDA projects. The type of CDA, terms, roles, and responsibilities vary based on project characteristics. SPD has managed the delivery of CDA-Concession projects that include private financing, equity contribution, operations, and maintenance in exchange for which the developer receives project revenues for a term of up to 52 years; and design-build contracts that have included short-term private financing and various types of operations and maintenance obligations.

Major activities include (1) project feasibility assessments, which establish the context for the project's delivery mechanism, project design and potential phasing, funding and financing options, and operations and maintenance requirements; (2) ROW acquisition; (3) coordination with internal and external project stakeholders; (3) procurements to retain CDA developer (requiring pre-procurement plans, developing performance requirements and contract terms and conditions, federal and local interagency coordination, advertising, proposal evaluation, developer selection, etc.); (4) CDA negotiation and execution; (5) management of the design and construction phase and operations and maintenance phase; and (6) quality management.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

CDAs foster partnerships between TxDOT and private developers to seek win-win solutions. CDAs have (1) expedited project delivery, improving traffic flow and air quality

in areas of greatest need and demand; (2) leveraged private and public funds and financing; and (3) incorporated innovations resulting in tangible cost-savings.

Expedited Delivery and Cost Savings. Without CDAs, the IH 635 LBJ Managed Lanes and the North Tarrant Express (NTE) facilities would be 10-15 years from completion instead of opening to traffic in 12 months. The DFW Connector had an aggressive 57-month schedule and was completed 10 months earlier than anticipated. The NTE 1 & 2W project was delivered nine months ahead of schedule. By delivering a project sooner rather than later, the state and taxpayers benefit (1) by avoiding unrealized, unknown construction inflation costs; (2) from reduced impact on trade and productivity associated with congestion; and (3) by reduced internal project management and operations costs.

Leveraging Private Funding. Through the use of private investments, TxDOT has delivered nearly $14.43 billion in projects (capital costs) while contributing only $6.67 billion in public funds.

- SH 130 Segments 5 & 6 project -- the developer paid an upfront concession fee of $25 million to TxDOT and was also responsible for purchasing the ROW for the project.
- SH 288 project – conditionally awarded with an upfront $27.6 million concession payment to TxDOT.
- NTE 1 & 2W project - TxDOT delivered this much needed $2.1 billion project which helped address one of the most congested corridors in Tarrant County with $573 million in public funds. The remainder was financed by the private developer.
- SH 183 Managed Lanes project – To expedite the project, the developer agreed to short-term financing of the project, accepting $250 million in deferred payments to be repaid over a 5-year period with funds already programmed for this project.
- SPD currently manages 12 CDA projects with a total capital cost more than $15.8 billion. Of those 12, three with a capital cost of approximately $4.8 billion are open to traffic.

Innovation. SPD has incorporated the use of alternative technical concepts (ATC) in its procurements which allows a proposer to innovate and offer alternative solutions to deliver a project at reduced construction costs or that may result in lower long-term maintenance costs. The ATCs must be cost-effective solutions that are equal to or better than TxDOT's design and construction criteria. To date, six CDA projects have delivered over $307 million in savings through 47 implemented ATCs. The CDA program has been effective in securing cost savings, expediting project delivery, and leveraging private funds and innovations.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

TxDOT first received authority to develop a public-private partnership (P3) project in 1991. Since then, CDA authority has evolved from being project specific to general back to

project specific, and has required more coordination between TxDOT and regional and local transportation agencies to determine responsibility for project development and operations.

1991 – Authorization for P3 projects

2002 – 1st Design-Build project - SH 130 (1-4)

2007 – 1st Concession - SH 130 (5-6)

2007 – Two-year moratorium on developing new CDA projects. Projects that were already identified for procurement were exempt from the moratorium.

2011– CDA and Primacy Legislation authorized TxDOT or RMA to enter into nine CDA projects and required committees (with representation from TxDOT, MPO, local toll entity, and local jurisdiction providing revenue or ROW) to determine distribution of the project's financial risk, method of financing for the project, and tolling structure and methodology.

2013 – Legislation authorized 12 specific CDA projects for TxDOT.

2015 – No change to CDA authority. As a result, TxDOT is limited to the remaining projects listed in Transportation Code §§ 223.201 and 223.2011.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

CDAs affect motorists, and public entities, private contractors, and firms that are involved with a project's delivery. Eligibility to participate in a CDA is determined by the project size, funding needs, and intended operations and maintenance requirements, and disclosed in the procurement documents.

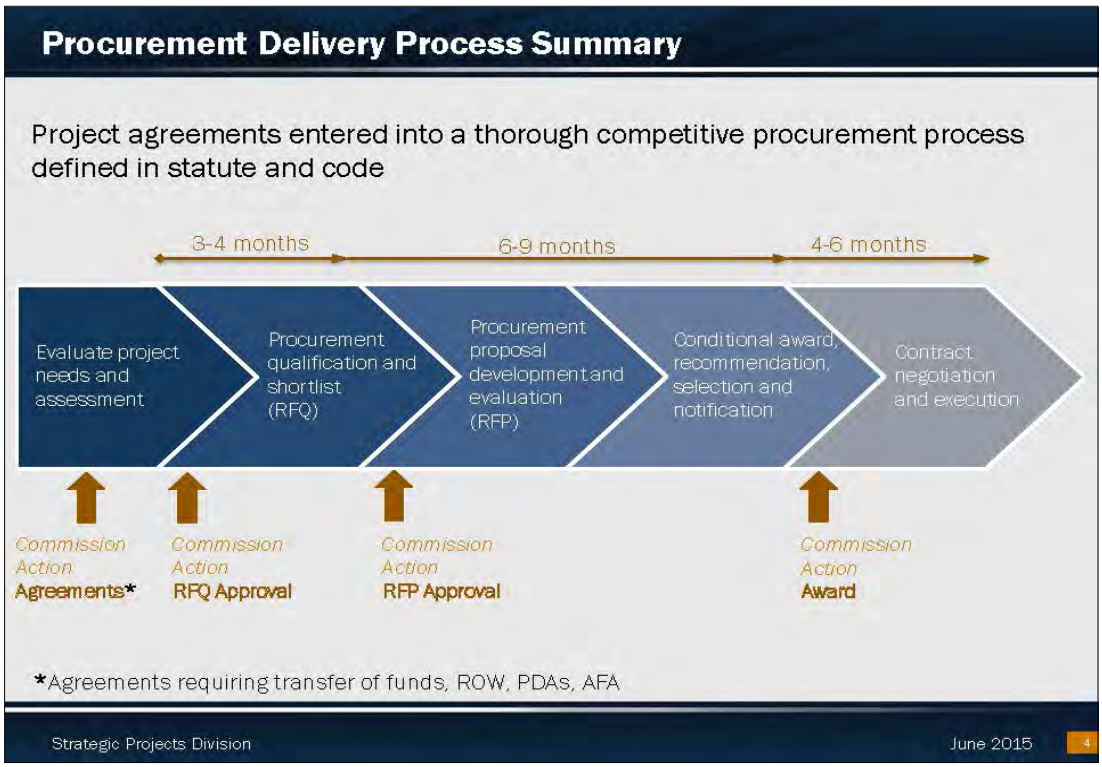
F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

SPD consists of the Procurement and Implementation Coordination Support (PICS) Office, ROW and Utilities Office, three Strategic Project Offices (SPO), and the Operations & Maintenance/Quality Management (OM/QM) Office. These offices work together to fulfill SPD's charge. The SPOs serve as the liaison between TxDOT and local entities to capture local preferences and concerns while also communicating programmatic protocols to maintain consistency and reliability. SPD prepares materials to obtain approval from the Commission to advertise the RFQ and begin the procurement process. Ultimately, SPD manages the development of the CDA documents, the selection process, and leads

negotiations through commercial close. With more projects becoming operational and subject to annual reviews, the OM/QMO was recently created to manage those projects and ensure compliance with maintenance requirements.

SPD engages in all phases of project development, procurement, and implementation. It is the center of the wheel with spokes reaching out to MPOs, property owners, the Office of General Counsel (OGC), Debt Management Office (DMO), TxDOT districts, and local entities.

As shown below, the project assessment and procurement process can take up to two years. Upon selection of the project developer, SPD manages the design and construction efforts.



G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

See Appendix A

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The CDA program procures projects identified in state law and which are delivered similarly to DB projects. RMAs, regional tollway authorities, and county toll road authorities have CDA authority; however, regional tollway authorities and county toll road authorities are not limited to projects listed in their respective statutes.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Providing for the state's transportation needs requires coordination and collaboration amongst many public entities. While TxDOT has been the most active user of the CDA authority, it often supports other transportation agencies in their procurements, project delivery, and funding strategies. The centralization of TxDOT's CDA and DB programs within SPD helps facilitate the development of comprehensive and cohesive documents and procedures, and communications with industry partners. SPD regularly enters into project development agreements, funding agreements, and memorandums of understanding when projects require joint participation and funding. The primacy law and TxDOT's respect for local control guides TxDOT and helps eliminate duplication and conflicts. If a CDA has a toll component, the local entity has the right to develop the project. The primacy law establishes the framework and requirements between TxDOT and the local toll project entity with jurisdiction. In the event that an agency waives its primacy rights, a project development agreement, primacy waiver resolution, memorandum of understanding, or similar agreement is developed establishing the roles and responsibilities, if any, between the parties.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

TxDOT works with RMAs, regional tollway authorities, county toll road authorities, MPOs, and municipalities affected by its projects to coordinate efforts, funding, participation and desired project design. It works with federal resource and regulatory agencies, such as the Federal Highway Administration, US Army Corps of Engineers, US Fish and Wildlife Service, and the Environmental Protection Agency, to ensure compliance with applicable laws.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

SPD had 60 active contracts in fiscal year 2014 categorized as Professional Services or Project Contracts. Professional Services include legal and financial advisors, procurement engineers (PcE), general engineering consultants (GEC), and independent engineers (IE) costs. SPD paid $113,279,925 for professional services in fiscal year 2014. (This cost includes both CDA and DB Professional Services.) Project Contracts include all costs associated with the developer's project design and construction. SPD paid $1,155,181,590 for Project Contracts in FY 2014.

Project	Expended in FY2014	Firm
DFW Connector	$69,204,268	NorthGate Constructors, J.V.
35E Managed Lanes	$243,122,264	AGL Constructors
SH 183 Managed Lanes	$88,597,787	SouthGate Mobility Partners
IH 635 Managed Lanes Project	$187,203,176	LBJ Infrastructure Group
NTE Segment 1&2W	$144,809,205	NTE Mobility Partners
NTE Segment 3A	$36,130,801.19	NTE Mobility Partners
DFW Connector CMA	$2,765,272.65	NorthGate Constructors, J.V.
SH 99 Grand Parkway F-1, F-2, and G	$383,348,817	Zachry Odebrecht Parkway Builders

A system of checks and balances with varying layers of reviews and signature authority assures TxDOT that a thorough review of each contract, work authorization, and progress payment has been made. Project Contracts are paid based on work progress that must be verified against the project schedule and certified by an independent engineer.

Some firms providing engineering services to TxDOT also work for private developers. This can create a perceived or real conflict of interest. TxDOT has developed formal rules, criteria, and procedures to ensure these conflicts do not exist. Each set of rules contains specific provisions regarding the determination of when a conflict exists. TxDOT retains discretion to determine on a case-by-case basis whether or not a conflict exists, and what actions may be appropriate to avoid, neutralize, or mitigate any actual or potential conflict.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Pursuant to Texas Transportation Code § 223.201(f), TxDOT's authority to enter into a CDA expires August 31, 2017, for most projects. The expiration date could be extended to allow more time for TxDOT and RMAs to (1) identify project funding, (2) procure contracts for the projects identified in the statute, and (3) add projects to the list.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

CDA is an umbrella term for P3s in Texas. CDA projects are large and complex with significant risks and capital investment. Project risks are identified and allocated to the party who is best able to manage it, which streamlines responsibility and reduces costs. Procurement consists of a two-step process; qualifications-based shortlisting and proposal-based evaluation. Best value is determined for design, construction, operations, and maintenance.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Design-Build Agreements (DBAs) and associated Maintenance Contracts

Location/Division: Strategic Projects Division (SPD)

Contact Name: Katherine D. Nees, P.E.

Actual Expenditures, FY 2014: $454,566,935

Number of Actual FTEs as of June 1, 2015: 75

Statutory Citation for Program: Transportation Code Chapter 223, Subchapter F

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective is to procure projects utilizing the Design-Build (DB) delivery method. DB differs from traditional design-bid-build procurement in that design and construction activities are combined into a single contract and occur simultaneously. DB projects can be large, complex projects or simple. Major activities performed under this program include (1) ROW acquisition; (2) selection and management of procurement engineering consultants; (3) traffic analysis; (4) project feasibility analysis in consideration of available funds and proposed project design; (5) life-cycle cost analyses; (6) procurement of DB contractor (pre-procurement plans, documentation, federal and local agency coordination, stakeholder participation, advertising, qualifications, shortlisting, proposal, evaluation and selection, etc.); (7) coordinating the execution of the DB agreement; and (8) DB implementation and oversight of design plans, construction activities, and operations and maintenance.

Some DB contracts include maintenance requirements for one or more five-year terms following substantial completion. The maintenance agreements define performance and repair requirements, and specify the desired condition of the facility at the end of the operation and maintenance period. SPD uses two types of maintenance agreements:

- *Capital Maintenance Agreements (CMA)* – Provide for only capital (non-routine) maintenance on specified elements such as pavements and bridges.
- *Comprehensive Maintenance Agreements (COMA*) – Provide for a comprehensive, all-inclusive maintenance program by the developer (capital maintenance and routine maintenance) on all project elements.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Design-Build Institute of America has testified before the U.S. Congress that DB provides an estimated 6% in cost savings over traditional design-bid-build project delivery, while FHWA has reported an average cost savings of 3% with actual cost savings ranging between 0% and 18%. The Texas Transportation Institute found that the accelerated delivery of DB projects resulted in user-delay savings of $10 million to $100 million on a typical $500 million project. These user-delay savings are related to vehicle operating costs, value of traveler time, and the rate of incidents.

DB also encourages innovations in design, construction, and materials that can significantly add value or decrease project costs. Through ATCs, TxDOT has benefited from more than $46 million in savings for 11 DB projects. The Horseshoe project alone captured over $16 million in savings due to ATCs.

The US 77 and Horseshoe projects included long-term maintenance agreements that SPD anticipates will save TxDOT internal costs by decreasing associated management costs, reducing the need to oversee multiple contracts, and reducing TxDOT resources and equipment costs to perform these functions.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Since 1991 TxDOT's authority to design-build has been implied and tied to other statutes authorizing the development of major projects, such as CDAs. The first DB project was the SH 130 (1-4) project in 2002. However, not until 2011 did TxDOT receive explicit DB authority for up to three projects per year. In 2015, legislation changed the minimum estimated project construction value from $50 million to $250 million for DB projects and prohibited bundling projects (as was done in the Energy Sector Repair Project). These changes have impacted TxDOT's efforts to develop streamlined procurements for smaller project to encourage DB participation and increase the number of contractors and designers with DB experience.

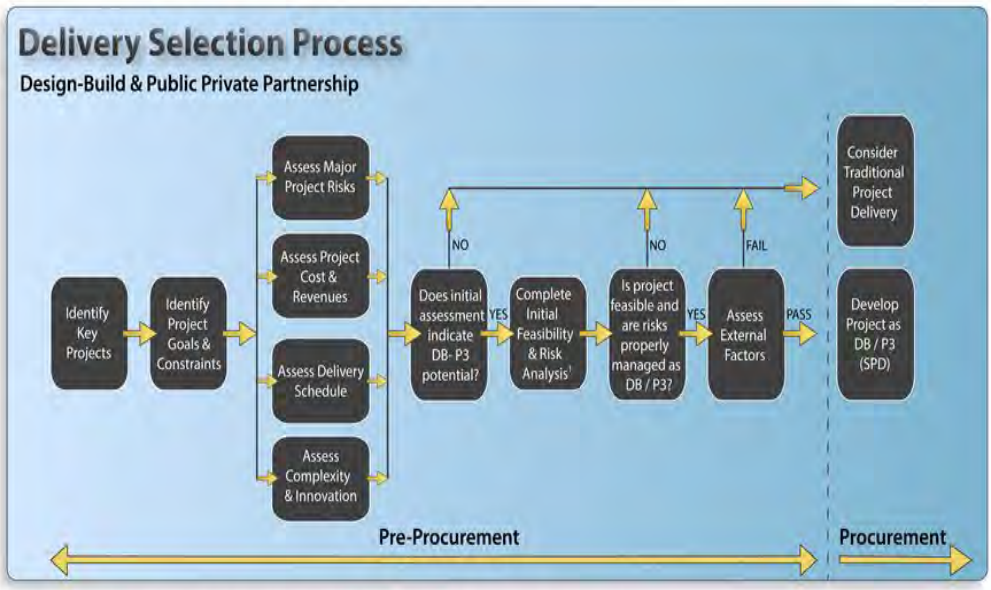
E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

TxDOT's DB program affects motorists and contractors. DB results in faster project delivery which benefits motorists. Contractors and designers are affected by the opportunity to contract on large projects, but because many have not managed or participated in a DB project those opportunities for lead roles are limited. This limits the pool of qualified contractors and firms to provide DB services. While the majority of

TxDOT projects will continue to be procured through the traditional design-bid-build process, contractors are limited in their market and access to DB projects due to a lack of experience and opportunity, particularly as a result of the amendment to the DB statutes.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

SPD administers the DB program, engaging in all phases of project development, procurement, and implementation. SPD consists of the Procurement and Implementation Coordination Support (PICS) Office, ROW and Utilities Office, three Strategic Project Offices (SPO), and the Operations & Maintenance/Quality Management (OM/QM) Office. These offices work together to fulfill SPD's charge. The SPOs serve as the liaison between TxDOT and local entities to capture local preferences and concerns while also communicating programmatic protocols to maintain consistency and reliability. SPD prepares materials to obtain approval from the Commission to advertise the RFQ and begin the procurement process. Ultimately, SPD manages the development of the DB agreement documents, the selection process, and leads negotiations through commercial close. With more projects becoming operational and subject to annual reviews, the OM/QMO was recently created to manage those projects and ensure compliance with maintenance requirements. Several factors are considered in the evaluation of whether a project would be considered as a Design/Build or traditional Design-Bid-build project. Such factors as project risks, costs, delivery schedule, complexity and opportunity for innovation are considered. Projects that rank favorably in these areas are considered for further evaluation as a Design/Build candidate project. These factors are assessed during Planning and Pre-Procurement phase as shown in the graphic immediately below for both DB and CDA projects.



[1] Includes initial cost estimation and risk pricing; sketch level traffic & revenue forecasts; and business modeling

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

See Appendix B

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Other transportation agencies and public entities, such as counties and RMAs, also have DB authority, which, however is not limited to a certain number of projects or project value.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Providing for the state's transportation needs requires coordination and collaboration amongst many public entities. The centralization of TxDOT's CDA and DB programs within SPD helps to facilitate the development of comprehensive and cohesive documents and procedures, and communications with industry partners. SPD regularly enters into project development agreements, funding agreements and memorandums of understanding when projects require joint participation and funding. The primacy law and TxDOT's respect for local control guides TxDOT and helps eliminate duplication and conflicts. If a project has a toll component, the local entity has the right to develop the project. The primacy law establishes the framework and requirements between TxDOT and local toll project entity with jurisdiction. In the event that an agency waives its primacy rights, a project development agreement, primacy waiver resolution, memorandum of understanding, or similar agreement is developed establishing the roles and responsibilities, if any, between the parties.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

TxDOT partners with RMAs, regional tollway authorities, county toll road authorities, MPOs, and municipalities affected by its projects to coordinate efforts, funding, participation, and desired project design. For example, at the RMA's request, TxDOT will often build a project on behalf of the RMA or other agency and deliver it back to them for operation. TxDOT has current partnerships with Central Texas Regional Mobility Authority, North East Texas Regional Mobility Authority, Cameron County Regional Mobility Authority and Camino Real Regional Mobility Authority.

Federal Highway Administration (FHWA) regulations require project management plans and some oversight on any SPD projects with federal funds. SPD works with federal resource and regulatory agencies, such as the Federal Highway Administration, US Army Corps of Engineers, US Fish and Wildlife Service, and the Environmental Protection Agency, to ensure compliance with applicable laws.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

SPD had 60 active contracts in fiscal year 2014 categorized as Professional Services or Project Contracts. Professional Services include legal and financial advisors, procurement engineers (PcE), general engineering consultants (GEC), and independent engineers (IE) costs. SPD paid $113,279,925 for professional services in fiscal year 2014. (This cost includes both CDA and DB Professional Services.) Project Contracts include all costs associated with the developer's project design and construction. SPD paid $341,287,010 for Project Contracts in FY 2014.

Project	Expended in FY2014	Firm
Horseshoe	$247,033,103	Pegasus Link Constructors
US 77 Upgrade (Kingsville to Driscoll) Project	$22,144,512	Austin-Bay JV
Energy Sector (ESR2P) Project	$44,371,471	ESR2P Builders, LLC
Loop 1604 Western Expansion Design-Build Project	$27,737,924	Williams Brothers Construction Co., Inc.

SPD has a system of checks and balances with varying layers of reviews and signature authority resulting in the thorough review of each contract, work authorization, and progress payment. To manage Contractor accountability, TxDOT only pays for work as verified against the project schedule and certified by an independent engineer. Payment may be withheld for failure to comply with contract provisions.

Some firms providing engineering services to TxDOT also work for private developers. This can create a perceived or real conflict of interest. TxDOT has developed formal rules, criteria, and procedures to ensure these conflicts do not exist. Each set of rules contains specific provisions regarding the determination of when a conflict exists. TxDOT retains discretion to determine on a case-by-case basis whether or not a conflict exists, and what

actions may be appropriate to avoid, neutralize, or mitigate any actual or potential conflict.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

In 2015, HB 20 imposed new limitations on the DB program that affects TxDOT's ability to maximize the benefits of the program. The requirement for a minimum estimated construction value of $250 million could eliminate important projects from consideration in the DB program, and preclude smaller local construction firms from competing in DB projects. The law prohibits bundling of projects, as was used on the Energy Sector Repair Project. By bundling projects, TxDOT can take advantage of operational efficiencies and economy of scale. Removing this limitation would benefit TxDOT.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

Chief Financial Officer

The Chief Financial Officer of TxDOT oversees the agency's accounting, budget preparation, analysis of proposed legislation regarding finances and budget, as well as state-owned toll operations and debt management.

The Finance Division (FIN) is responsible for TxDOT's accounting, forecasting, budgeting, payment for all goods and services, and processing of all receipts and revenues. The division analyzes financial effects of proposed legislation on TxDOT and performs policy analysis and review. The division is also responsible for the scheduling and letting management of all transportation projects.

The Innovative Financing / Debt Management Office (DMO) is responsible for management and operation of the Texas Transportation Commission's and related entities' debt issuances, including the day-to-day tasks of the debt issuance process, analysis of refunding opportunities, monitoring and directing investments, as well as ensuring compliance with the Commission's policies, state/federal regulations and bond covenants. The office currently oversees activities of five bond programs and one short-term borrowing program. These include obligations supported with revenues of the State Highway Fund, the Texas Mobility Fund, the Central Texas Turnpike System, a portion of the Grand Parkway System, as well as Highway Improvement General Obligation bonds, which are supported by the general revenues of the state. Further, the office oversees non-traditional projects and innovative financing programs which include the State Infrastructure Bank loan program, toll equity grants and loans, pass-through financing, certain transportation corporations, and the financial aspects of the department's public-private partnerships or Comprehensive Development Agreements.

The Toll Operations Division (TOD) administers and oversees the toll operations of TxDOT operated toll facilities, including, lane equipment, back office systems and customer service support for customers. TOD also provides for traffic and revenue analysis and support of lane and back office services for projects developed under comprehensive development agreements statewide.

Below are responses that describe the key functions under the CFO.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Letting Management

Location/Division: Finance Division

Contact Name: Alison McMillan/Brad Gatlin

Actual Expenditures, FY 2014: $997,992

Number of Actual FTEs as of June 1, 2015: 17

Statutory Citation for Program: Transportation Code, Chapter 223

B. What is the objective of this program or function? Describe the major activities performed under this program.

Letting Management (LM) oversees and manages the development, administration and monitoring of the Agency's letting schedules.

LM formulates and manages the two-year, 12-month and approved monthly letting schedules; obligates federal highway funding and efficiently utilizes all funds available for the transportation program.

LM coordinates with Agency districts, divisions and Administration regarding allocation and project eligibility in funding programs.

LM directs and oversees the preparation of public notices/advertisements to contractors for construction and maintenance projects.

LM also reports on monthly and fiscal year letting volume to Administration.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

LM compiles, monitors, and provides recommendations for adjustments to the Agency's lettings schedules for state let construction and maintenance projects

LM administers all highway related (FHWA) federal funds received by the Agency. The Agency has always utilized the maximum amount of federal funds with no loss of federal-aid apportionments.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

LM was a section in the Agency's Design Division until 2008. An agency reorganization took place and LM was combined with the Unified Transportation Program (UTP) section from the Transportation Planning and Programming (TPP) Division and both were transferred to the Finance Division. A subsequent reorganization transferred the UTP group back to the TPP Division.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

LM develops and provides assistance to the Agency's district offices regarding letting schedules and activities. The function coordinates related activities with the Transportation Planning and Programing division and Agency Administration. In addition, the branch has daily interaction with FHWA financial staff regarding federal highway programs, funding, project eligibility, and audits and reviews.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The LM function provides Letting Management support and oversight on a daily basis to all Agency district offices and related divisions. Letting Management secures appropriate state and federal funds based on identified funding categories. This is done in accordance with Texas Administrative Code (TAC), state statute and federal law.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

LM is funded entirely by the State Highway Fund.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

LM is solely responsible for the functions listed above. No other areas, internal or external, provide identical services.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

LM works closely with Federal Highway Administration (FHWA) Finance staff to ensure project eligibility, to monitor funding and respond to audits and requests. In addition, the branch prepares and submits Federal Project Authorization Agreements (FPAA) to FHWA for their review and approval on projects identified to use federal funding.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. What statutory changes could be made to assist this program in performing its functions? Explain.

N/A

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Toll Collection

Location/Division: Toll Operations Division

Contact Name: Richard Nelson

Actual Expenditures, FY 2014: FY 2014: $53,371,000

Number of Actual FTEs as of June 1, 2015: 20

Statutory Citation for Program: Transportation Code, Title 6, Chapter 228

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Toll Operations Division (TOD) is to operate and maintain TxDOT toll roads. The authority to develop and operate toll roads was provided to TxDOT in 1997 as an innovative alternative to finance a roadway in an era of declining public funding. TxDOT has statewide authority to finance, design, develop, build, operate and maintain toll roads using a variety of project delivery methods. TxDOT activities related to toll roads vary by region in accordance with regional policies.

TOD provides toll equipment design, construction and maintenance statewide. Back office transaction processing is provided currently for the Central Texas Turnpike System (CTTS) and SH 130C (the southern segments of SH 130) in the Austin area, the Grand Parkway (Segments D, E and I-2) in the Houston region, and the Camino Columbia Toll Road (SH255) in Laredo. In addition, TOD oversees the invoicing of all TxTag transactions on any toll road in the state. During 2016, TxDOT will assume toll collection for various projects including additional segments of the Grand Parkway (Segments F-1, F-2 and G), I-30 and I-635 Managed Lanes in Dallas, and the Katy I-10 Managed Lanes. There are also toll agreements for other roads that require TxDOT to provide toll collections and back office processing as needed if current providers cease to provide those services. TxDOT toll contracts are procured with the intent of scalability so additional roads may be added as needed. The ability for TxDOT to provide these tolling services has resulted in improved mobility by enabling TxDOT to use alternative delivery and financing methods to deliver more roads quicker to meet the state's transportation needs.

TOD operates and maintains 113 lane miles of toll roads across the state and operates the TxTag Customer Service Center (CSC), commonly referred to as the back office, which services over 3 million customer accounts. The Division handles seven functional areas critical to fulfilling its mission: Toll Operations, Customer Service, Public Information and Marketing, Project Development, Systems Administration, Financial Management, Quality Assurance, and Administration.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

1) TxDOT's Tolling Program was implemented within TxDOT as a financing alternative to accelerate construction and improve mobility as quickly as possible. Through the issuance of toll revenue bonds, roads are constructed and toll revenues are used to pay back the bonds and operate and maintain the road over time. Toll roads must meet strict legal and operational requirements and are rated by independent agencies for effectiveness and efficiency on a wide variety of operational and financial risk factors. The current bond rating for the Grand Parkway System (GPS) is AA-/AA+. The current bond rating for the CTTS is A-/A3/A-.
2) The effectiveness of TxDOT's Program is shown below by transaction growth patterns in the last four years:

Note: Transactions represent the use of the roadway every time a vehicle passes a toll gantry.

Toll Transactions					
Roadways	FY 2012	FY 2013	FY 2014	FY 2015 Forecast	FY 2016 Forecast
CTTS[1]	93,883,708	102,506,784	109,049,211	116,632,018	128,564,996
GPTC[2]			9,495,965	20,486,052	47,430,999
TxDOT SH255+SH99 I2+Loop 49+DFWC[3]	2,977,744	3,233,335	1,658,137	2,034,892	2,263,000
TxDOT - Katy ML[4]					25,248,069
TxTAG's on Away Roadways[5]	37,542,755	48,671,218	58,858,134	70,971,677	79,906,840
All Roadways Total	**134,404,207**	**154,411,337**	**179,061,447**	**210,124,639**	**283,413,904**

Table footnotes:

1 - Central Texas Turnpike System (CTTS): SH130 Segments 1-4, Loop 1, SH 45N, SH 45SE (Austin Region)

2 - Grand Parkway Transportation Corporation (GPTC): SH99 Segments D,E, F1, F2, G (Houston Region)

3 - SH255: Camino Columbia Toll Road (Laredo); SH99 I2: Grand Parkway Segment (Houston); Loop 49 (Tyler) operated through March 2013; DFWC: Dallas Fort Worth Connector (Dallas) opened July 2014, then transitioned in October 2014 to NTTA

4 - Katy ML: I10 Managed Lanes (Houston Region), operations transferring from HCTRA to TXDOT in January 2016

5 - TxTAG Transactions on toll roads not operated by TxDOT

3) A very significant factor in cost savings and efficiency for TOD in operating its toll facilities is the execution of interoperability partnerships with statewide toll agencies. Statewide interoperability agreements allow any partner agency that issues toll tags the ability to collect tolls from customers that own another partner's toll tags and home account; interoperability amongst tolling agencies gives customers the ability to use tolling facilities throughout the state seamlessly, avoiding violation fees and any long cash booth queues.
4) TOD converted the Central Texas Turnpike (CTTS) to a cashless facility on January 1, 2013. The primary benefits recognized through cashless toll collection included:

    a) increased driver convenience and safety – by eliminating "stop, pay cash, and go" payment options and implementing non-stop all-electronic toll collection systems and operations;
    b) reduced commute / travel times – through permanent plaza and ramp infrastructure modifications that produce improved traffic flow;
    c) improved air quality – by eliminating "stop, pay cash, and go" traffic operations; and,
    d) Increased cost-effectiveness – by eliminating the expense of cash collection, including toll collector staff, by fully deploying all-electronic toll collection systems and operations.

5) TOD converted its tolling systems in the last year to implement many cost efficiencies. One significant component of its implementation is an Interactive Voice Recognition system, or IVR. TxTag's IVR gives customers self-service options to update their account information, such as name, address, and to make payments on their account.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

While the toll legislation has changed considerably since 1997, the original intent of statewide tolling authority has remained constant. Through enabling statute, TxDOT has the flexibility to provide needed toll roads or tolling services when or where other resources are not available. Through policy setting related to toll roads, TxDOT can address congestion in urban corridors and improve air quality, in addition to promoting interoperability and other long term state and federal goals.

TxDOT could improve the efficiency effectiveness of toll collections through statewide contracts and services, including combined toll tag purchases of a standard protocol, and back office toll processing for all toll transactions in the state. While there are some current shared services and contracts between toll entities, there is substantial opportunity to improve efficiencies through additional shared services and contracts.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The benefits of tolling to the state include an alternative means of funding in an era of declining purchasing power of state and federal funding, freeing up other sources of transportation funds for critically needed maintenance and mobility projects. Additionally, congestion relief and improved air quality are benefits of tolling. The ultimate beneficiary of toll roads is the traveling public. Drivers chose to pay tolls because of the time saved compared to alternate congested routes.

Another important stakeholder is the investor. Both the GPS and the CTTS were financed through toll revenue bonds, allowing them to be completed decades sooner than with traditional funding. TxDOT must meet extensive disclosure, reporting and financial requirements of the bond covenants to inform and protect investors.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The mission of collecting tolls and providing customer service is a complex operation involving multiple functional areas, as described in section b, with support from other offices, divisions and districts within the Department. Key partners in this process are described below.

Special Projects Division (SPD)

The Strategic Projects Division oversees procurement policies, right of way acquisition, and support activities for public-private partnership agreements known as Comprehensive Development Agreements (CDAs). The division completes feasibility studies of candidate CDA projects and assists TxDOT districts during project design and construction. The division also oversees turnpike corridor system planning, performs toll feasibility planning, and provides coordination of Regional Mobility Authorities (RMAs).

Finance Division (FIN)

Finance Division oversees, accounts for, and reports on all revenue collected on toll facilities. They also manage the transfer of funds between TxDOT and interoperable agencies, banks, credit card companies, and collection agencies.

Debt Management Office (DMO)

The Innovative Financing/Debt Management Office manages TxDOT's various debt programs, the State Infrastructure Bank, toll equity, pass-through financings, and the financial aspects of TxDOT's public-private partnerships.

Traffic Operations Division (TRF)

The Traffic Operations Division provides oversight for roadway signage, pavement markings, lighting, and highway-rail crossings. Traffic Operations also manages the statewide implementation of technology to manage transportation networks, also known as intelligent transportation systems (ITS)

Professional Engineering Procurement Services (PEPS)

The Professional Engineering Procurement Services Division provides support for professional services contracts including the toll system integrator and engineering contracts.

Procurement Services (PRO)

The Procurement Services Division provides oversight for contracts, purchase orders, policies, and procedures development including the Xerox contract.

Office of the General Counsel (OGC)

The Office of General Counsel provides legal advice to the TxDOT administration, districts, divisions, and offices. The office also drafts administrative rules and approves inter-local agreements and contracts.

Districts

TxDOT Districts manage the construction and maintenance of many TxDOT toll facilities including roadway design, construction lettings, construction management, and roadway maintenance.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Sources of funds for toll operations include toll revenues, several types of fee revenues, and state funds, the mix of these funding sources varies by roadway. A viable toll project must be self-sufficient within the term and financial scope of under which the toll revenue bonds were issued. The general intent is for the revenue bonds to pay for construction and toll revenues repay the investors, as well as pay for the long-term operations and maintenance of the roadway. A long-term source of funding for roadway maintenance is a significant benefit in Texas, where there is significant competition for roadway maintenance funds as the needs are so great. In accordance with legal requirements, toll operations expenses are generally initially paid from the State Highway Fund and then reimbursed with available toll and fee revenues as applicable by roadway.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are numerous types of statutory authority for toll entities in Texas. The primary types are County Toll Authorities (Chapter 284), Regional Toll Authorities (Chapter 366), and Regional Mobility Authorities (Chapter 370). There is also statutory authority in Chapter 372 that applies to all toll authorities, including TxDOT. The different legislative authority translates to differences in violation escalation, court processes and administrative or violation fees.

TxDOT is the only toll authority that has statewide statutory authority for all needed services in addition to the responsibility to carry out the policy directives of the Texas Transportation Commission.

The Toll Operations Division (TOD), Harris County Toll Road Authority (HCTRA) and the North Texas Tollway Authority (NTTA) are the only three toll authorities in Texas that offer a full spectrum of services, including issuing tags, conducting toll operations, offering customer service and account management, as well as providing public information and developing projects.

There are numerous Regional Mobility Authorities in Texas, including the Central Texas Regional Mobility Authority, which has many toll roads in various stages of construction and operations. CTRMA processes Pay-By-Mail transactions on their toll roads but relies on TOD for processing of toll tag transactions. Services offered by each toll authority varies, and many RMAs contract with other authorities for services.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TxDOT executed a Memorandum of Understanding and Interlocal Agreements with other tolling agencies in the State of Texas to facilitate use of toll roads throughout the state. In order to provide the TxDOT's customers with the maximum benefit of using the TxTag toll tag, usability on all toll facilities within Texas is essential. The MOU for Interoperability provides the avenue by which data is exchanged between agencies in a timely manner. The data exchange allows for the transmittal of lane transaction information and for the accounting for revenue amongst the partner agencies.

TxDOT participates in interoperability efforts at the national level, as well. MAP-21 includes a national initiative for the development of transportation infrastructure. The federal law sets the directive that tolling agencies be nationally interoperable by October 2016. These efforts are being coordinated through the International Bridge, Turnpike and Tunnel Association (IBTTA).

TxDMV executed an Interlocal Agreement (ILA) with the Oklahoma Department of Motor Vehicles to promote the exchange of vehicle owner registration information to support billing and violation enforcement.

Toll Service Agreements define business processes and compensation for a service provider with whom TxDOT contracts to provide toll services on behalf of the Department. A sample of existing and near future toll services agreements is provided below.

1) Regional NTTA (covers multiple roadways :)

    a) DFW Connector Project September 1, 2014
    b) I-30 Project Fall 2015
    c) I-35E Project Summer 2017
    d) US 75 Project Early 2016
    e) I-635 Eastern Extension Project Early 2016
    f) Southern Gateway Project Early 2017
    g) SH 183 Project Early 2019
    h) I-35 W Segment 3C Project 2019

2) LBJ Developer CDA (NTTA and LBJ TSA)
3) NTE 1&2 Developer CDA (NTTA and NTE TSA)
4) NTE 3a-3b Developer CDA (NTTA and TxDOT TSA)
5) SH 288 Toll Lanes in Harris County
6) SH 130 5&6 Facility Concession Agreement
7) SH 360 Project DBA issued May 15, 2015

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Toll Operations Division also works with many local and regional, as well as a few federal, agencies.

Texas County Courts

- TOD coordinates filing of toll violation cases with the following precincts:
    - Caldwell Co. Precinct 1
    - Caldwell Co. Precinct 3
    - Caldwell Co. Precinct 4
    - Chambers Co. Precinct 6
    - Guadalupe Co. Precinct 1
    - Travis County Precinct 1
    - Travis County Precinct 2
    - Travis County Precinct 4
    - Webb County Precinct 4

- Williamson County Precinct 1
- Williamson County Precinct 3
- Williamson County Precinct 4

Interoperable Agencies and Regional Mobility Authorities (RMAs)

- Exchange toll transaction data utilizing the interoperability HUB for Harris County Toll Road Authority (HCTRA), North Texas Tollway Authority (NTTA), and Central Texas Regional Mobility Authority (CTRMA)
- Provide/exchange Customer Service support for transaction disputes amongst these agencies

Texas Department of Motor Vehicles (TxDMV)

- Executed Memo of Understanding (MOU) between TxDOT and TxDMV (09/01/2013) for data exchange
- TxDMV provides vehicle owner information for image based toll transactions by plate as requested in order for TxDOT to invoice customers for usage of TxDOT toll roads

Federal Highway Administration (FHWA)

- For compliance with United State Code, Title 23, Section 129(a) revenue limitation, TxDOT must certify annually that all tolled facilities are being adequately maintained
- TxDOT provides FHWA with an annual certification that roads are being adequately maintained along with an annual audited financial report

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The general purposes for the contracted expenditures of TOD are to provide TxDOT systems (Toll Management Systems and Back Office Systems), maintenance and support for the TxTag Toll Operations and TOD-operated toll roads. This includes a system to maintain TxTag accounts to process tag and image-based toll transactions, a customer service center, maintenance of toll plaza and ramp facilities, maintenance of tolling equipment and support services. Approximately 30 contracts accounted for those expenditures and totaled $46,466,388 in fiscal year 2014.

The top five contract expenditures are listed below.

1) URS: $13 million – Back Office Services Provider and Facility Services
2) Xerox: $7.9 million – Back Office Services Provider, System Provider and Facility Services
   a) A transition between Back Office Services Providers occurred in FY2014; this cost includes $4.9 million in Implementation Milestone Payments
3) Paymentech: $4 million – Credit Card Processing
4) Atkins: $3.6 million – Contract Support Services
5) TransCore: $3.3 million – Toll Tags

L. Provide information on any grants awarded by the program.

N/A

M. What statutory changes could be made to assist this program in performing its functions? Explain.

1) Email Billing as an Opt-in Option – In 2015, a law was passed that allows Regional Tollway Authorities to provide information, including an invoice or notice, via electronic record, if the recipient of the information agrees to the transmission of the information as an electronic record. Currently, the statute that governs TxDOT's video billing (Pay By Mail) toll projects requires the Department to send billing statements to pay by mail customers via first class mail. Allowing Pay By Mail customers to receive an electronic bill via email would reduce the cost of printing and postage to the Department.
2) Increased Enforcement Authority – In 2013, a law was passed authorizing the Department to determine if a registered owner of a vehicle is a "habitual violator" for the non-payment of tolls. The determination allows the Department to administer fees for use of the Department's tolling projects and prescribes policies and procedures regarding notification, hearing process, prohibition, possible denial of vehicle registration and impoundment of a motor vehicle. Currently, the law is written so that the Tax Assessor may refuse to register or renew registration of a motor vehicle if it has received written notice from a toll authority that the owner of the vehicle has been determined to be a habitual violator. A statutory change that would assist TxDOT's Program is to make it mandatory for the County Tax Assessor and the Texas Department of Motor Vehicles to deny motor vehicle registration. Overall, the Department needs to strengthen authority to collect from violators through tougher law enforcement, the habitual violator program and/or the creation of an administrative settlement court.
3) Tag sales and Customer Account Management at Retail locations – In 2015, a law was passed that allows retail entities to charge an additional service charge to provide electronic toll collection customers account payment services at a location other than a TxDOT office. The law requires the Texas Transportation Commission, by rule, to set the maximum amount a person may collect as a service charge, which could not

exceed $3 for a payment transaction. A statutory change that would assist TxDOT's Program is to include the sale of toll tags by this vendor. This would provide more locations in which a customer could purchase a toll tag and manage their account.

4) One, Consolidated Statewide Back Office – A statutory change that would assist TxDOT's Program is to mandate tolling agencies in the state to have one consolidated back office to provide for consistency in customer service and cost efficiencies.
5) Transponder Combined with Registration Sticker – A statutory change that would assist TxDOT's Program is to allow for transponder technology (RFI) to be used in vehicle registration stickers to promote the use of the payment of tolls, parking, and transit services. Allowing for the two-way exchange of owner information to improve the accuracy of owner information between vehicle registration and tolling systems maintained by each agency would also be ideal. Another related statutory change that would assist TxDOT's Program is to require TxDMV to provide owner registration information at no charge to the TxDOT.
6) Creation of Statewide Administrative Hearing Process and Administrative Hearing Office – A statutory change that would assist TxDOT's Program is to create an Administrative Hearing Office to consolidate and make the violation enforcement statewide more effective.
7) Require Funding to Support Legislatively-mandated Programs – A statutory change that would better promote TxDOT's Program is to require legislatively mandated programs, such as Veterans Discount and Truck Discount/Incentive Programs, to be funded for revenue bond financed projects by the Legislature in order to promote the implementation of the programs on a statewide basis without having a negative impact on revenue collection.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Innovative Financing/Debt & Portfolio Management

Location/Division: Austin/Innovative Financing/Debt Management Office

Contact Name: Benjamin Asher

Actual Expenditures, FY 2014: FY 2014: $1,077,781,420

Number of Actual FTEs as of June 1, 2015: 13

Statutory Citation for Program: State Highway Fund Revenue (Prop 14) Bonds: Article III, Section 49-n, Texas Constitution and Transportation Code Section 222.003

-State Highway Fund Short Term Borrowing Program: Article III, Section 49-m, Texas Constitution and Transportation Code Section 201.115

-Texas Mobility Fund Financing Program: Article III, Section 49-k and Subchapter M, Chapter 201, Transportation Code

-Texas Highway Improvement General Obligation (Prop 12) Bonds: Article III, Section 49-p, Texas Constitution and Transportation Code Section 222.004

-Toll Revenue Bonds: Subchapter C, Chapter 228, Transportation Code

-Transportation Corporations: Transportation Code, Chapter 431 -Private Activity Bonds: Transportation Code, Section 222.035

-TIFIA: 23 U.S. Code, Chapter 6

-State Infrastructure Bank: Subchapter D, Section 222, Transportation Code-Pass-Through Financing Agreements: Transportation Code, Section 222.104

-Transportation Reinvestment Zones: Transportation Code, Section 222.105

-Investment Policy: Government Code, Chapter 2256

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Innovative Financing/Debt Management Office (DMO) is responsible for the following programs:

State Highway Fund Revenue Bonds (SHF/ Prop 14)

Texas voters approved a constitutional amendment (Article III, Section 49-n) permitting the Texas Legislature to authorize the Texas Transportation Commission to issue bonds backed by certain revenues of the State Highway Fund to be used to fund the accelerated delivery of highway improvements. Statute authorizes such a program and establishes a cap of an aggregate principal amount not to exceed $6 billion of bonds issued. The major revenues deposited to the State Highway Fund and dedicated by the Texas Constitution for public roadways are motor fuel taxes, vehicle registration fees, and certain federal reimbursements. DMO manages the debt program including the issuance of bonds, refundings, and the reporting of continuing disclosure related to the bonds.

SHF Credit Ratings (Fitch/Moody's/Standard & Poor's): Not Rated / Aaa / AAA

State Highway Fund Short Term Borrowing Program

The Commission may enter into short-term lending facilities to allow for efficient cash management operations in the State Highway Fund (the general operating fund of TxDOT) in response to fluctuations in the cash balance of the fund as a result of the cyclical nature and uncertain timing of deposits into and payments out of the fund. DMO manages the short-term lending facilities and the related financial reporting requirements.

Texas General Obligation Mobility Fund Bonds (TMF)

The Texas Legislature established and Texas voters approved the TMF to issue debt secured by the revenues of the fund to provide a method of financing to advance the construction, reconstruction, acquisition, and expansion of state highways, including the costs of any necessary design and acquisition of rights-of-way, and to provide participation by the state in the costs of publicly owned toll roads and other transportation projects. Effective June 10, 2015 upon the enactment of HB 122, 84th Legislative session excess money in the TMF not needed for debt service can no longer be used for toll roads. The major revenues of the fund include certificate of title fees, motor vehicle inspection fees, driver's license fees, and driver record information fees. DMO manages the debt program including the issuance of bonds, refundings, and the reporting of continuing disclosure related to the bonds.

TMF Credit Ratings (Fitch/Moody's/Standard & Poor's): AAA / Aaa / AAA

Texas Highway Improvement General Obligation Bonds (HIGO/ Prop 12)

Texas voters approved a constitutional provision, under Proposition 12 authorizing the Commission to issue general obligation bonds of the State of Texas in an aggregate principal amount not to exceed $5 billion to fund the accelerated delivery of highway improvement projects. DMO manages the debt program including the issuance of bonds, refundings, and the reporting of continuing disclosure related to the bonds..

HIGO Credit Ratings (Fitch/Moody's/Standard & Poor's): AAA / Aaa / AAA

Central Texas Turnpike System Bonds (CTTS)

The Central Texas Turnpike System brings congestion relief to major highways and surrounding arterial roads in Travis and Williamson counties, as well as the Central Texas region. The CTTS also improves mobility and safety by providing more transportation options for commuters, businesses and motorists. DMO manages the debt program including the issuance of bonds, refundings, and the reporting of continuing disclosure and other reporting related to the bonds.

Transportation Corporations

Grand Parkway Transportation Corporation

The Grand Parkway Transportation Corporation (GPTC) is a public, nonprofit corporation created by the Texas Transportation Commission to act on behalf of the Commission to lead the effort to finance, build and operate certain segments of the Grand Parkway (SH 99). The corporation issued bonds to finance delivery of the Grand Parkway System and to fund certain predevelopment costs of other segments of the Grand Parkway. DMO oversees this program which includes developing, structuring and implementing a plan of finance for current and potential future segments of the Grand Parkway System. Additionally, DMO manages the debt program including the issuance of bonds, refundings, and the reporting of continuing disclosure and financial reporting requirements related to the bonds.

Texas Private Activity Bond Surface Transportation Corporation

The Texas Private Activity Bond Surface Transportation Corporation was created for the purpose of serving as the non-profit conduit issuer of private activity bonds on behalf of private entities undertaking Comprehensive Development Agreement projects with TxDOT. Each private entity is responsible for the debt service associated with bonds issued for the respective projects.

Transportation Infrastructure Finance and Innovation Act (TIFIA) loans

The Transportation Infrastructure Finance and Innovation Act (TIFIA) program provides Federal credit assistance in the form of direct loans, loan guarantees, and standby lines of credit to finance surface transportation projects of national and regional significance. DMO is responsible for the oversight of applications to the federal loan program as well as monitoring for loan compliance. The TIFIA loan for the CTTS project was paid off with toll revenue bonds in 2015. The Grand Parkway Transportation Corporation secured a TIFIA loan in the approximate amount of $840 million in 2014. Additionally, there are two TIFIA loans currently in the application process for the IH-35E and SH 183 managed lane systems.

Other Programs

State Infrastructure Bank (SIB) Loans

The State Infrastructure Bank operates as a revolving loan fund that is authorized to issue loans to public and private entities authorized to construct, maintain or finance an eligible transportation project. The program allows borrowers to obtain financing at competitive interest rates and under favorable terms. DMO manages and provides assistance throughout the application and approval process. All loans require Commission approval.

Toll Equity Program

Pursuant to the rules for financial assistance for toll facilities, TxDOT may provide financial assistance to toll road entities. This financial assistance allows for the accelerated development and delivery of toll roads that are not 100% toll viable on a stand-alone basis. DMO manages the program.

Pass-Through Financing Agreements

This program allows local communities to fund the up-front costs of state highway projects and to then be reimbursed over time by TxDOT allowing for the accelerated delivery of the subject project. Reimbursements are made based on the number of vehicles using the highway facility. DMO assists with reviewing any related continuing disclosure agreements, compliance with annual reporting requirements and processing previously approved applications.

Transportation Reinvestment Zones (TRZ)

A TRZ is a specific contiguous zone around a planned transportation project created to capture incremental property tax revenue. This is a local government financing tool often used in conjunction with other financing mechanisms to advance the delivery of roadway projects. DMO offers program guidance and feasibility assistance.

Financial Feasibility

DMO manages financial feasibility analyses on transportation projects when funding alternatives are being assessed.

TxDOT Investments

The authority to manage the investment program is derived from the Texas Public Funds Investment Act and Texas statutory authority. Under the Commission's Investment Policy guidelines, the primary objectives of the Commission's investment activities in priority order are the following: 1) to preserve and safeguard investment principal; 2) maintain liquidity; and 3) maximize yield by attaining a market rate of return throughout budgetary and economic cycles taking into account the investment constraints and the cash flow characteristics of the portfolio.

DMO is responsible for managing the investment program and implementing procedures for the operations of the investment program consistent with the investment policy.

Eligible programs for TxDOT management of investments:

TMF bond proceeds—currently invested with the Comptroller in the Treasury Pool

Toll Revenue Systems:

Central Texas Turnpike System trust estate—held in trust

Grand Parkway Transportation Corporation trust estate—held in trust

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

In fiscal year 2014, the department generated debt service savings and/or reduced outstanding debt in total savings of $518 million or approximately $359 million on a present value basis through three separate transactions comprised of issuing State Highway Fund refunding bonds, the defeasance of Texas Mobility Fund bonds, and issuing Texas Mobility Fund refunding bonds.

State Highway Fund First Tier Revenue and Refunding Bonds, Series 2014-A

In March 2014, the department refinanced $865 million in existing State Highway Fund (Prop 14) debt in order to obtain savings and lower debt service. The refunding resulted in total savings of $102 million from 2015 to 2026 (or approximately $83 million on a present value basis). The savings represents 9.5% of the bonds refunded, a savings level well in excess of the Texas Transportation Commission's guideline of 3%.

State of Texas General Obligation Mobility Fund Defeasance

In May 2014, the department reduced its bond indebtedness by defeasing $150 million of State of Texas General Obligation Mobility Fund bonds with excess Texas Mobility Fund revenues generated from higher-than-projected revenue receipts. The department defeased and redeemed debt that resulted in total debt service avoidance of approximately $262 million (or $156 million on a present value basis) which would have been paid through 2037.

State of Texas General Obligation Mobility Fund Refunding Bonds, Series 2014

In June 2014, the department refinanced approximately $1.1 billion in existing Texas Mobility Fund debt in order to obtain savings and lower debt service. The refunding resulted in total savings of approximately $154 million (or approximately $120 million on a present value basis) which would have been paid from 2015 to 2035. The savings represents 11.2% of the bonds refunded, a savings level well in excess of the Texas Transportation Commission's guideline of 3%.

The following table outlines debt service savings by bond program from 2012 through February of 2015.

TxDOT Refunding Bond Transactions for Savings (2012 - February 2015)				
	TMF	SHF/Prop14	CTTS	Total
Total Gross Savings	$ 323,091,286	$ 101,762,469	$ 1,161,099,769	**$ 1,585,953,524**
Present Value (PV) Savings	$ 236,371,826	$ 82,894,031	$ 493,869,320	**$ 813,135,176**
PV Savings as % of Refunded Par	11.32%	9.58%	18.78%	14.56%
# of Refunding Transactions	2	1	2	5

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

N/A

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

DMO programs affect the general driving public and local government entities by providing financing for transportation projects.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

DMO uses the following policies to guide the debt and investment programs:

Debt Management Policy- http://ftp.dot.state.tx.us/pub/txdot-info/fin/investor/policies/debt_management.pdf)

Derivative Management Policy- http://ftp.dot.state.tx.us/pub/txdot-info/fin/investor/policies/derivative_management.pdf

Investment Policy- http://ftp.dot.state.tx.us/pub/txdot-info/fin/investor/policies/investment.pdf

Additionally, there are other policies and procedures to ensure compliance with state and federal laws.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Debt service on bonds is paid from the following funding sources:

Texas Mobility Fund Bonds: State fee revenue that is statutorily dedicated to the fund and a small amount of federal funding from the Build America Bond program enacted in the 2009 American Recovery and Reinvestment Act.

State Highway Fund Revenue Bonds: Revenues deposited to the State Highway Fund and a small amount of federal funding from the Build America Bond program enacted in the 2009 American Recovery and Reinvestment Act.

Highway Improvement General Obligation Bonds: State general revenue and a small amount of federal funding from the Build America Bond program enacted in the 2009 American Recovery and Reinvestment Act.

Central Texas Turnpike System Bonds: Toll revenue; this revenue is not deposited in the state treasury but is held in trust.

Grand Parkway Transportation Corporation Bonds: Toll revenue; this revenue is not deposited in the state treasury but is held in trust.

Funds used to administer the following programs include:

TIFIA: Toll revenues from the project financed.

State Infrastructure Bank: State highway funds and federal revenue.

Toll Equity: State highway and federal highway funds as well as Texas mobility funds.

Pass-Through Financing: State highway and federal highway funds.

Transportation Reinvestment Zones: This program generates local funding for local use.

Financial Feasibility Studies: State highway funds.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

DMO is solely responsible for the functions listed above.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

State Infrastructure Bank: SIB borrowers include counties, cities, utility districts, and tolling authorities who work closely with TxDOT on transportation projects.

Private Activity Bonds (PABs): The US Department of Transportation (USDOT), the Texas Attorney General and the Texas Bond Review Board approve the issuance of PABs that are issued by the department on behalf of private entities that build state highway projects.

TIFIA: The Federal Highway Administration at USDOT, the Texas Attorney General and the Texas Bond Review Board approve TIFIA loans made to the department.

Pass-Through Financing: The department works with cities and counties participating in this program.

Transportation Reinvestment Zones: The department provides program guidance and feasibility analysis with cities exploring this program as a funding source for state highway projects

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Summary: DMO has contracts in place for the following: financial advisor services for debt programs, financial advisor services for projects that are procured under non-traditional transportation project delivery methods, insurance advisor services for transportation projects, interagency contract for analysis of Transportation Reinvestment Zones. DMO manages these contracts; however, funding may come from other department budgets within TxDOT.

Estimated Amount of Expenditures in FY 2014: $6,621,900

Number of Contracts: 7

Top five contracts:

Contracted Vendor	Approximate Expenditures in FY 2014	Purpose
KPMG LLP	$4,950,600	Financial advisor for non-traditional transportation project delivery methods
Ernst & Young Infrastructure Advisors LLC	$925,900	Financial advisor for non-traditional transportation project delivery methods
Estrada Hinojosa Investment Bankers	$502,200	Financial advisor for debt programs
Texas Transportation Institute Texas A&M University System	$181,600	Interagency contract for analysis of Transportation Reinvestment Zones
Ames & Gough	$61,600	Insurance advisor for non-traditional transportation project delivery methods

Methods used to ensure accountability for funding and performance:

For each of the contracts listed above, DMO completed a competitive procurement process under the guidance of either the TxDOT procurement office or contract services division to ensure compliance with statutory regulations and contracting best practices. These procurement processes included identifying performance measures and methods

for providing feedback for unsatisfactory and exceptional performance, and the development of a quality assurance plan. Additionally, DMO manages the financial aspects of the contract including approval of payments based on work authorizations.

Description of any current contracting problems:

None

L. Provide information on any grants awarded by the program.

The Transportation Commission provided a Toll Equity Grant to the Camino Real Regional Mobility Authority for the development of the Border Highway West Project

M. What statutory changes could be made to assist this program in performing its functions? Explain.

N/A

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

Chief Communications and Marketing Officer

The Chief Communications and Marketing Officer oversees divisions relating to TxDOT's public interaction in addition to media messaging and internal communications. TxDOT's Chief Communications and Marketing Officer oversees the four sections of the Communications Division, the Office of Public Involvement, and the Travel Information Division.

The Communications Division (CMD) is comprised of four sections: Executive & Employee Communications, Creative Services, Media Relations and Public Information. The External & Employee Communications section oversees all communications to the agency workforce, communications delivered by leaders to various communities and stakeholders, and handles external customer services. The Creative Services section integrates the agency's website, media production and publishing and design services branches. The Media Relations section works with all forms of media to ensure that the media is reporting on TxDOT news accurately and in a timely fashion. The Public Information section directs and coordinates the activities of the agency's public information officers located in districts across the state.

The Office of Public Involvement (OPI) serves as the agency's primary clearinghouse on matters pertaining to the public's input on transportation decisions, by providing support and direction to districts through strategic and tactical guidance, planning and development of meeting materials. Serving both internal and external customers, the office demonstrates best practices in public involvement, fosters early, continuous, transparent and effective access to information and decision-making processes, and incorporates a range of strategies to encourage broad participation reflective of the needs of the state's population. OPI is responsible for outcome-driven results that reflect progress in agency practice and decision-making through strategies that exceed the requirements of the National Environmental Policy Act (NEPA) and reflect innovation and transparency.

The Travel Information Division (TRV) conducts the official state Tourist Information Program functions and helps foster programs that stimulate travel to and within the state. TRV publishes the Texas Official Travel Map, the Texas State Travel Guide and Texas *Highways*, the state's official travel magazine. The division fulfills inquiries for Texas travel information. TRV operates the state's 12 Texas Travel Information Centers, including one within the Capitol Complex in Austin, and its employees serve as the state's frontline ambassadors providing travel and highway condition information. The division manages DriveTexas.org, TxDOT's close to real time highway condition information via the web, and an 800 number. The division also manages the Don't Mess with Texas litter prevention campaign, the Adopt-a- Highway program, grassroots partnership with Keep Texas Beautiful, and the Drive Clean Texas Program.

Below are responses that describe the key functions under the Chief Communications and Marketing Officer.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Travel Information Centers and DriveTexas (HCRS)

Location/Division: Travel Division, Riverside Annex, Austin

Contact Name: Rod Fluker

Actual Expenditures, FY 2014: *$6,213,209*

Number of Actual FTEs as of June 1, 2015: 67

Statutory Citation for Program: Transportation Code, Chapter 204.003

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Texas Travel Information Centers (TICs) is to promote travel to and within Texas, increase public safety, and assist the traveling public by offering professional information and services while supporting the strategic goals of the department. The TICs provide highway users with a safe place to rest, facilitate economic development through travel information, hold public events to raise safety awareness, and provide for the safe movement of people and goods by effectively communicating road conditions.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The 12 Travel Information Centers (TICs) serve approximately 6 million highway users annually, with a daily average of more than 2,000 visitors per TIC. During FY 2014, approximately 2.1 million of those highway users had contact with a travel counselor, with a daily average of approximately 492 contacts per TIC.

In addition, during FY 2014, the DriveTexas toll-free travel information line assisted 336,071 callers through the Interactive Voice Response (IVR) automated information system. 76,805 of these callers received further assistance from travel counselors. The DriveTexas.org website received 1.6 million site visits and 3.6 million page views.

In FY 2014, incremental visitor spending generated by the TIC program was estimated at $109.9 million, yielding $6.15 million in state tax revenue and supporting 1,099 jobs. State motor fuel tax to TxDOT generated by the TIC program is estimated at $1.2 million. TxDOT's FY2014 visitor survey ranked customer satisfaction with TIC staff at 4.98 out of 5. In 2014, in a Texas Legislative Council survey on customer service, the TICs achieved an outstanding 99 percent customer service rating.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Travel Information Centers (TICs) are in their 79th year of operation. In 1936, the State Highway Engineer was authorized to construct and operate fourteen (14) points of entry, referred to as information houses, to welcome visitors to the Texas Centennial Celebration. This service was to begin with the Centennial's inaugural ceremonies in June and continue until the Centennial closed in November of the same year. In October 1936, the department was authorized to continue the operation of the entry points for the benefit of the State.

In 1959, the department was directed to maintain and operate Travel Information Bureaus at the principal gateways to Texas for the purposes of providing road information, travel guidance, and various descriptive material, pamphlets, and booklets designed to furnish aid and assistance to the traveling public and stimulate travel to and within Texas.

The Texas Tourist Bureaus were renamed in September 1989 as the Texas Travel Information Centers.

In February 1991, the division launched a toll-free telephone number at 1-800-452-9292 for travel counseling and emergency road condition information. In 2011, the 1-800 line was upgraded with an Interactive Voice Response (IVR) system providing automated information. In 2012 the website was upgraded and re-launched, and highway conditions information is now provided through the DriveTexas suite of information services including the interactive website and the IVR system on the toll-free travel information line.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The program area affects all highway users and the Texas tourism industry.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Travel Information Division has 12 field operations located at Amarillo, Anthony, Austin (Capitol), Denison, Gainesville, Langtry (Judge Roy Bean Visitor Center), Laredo, Orange, Texarkana, the Rio Grande Valley (Harlingen), Waskom, and Wichita Falls. DriveTexas.org operates from the Travel Information Division's headquarters office in Austin.

Oversight and approval for all programs, administration, maintenance, and personnel for the TICs and DriveTexas are managed through the Travel Services Section. For the maintenance of the TICs, the section has a supportive relationship with TxDOT's Maintenance Division and district offices. The Maintenance Division provides engineering and architectural expertise. The districts provide assistance with purchasing, supplies, vehicles, accounting, and general maintenance, as well as providing personnel when necessary, including emergency situations when the TICs answer the phone or assist the public up to 24 hours a day for the duration of the event.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Travel Information Centers (TICs) and DriveTexas are funded by the State Highway Fund 6. The Fiscal Year 2014 expenditures were $5,799,741 for TICs and $112,452 for DriveTexas. The Fiscal Year 2015 budgeted amounts are $6,838,926 for the Travel Information Centers and $609,177 for DriveTexas.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

N/A

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

A Memorandum of Understanding (MOU) is in place to prevent overlap and duplication with other related agencies. Agencies participating in the MOU are the Texas Department of Transportation; Office of the Governor, Economic Development and Tourism; Texas Historical Commission; Texas Commission on the Arts; and Texas Parks and Wildlife Department. The MOU establishes a plan of action for each agency and requires annual strategic plans to establish goals, objectives, and performance measures.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Cities, convention and visitors bureaus, and chambers of commerce provide travel information brochures for distribution in the Texas Travel Information Centers (TICs). Display of approved travel literature in all 12 of the TICs is available to these groups.

Additionally, in a new partnership with TTIA, 10 of the TICs now sell discounted attractions tickets through iPad kiosks at the counter. Participating attractions give a percentage of each sale back to TxDOT to offset the costs of funding the TICs, and TIC visitors now have the opportunity to purchase discounted attraction tickets as they are making their travel plans.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

General Purpose: Upkeep and maintenance of the Travel Information Centers (TICs). The janitorial and grounds keeping contracts are through the State Use program.

Amount of expenditures in FY 2014 (spent): Janitorial/Grounds: $1,305,064.07

Number of contracts accounting for those expenditures: 17 janitorial/grounds keeping contracts. Five TICs have their janitorial and grounds keeping contracts combined into one contract, for a total of 5 contracts. Six TICs have separate contracts for their janitorial services and grounds keeping, for a total of 11 contracts. (Note: The Capitol Visitor Center does not contract for any service.) Method used to ensure accountability for funding and performance: Every TIC has a supervisor who manages the contracts to ensure accountability for funding and performance.

Short description of current contracting problems: There are no contracting problems; however, each contract is different and costs vary based on location around the state.

L. Provide information on any grants awarded by the program.

N/A

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Federal Highway Administration (FHWA) regulations place limitations on commercial activities that can take place at Travel Information Centers (TICs). Food and beverage sales through vending machines are currently restricted to the Texas Commission for the Blind, making this revenue source unavailable to the TICs.

Current purchasing limits dictate that any item over $25,000 must go out for bids through TxDOT's Maintenance Division. Raising this limit to $50,000 would increase flexibility in performing construction and maintenance upkeep on TIC facilities.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Highway users have a significant positive influence on the state's economy. The Travel Information Centers (TICs) enable the smallest entities, rural communities, local museums, attractions, accommodations, and restaurants the opportunity to display their brochures, promote themselves, and sell their product alongside conglomerates and businesses with massive advertising budgets. All entities receive equal treatment and coverage, and highway users get unbiased input.

The TICs also have an important public safety function, providing vital travel safety information on a day-to-day basis, serving as a safe and comfortable stop for road users, hosting regular public safety awareness events, and serving as a State of Texas emergency call center during weather events and any other events impacting statewide travel.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

Chief Strategy and Innovation Officer

The Chief Strategy and Innovation Officer oversees a wide range of divisions and offices, which cover the functions of Strategic Planning, Enterprise Systems Development and Implementation, Information Technology Services, Research and Technology Implementation, Aviation, Contract Services, Procurement, Professional Services Procurement, Fleet Operations, Support Services, and Real Estate Management and Development.

The Office of Strategic Planning (OSP) assists TxDOT administration in assessing the agency's goals and strategies while recommending actions to achieve those goals and find the resources to execute actions. Some of the major activities performed under this function include reviewing and updating the agency's Vision, Mission, Values and Goals through a collaborative, agency-wide process; reviewing best practices of other transportation departments and in communities for adoption by TxDOT; developing agency performance metrics; updating agency strategic plans; fostering dialogue and creating a knowledge base around what the future of transportation may look like; and sponsoring and managing the sponsorship and management of TxDOT's research to identify emerging technologies, analyze economic, engineering strategies, and to develop strategies to integrate and advance emerging technologies.

The Enterprise Systems Office (ESO) is a new office to manage a portfolio of Information Technology (IT) projects and other initiatives which involve TxDOT as an enterprise and address the department's key business activities. It manages the development and implementation of major technology and business system changes, while the maintenance and support of the new technology, software, or business processes will be assumed by other TxDOT departments upon completing implementation. Currently, it has begun to manage the Modernize Portfolio Project Management project which will improve portfolio and project management capabilities, replacing the need for DCIS, and it will implement new contract management and grant management systems. It also partners with other divisions to support enterprise projects, such as the Design Division's 3D Design Project. The most recent project served as the beginning of the ESO, as the department implemented an agency-wide enterprise resource planning system that will improve business processes and technology through replacement of around 20 legacy systems onto one common platform. The Enterprise Resource Planning (ERP) system integrates Supply Chain, Payroll, Finance, and Human Resources activities.

The Information Technology Support Office enables TxDOT's operations by establishing a reliable, secure, and simplified IT environment that progressively moves towards and maintains industry standards, and meets the evolving needs of the agency. IT supported the ERP deployment; multiple business applications deliveries (DriveTexas, GRID, Pavement Analyst, Fleet Navigator, etc.); security modernization and enhancements; and has been progressively improving the enterprise architecture and hardware across the department. It is continuing with server consolidations; decommissioning obsolete

applications; network infrastructure upgrades; implementing data warehouse capabilities' upgrading to IE11; and implementing more business applications.

The Research and Technology Implementation Office (RTI) manages the Cooperative Research Program, with the great majority of the research being conducted by state-supported universities. It also coordinates product evaluation for the department and manages the Implementation Program to provide funding for specific innovations output by the Research Program. This office also serves as TxDOT's liaison for national research efforts and results. RTI also provides assistance to Administration in the selection of department improvement projects to ensure efforts align with TxDOT's goals, as well as directing, developing and evaluating projects using project management methodologies to increase agency efficiencies maximizing use of resources. This office researches and analyzes processes and policies and recommends improvements based on statistical analyses and observation of performance. RTI also manages and plans the future of Online Information Services for providing Records Management, Electronic Document Management System (EDMS), Business process analysis, Forms Management, Plans Online, and Online Manuals.

The Aviation Division (AVN) serves as a focal point for statewide air transportation matters. The division's primary responsibilities are providing engineering, technical and financial assistance to Texas communities for planning, constructing and maintaining airports. The division develops and maintains a long-range statewide aviation facilities plan, and programs federal and state financial assistance for airport development. The division provides aviation education programs regularly to foster and promote safety and professionalism in all aspects of aviation. The division is actively involved in working with communities to improve scheduled air service opportunities. The Aviation Advisory Committee, a six-member committee appointed by the Texas Transportation Commission, advises TxDOT and the Aviation Division. In addition, AVN provides aircraft flight services to transport state officials and state employees for business purposes, and maintains the state owned aircrafts.

The Contract Services Office (CSO) oversees the creation and administration of negotiated contracts. This includes establishing policy, providing training, and supporting department personnel. Negotiated contracts include, among others, professional service contracts, advance funding agreements, interagency contracts, interlocal contracts, pass-through toll agreements, scientific services contracts, donation agreements, grant agreements, landscape agreements, federal agreements, interstate agreements, state use contracts, and traffic agreements. Negotiated contracts do not include purchase order or highway improvement contracts, including construction contracts, maintenance contracts, and comprehensive development agreements. In some cases, Contract Services has direct signature authority for negotiated contracts, while in others, they develop the basic agreement template and provide assistance on requests.

The Procurement Division (PRO) is the central purchasing office for TxDOT. It procures goods and non-professional services, assists with specification development, and

interprets purchasing law, policies and procedures, as well as provides negotiations, procurement training, payment card coordination and Historically Underutilized Business outreach.

The Professional Engineering Procurement Services (PEPS) Division is responsible for procuring engineering, architectural, and survey services using the qualifications-based process outlined by the legislature and prescribed in the Texas Administrative Code. This new division was previously in individual districts, divisions, and regions but is now a single centralized organization with the ability to manage procurements and the procurement process centrally. The division endeavors to always have professional services available regardless of the priorities or project development funding changes. PEPS works with districts and divisions to determine their needs, compares that with historical usage, and procures in scheduled waves so that there is never a stock-out with regard to professional services.

The Fleet Operation Division (FOD) is responsible for providing the right vehicle, at the right time, at the right cost for all TxDOT operations. The division establishes policies and procedures for fleet management in each of the 25 districts and TxDOT headquarters and provides technical assistance with the department's fleet management technology system. FOD works closely with districts and divisions to develop department-wide plans for fleet utilization, procurement, maintenance, and emergency management. The division monitors, evaluates, and assists districts with any equipment-related issues. FOD oversees a fleet of over 12,000 assets. The division also coordinates the department's alternative fuels program.

The Support Services Division (SSD) is responsible for the statewide planning, management and maintenance of TxDOT facilities, including oversight of physical security and capital improvement budget, lease management, facilities asset management, energy conservation, space planning and major construction and renovation project management. Support Services Division operates four regionally located distribution centers stocking long-lead, hard-to-get, and insurance roadway items, and ships to every maintenance office in the state. The division oversees statewide materials inventory, assisting the districts in the management of their inventory levels. The Support Services Division serves as the central point of contact to other agencies for property management (personal, real and linear assets) and records management as well as administering numerous agency-wide programs, including the reduce, re-use, and recycle efforts, online access to highway plans, forms and manuals, reprographic services, as well as operating one of four statewide print shops, providing printing and binding for TxDOT and other state agencies.

The Real Estate and Management Development Division (RMD) manages the disposition of TxDOT's properties and identifies ongoing alternative revenue strategies leveraging the TxDOT land portfolio. Disposition and ongoing revenue generation efforts focus on properties not needed for highway purposes and act as a means to replenish the State Highway Fund. This includes the identification, marketing, evaluation, appraisal and sale

or lease of the Department's real property. The division works closely with agency district offices as well as local and state government entities to ensure compliance with all relevant statutes, regulations and processes as outlined in the Texas Transportation Code.

Below are responses that describe the key functions under the CSIO.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Aviation Facilities Development Program

Location/Division: Aviation Division

Contact Name: Kari Campbell

Actual Expenditures, FY 2014: $111,000,000

Number of Actual FTEs as of June 1, 2015: 35

Statutory Citation for Program: Texas Transportation Code, Chapter 21

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Aviation Facilities Development Program (AFDP) is to develop a statewide system of airports that will provide adequate air transportation to the population and economic activity centers of the state. The AFDP is administered by the Aviation Division (AVN) through grants to public entities for the purpose of establishing, constructing, reconstructing, enlarging or repairing airports. AVN is a participant in the State Block Grant Program which is a federally mandated program giving AVN the lead in carrying out the Airport Improvement Program (AIP) for general aviation and reliever airports in the state. AVN acts as the agent of each eligible political subdivision for the purpose of receiving and disbursing state and federal airport development grant funds, and contracting and managing the services necessary to carry out the scope of services defined in the grant award. As a granting entity, AVN provides project and grant management oversight services. There are approximately 278 eligible airports in the state airport system.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

AVN now funds air traffic control towers, terminal buildings, hangars and fuel farms, all of which were previously ineligible for grant funding. In 1990, many of our airports in the system were nothing more than landing strips lacking facilities for passengers and aircraft storage and fueling. TxDOT has installed 94 Automated Weather Observing Systems since 1997, with an approximate investment of $10.8 million; has funded 59 terminal buildings totaling $34.5 million since 1993; and invested $21.6 million in the design and construction of 13 control towers. In 2005, AVN began funding hangar projects; and in 2006 a fuel farm program was initiated. These two programs provide a revenue making mechanism to help airports become more self-sustaining. Investment for revenue

producing facilities since inception includes $6.8 million for 15 aviation fuel systems, and $35 million for 58 hangar development projects.

In 2010, an economic development impact study conducted by AVN through a contract revealed that general aviation activity created a total employment of 56,635, a total payroll of $3.1 billion, and a total economic output of $14.6 billion. Improved airport facilities have allowed the increased activity and increased use of general aviation throughout the state.

AVN is not reaching as many airports as in the past, but continues to make a major impact with the funding available. There are about 278 airports eligible for these grants and AVN has been reaching about a third of them each year. Since September, 1991, when the Aviation Facilities Development Program was placed under the purview of TxDOT, AVN has invested $1.3 billion in state and federal grant funding for aviation infrastructure and airport development projects.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

AVN has administered the AFDP since it was originally funded by the legislature beginning in 1966, first through the Texas Aeronautics Commission and then since 1992 as part of TxDOT. In 1990, AVN began acting as agent for local governments for receipt and disbursement of federal funds through the enactment of Transportation Code 21.114, called the Channeling Act. In 1993, AVN was selected as a State Block Grant State by the FAA and assumed FAA's responsibility for administration and oversight of federal grants for general aviation airport development. The Block Grant program took the "channeling" of the federal funds to a new and much higher level with AVN assuming all granting decisions and responsibilities previously administered by FAA. In 1997, reliever airports voluntarily entered the State Block Grant Program as provided under Transportation Code 22.055.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This program directly affects the 278 airports currently eligible for airport development grants. Airports eligible for federal grants must be included in the National Plan of Integrated Airports System (NPIAS); there are 187 general aviation and reliever airports eligible under the State Block Grant. Airports eligible for state grants must be included in the Texas Airport System Plan. Two-hundred ninety-seven publicly owned airports in the Texas System are eligible for state grant funds; however, by AVN policy, the large commercial service airports (26) are not funded at this time since they generate sufficient revenue for operations, they receive federal funding directly from the FAA, and their needs far exceed available state funds.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The AFDP is administered through the three sections within AVN. These sections provide for the complete administration and oversight of grants issued to local governments for airport development:

Planning and Programming: This section prepares and maintains the Texas Airport System Plan (TASP), Capital Improvement Program (CIP), and the AFDP Policies and Standards. This section also plans meetings with airport sponsors to determine each site's air transportation needs and assists communities in developing and implementing airport hazards and compatible land use zoning, and addresses environmental issues for airport projects.

Project Management: This section develops the scope of services for grant awards. In addition, Project Management provides project oversight and management that includes consultant fee negotiation, design oversight, construction review and project close out. Further, this section provides and oversees acquisition of property necessary for airport expansion or safety.

Grant Management: This section provides grant execution, financial management and budget oversight for grant awards. Grant Management also provides contract execution and financial management for local governments for airport construction and professional services ensuring federal and state grant compliance.

The grant award process begins with a request for financial assistance from an eligible airport through a letter of interest (LOI). LOIs are evaluated and when justified, are entered into the Capital Improvement Program (CIP). The CIP contains budgeted projects for three most current future years. As funding becomes available for each year, projects/grants are further refined with the airport sponsor for scope and airport documentation. When necessary information and budget is available, projects/grants are presented to the Transportation Commission for approval. Following approval, grants are executed and AVN assumes responsibility for design and construction of the project/grant as agent for the airport sponsor. The airport sponsor remits their share of projects costs and AVN assumes full management of the project/grant. AVN contracts for professional services for design of the airport improvements, and issues construction contracts for the airport construction. The entire project process from design through construction is administered by AVN.

To detail the timeline in award and completion of AFDP grants, projects/grants generally enter the CIP in the third most outer year of the three year CIP. The project moves forward each year until the appropriate fiscal year is funded and the grant is approved by commission; thereby most projects/grants are funded within three years from entry in the CIP. From commission approval of funding through design of the improvement generally

takes about one year. Immediately following design, the project begins the construction phase, unless funds are not available. Federal funds are sometimes delayed due to federal legislation, but all projects are funded for construction as appropriate. Construction time of any project is contingent upon the scope of work entailed for the project/grant, but most construction is completed in about a year.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources for the AFDP under LAR budget strategy 2.1.2 are:

Federal Airport Improvement Program funds, FY 2015 $45 million, Aviation Trust Fund

State Airport Grants, FY 2015 $16.9 million, Highway Fund 006

Federal funds consist of apportionment and discretionary grant awards. Apportionment funds are determined by a national formula based on land mass and population, which is of benefit to Texas. Discretionary funds are awarded by FAA for projects competing on a federal priority scale. Local governments and AVN submit projects to FAA for consideration and award of discretionary grants.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

AVN is unaware of any other program that provides any type of identical or similar service or function.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not applicable

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

AVN acts as agent for local governments in the administration and oversight of contracts in support of the airport development grants. Local governments receive airport development grant awards approved through the Transportation Commission. Then, as agent, AVN issues the planning, design, and construction contracts for the local government providing full turnkey services to insure state and federal grant compliance.

Since most local governments lack trained and adequate staff to fulfill grant compliance requirements, AVN provides these services to insure efficiency and effective use of grant funds. Local governments need only remit their local matching funds for grants, and AVN provides all necessary services to complete the scope of services for grant awards.

AVN also works cooperatively with Federal Aviation Administration staff on matters pertaining to federal funding and grant applications; a multitude of compliance objectives and grant assurances; and collaborative efforts on environmental requirements.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Contracted expenditures in support of the AFDP totaled $105,342,583 for FY 14.

There were 331 professional service and construction contracts accounting for these expenditures.

- Top 5 contracts:
  - $6,639,259 with Anderson Columbia, Co. Inc.; for runway, taxiway and lighting improvements at Cotulla-La Salle County Airport;
  - $7,525,414 with James Construction Group for runway, taxiway, and lighting improvements at Temple , Draughon-Miller Central Texas Regional Airport;
  - $7,898,640 with Chasco Constructors, Ltd. LLP for runway, taxiway, apron, and lighting improvements at Burnet Muni Kate Craddock Field Airport;
  - $8,151,993 with Austin Bridge and Road for runway, taxiway, lighting, drainage and signage improvements at Dallas Executive Airport;
  - $17,204,765 for runway, parallel taxiway and lighting extension at Lone Star Executive Airport.
- Professional service contracts are utilized for airport planning services, such as airport master plans to provide a 20 year overall development objective for an airport; and for civil engineering design services for development of appropriate airport construction specifications and scope for construction. Construction contracts provide the construction services to build the airport facility.
- AVN ensures accountability for funding and performance by hands-on management of each contract. Project managers are assigned to review, monitor and oversee each professional services and construction contract. Project managers review design plans and directly oversee the development of the airport design through various phases. Construction managers provide on-site construction review services in addition to a resident project representative who remains on construction site to ensure day-to-day

operations are carried out appropriately. AVN grant managers work cooperatively with project managers to ensure timely processing of contracts, supplemental agreements, and payment requests. Although the three sections work cooperatively, a separation of duties ensures accountability for funding and performance.

- AVN contracts are specialized for airport development needs and have performed exceptionally well with no instances of contract or contractor failure that were not resolved satisfactorily. Problems with contracts are rare and unusual and services provided through the contracts have been very satisfactory. AVN requires contractors to have appropriate experience and our contractors, whether professional service or construction, are a relatively smaller defined group of companies with great familiarity and experience with the required services.

L. Provide information on any grants awarded by the program.

AVN awards grants to general aviation and reliever airports for the purposes of designing and constructing airport development projects as well as planning studies. Additional information can be found in the responses to C and F; and statistics for the grant program can be found in the response to K.

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Transportation Code 22.018 should be modified to allow AVN to act as agent for all airports eligible for airport development grants. Current statutes allow AVN to act as agent for only local governments. There are a few eligible airports that are owned by a state university or a water navigation district or similar entity. Unfortunately, because the statute is limited to only local governments, AVN cannot act as agent. These entities would prefer to have AVN act in that capacity since they do not have sufficient and trained staff to handle these airport development grants and the specialized needs for federal airport compliance.

Additionally, the state collects tens of millions of dollars annually in aviation related sales taxes. Legislative authority to reinvest this sales tax revenue in the Airport Facilities Development Program would significantly increase the number of airport improvement projects, and further enhance the Texas transportation system.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

The 84th Legislature mandated AVN to register new MET towers erected after September 1, 2015. AVN cannot provide additional response at this time due to the need to develop, receive approval, and implement rules.

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Flight Services

Location/Division: Aviation Division

Contact Name: J. F. Joseph

Actual Expenditures, FY 2014: $5,519,150

Number of Actual FTEs as of June 1, 2015: 30

Statutory Citation for Program: Transportation Code, Chapter 21

B. What is the objective of this program or function? Describe the major activities performed under this program.

Mission of the TxDOT Flight Services Section:

As a support service of Texas state government, the Flight Services Section is tasked to provide safe, cost-effective and efficient aerial transportation of state employees in the conduct of executing official state business. In doing so, it provides services in two major functional areas:

- Aircraft Flight Operations - Flight Services provides air transportation to state officials and employees traveling on official state business.
- Ground Services - Flight Services supplies maintenance and repair services to all (currently 40), state-owned aircraft (excluding the instructional aircraft operated by Texas State Technical college in Waco and Sweetwater and the Texas Forest Service) and provides fuel and hangar storage services for all Austin-based state aircraft.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

Effectiveness: In May of 2007, an independent audit was conducted by Deloitte Consulting LLP. The audit was requested and conducted at the request of the TxDOT Transportation Commission. In February of 2011 a follow up audit was conducted by Paul H. Smith Aviation.

Flight Services provides diverse range of services as well as a viable transportation alternative to Texas state agencies, including:

- A dedicated fleet of aircraft that allows State agencies and elected officials to reach the geographically diverse regions of Texas not served by commercial airlines.

- Fleet maintenance services for a range of State agencies' aircraft, including fixed wing and helicopters, allowing these agencies to maintain their aircraft with a dedicated repair/maintenance service managed by TxDOT.
- Flight Services has a history of providing responsive service to state agencies, with a safety record that exceeds that of typical performance of private charter companies.
- Flight Services provides a service at a cost that is currently less expensive than private charter services based upon obtained quotes obtained from various charter services in Texas and an assumption of 800 hours* flown annually.

  *As flight hours increase, Flight Services cost per hour will decrease further as fixed cost are spread over more hours.

- Flight Services maintenance services provide a cost-effective alternative to private maintenance contractors, both internally (for TxDOT aircraft) and to other state agencies.

Efficiency: The operational efficiency of the Flight Services Section can be measured in terms of operational capacity as well as the ability to maximize Capitol resources and generate revenues sufficient to meet a cost-neutral mandate.

- Aircraft Maintenance/Line Services: Services performed by the TxDOT Flight Services Section provides maintenance at a quality level far exceeding that of the private sector. This value allows the State of Texas to realize a cost savings of more than 30% over current "out-sourced" or "private-sector" rates. Revenues generated by the Aircraft Maintenance Department form one of three revenue streams for the Flight Services Section. Because the maintenance functions are organic and cost neutral structured, the cost savings enjoyed by low overhead expenditures are passed on to our customers (Departments of: Public Safety, Parks and Wildlife, Criminal Justice and the University of Texas System).

Aircraft Flight Department: The organic nature of the organizational structure allows our Flight and Maintenance Departments to react on a 24/7 basis. This capacity is not offered in any other segment of civil aviation. The Flight Services Department is able to constitute a flight from point of inception to takeoff within 30 minutes during normal operational hours (0600L-1800L) after hours; flights can be launched within 1-1.5 hrs. This compares to the nominal 6, 12 and 24 hours prior notice required by privately operated on-demand charter operations.

Cost Structure: Because the Flight Service Section is required to operate on a cost-neutral basis, it is imperative that a rationalized cost structure sufficient to accommodate mandated expenses is implemented. By definition and as stipulated in Texas State Statute (2205.001 State Aircraft Pooling Board, (SAPB), Sec. 2205.040), the Flight Services Section is required to, "adopt rates for interagency aircraft services that are sufficient to recover, in the aggregate and to the extent possible, all direct costs for the services provided,

including a state agency's pro rata share of major maintenance, overhauls of equipment and facilities, and pilot salaries."

Safety: The TxDOT Flight Service Section provides safe travel with an impeccable and enviable safety record. For over 66,000 flight hours and 32 years, the SAPB and TxDOT Flight Services Section have operated both incident and accident free. This record remains the envy of all other state/governmental aviation programs as well as CFR 14 Part 135 (On-Demand Charter) and Part 121 (Air Carrier) operations. According to the most recent NTSB statistics, these entities average 1.63 and 0.17 accidents/100,000 flight hours respectively. In recognition of this accomplishment, The National Business Aviation Association has presented the TxDOT Flight Service Section (and our pilots), awards for attaining such a distinguished safety record.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Though the services and function of the Flight Services section have not changed, the operational methodology has been significantly modified in order to accommodate safety of flight and cost recovery protocols. These changes have greatly enhanced the overall organizational capacity of the section resulting in increased viability of the operation.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

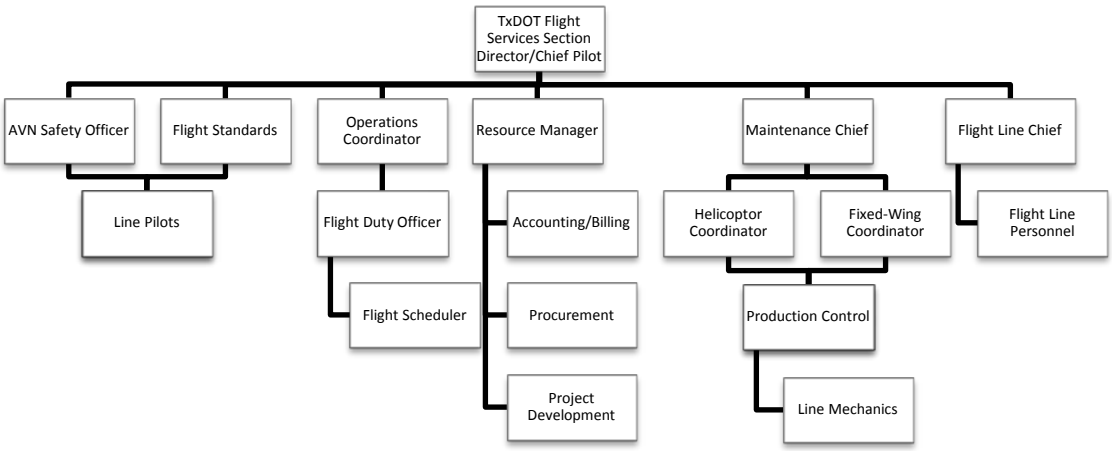
The services provided by the TxDOT Flight Services Section affect all eligible state agencies/entities. In order to qualify for on-demand charter usage, all user agencies must comply with Chapter 2205 Aircraft Pooling, Subchapter A. State Aircraft Pooling Board; General Provisions Sec. 2205.001 State Aircraft Pooling Board Act prerequisites. This chapter stipulates the use of state aircraft for the purposes of official business.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The TxDOT Flight Services Section is both operationally and administratively attached to the TxDOT Aviation Division. The Flight Services Section is one of four sections within the TxDOT Aviation Division. Administratively, all policy and guidance are executed IAW TxDOT directives. Operationally, The Flight Services Section is responsible to the Federal Aviation Administration with regard to compliance of Federal Aviation Regulations, (FAR's). As a single-source document, The TxDOT Flight Operations Manual (FOM) has been developed, and it provides concise aviation guidance tailored specifically toward the TxDOT Flight Section. This document stipulates operational mandates which exceed those requirements set forth by the FAR's. Since all operations are conducted IAW the protocols

of this manual, the highest standards of safety are ensured. TxDOT is in the final stages of completing the requirements set forth by IS-BAO (International Standard for Business Aircraft Operations), to become the first state operated fleet to hold IS-BAO Stage One certification.

The following chart shows the organizational structure of the TxDOT Flight Services Section:



G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Flight Services Section is funded through the legislative appropriations process as part of the Aviation Division. Funding is provided through State Highway Fund 006. Revenue derived from maintenance and flight services is deposited to Fund 006.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Within the State of Texas, there are no other agencies which operate on-demand charter flight operations or aircraft maintenance departments.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Because the TxDOT Flight Services Section is the sole provider of aerial transportation for state personnel, the possibility of duplicated or conflicting operations does not exist. However, to ensure that scheduling and coordinating efforts (with user agencies), remain

"de-conflicted" during the logistical process, single-points-of-contact are utilized. This procedure ensures the accuracy and viability of flight scheduling and passenger manifest for each flight.

For billing and oversight purposes, IAC's are issued and renewed on an annual basis to all user agencies. Additionally, MOUs are also issued to ensure aircraft parts carried in inventory (for maintenance purposes), are fiscally tied to the specific aircraft operator. This practice removes TxDOT from any fiscal responsibility regarding aircraft parts not utilized by its fleet.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Though the preponderance of all TxDOT Flight Service Section functions is oriented toward state agency support, our special dispensation regarding "official use status," allows us to support units of the federal government as well. As an example, both during the national emergency of 911 and in support of hurricane relief efforts, our fleet was tasked to support the Federal Emergency Management Agency.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Expenditures for Flight Services Section are all managed through the TxDOT procurement process within the General Services Division. There are no contracts issued for operation of the section. Contracts are solely procurement for aircraft operations and maintenance costs.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

In order to assist with Capitol investment for the replacement of aging aircraft, designated funding would reduce the cost-recovery model thereby lowering user cost. This action, would in turn increase "rider ship" and result in a lower per unit cost to each agency.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The Texas Department of Transportation (TxDOT) is the lead entity for planning and coordinating transportation response in the state. Along with partner agencies and organizations, TxDOT may take actions deemed necessary for the restoration and recovery of the transportation infrastructure. TxDOT, the Texas Division of Emergency Management (TDEM) and other emergency management council entities work closely to respond to disasters.

In 2013, The Flight Services Section provided critical and defining input to the Aviation Safety Program which allowed Texas to be selected as one of six states to be designated by the Federal Aviation Administration as a test site for unmanned aerial vehicles (UAV's). The selection process cited personnel staffing with unique qualifications to be a critical component of their selection criteria.

Lead Agency as defined by the Texas Transportation Annex: Texas Department of Transportation (TxDOT)

Phase	TxDOT Responsibilities
Mitigation	Provide 24/7 on-demand flight operations to support state official business Prioritize infrastructure projects that address obstructions on evacuation routes. Conduct highway development planning to implement short- and long-term solutions to reduce congestion on evacuation highway routes.
Preparedness	Conduct flight operations when other civilian entities are restricted from flight Respond to all natural or national disasters as directed Pre and post hurricane damage assessments as well as contra-flow traffic operations are conducted as weather conditions permit.

(Source: Transportation Annex, State of Texas Emergency Management Plan)

TxDOT aircraft have received, in the past, special dispensation during times of National and State emergency. On September 11, 2001 the entire United States airspace was shut down. While all civilian aircraft were grounded, two TxDOT aircraft transported FEMA personnel from Texas to Washington D.C., to support the National emergency.

During times of temporary flight restrictions and prohibited airspace TxDOT is allowed, with prior permission and exception, to access that airspace to facilitate the movement of State of Texas Officials, and support any emergency that should arise.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Routine Airport Maintenance Program

Location/Division: Aviation Division

Contact Name: Kari Campbell

Actual Expenditures, FY 2014: $3,900,000

Number of Actual FTEs as of June 1, 2015: 35

Statutory Citation for Program: Texas Transportation Code, Chapter 21

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Routine Airport Maintenance Program (RAMP) is to assist communities in maintaining their General Aviation (GA) facilities, and to protect the investment in our statewide system of airports.

The RAMP program is administered by the Aviation Division (AVN) through annual grants to public entities to fund maintenance functions at over 275 eligible airports. The grants provide matching funding for up to $50,000 to fund airport maintenance through local public entity purchasing or contracts, or through maintenance performed by local TxDOT District maintenance resources.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The RAMP program began in 1996 with $10,000 in 50/50 matching grants to five publicly owned GA airports. The RAMP program is annually authorized by the Texas Transportation Commission, and in 1999 the state's match was increased to $20,000 per year at 69 airports, in 2000 the program was increased to $30,000 in matching funds per year at 78 airports, and in 2007 the program was increased to its current level of $50,000 in matching funds at 180 airports.

The available state funding has always been more than matched by local airport funding for maintenance projects – in 1997 $340,297 in state grant funding was matched by $521,380 in local funds at 56 airports. By 2014 225 airports participated in the program with $4.1million in local funds leveraging $3.9 million in state funds.

Increased funding on local and state grant levels increases the amount of preventative maintenance at Texas airports. Increased maintenance extends the life of airport

improvements and decreases the need for Capital Improvement Grant projects to rehabilitate airport infrastructure.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

N/A

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This program directly affects airports eligible for state grants that are included in the Texas Airport System Plan. 275 publicly owned airports in the Texas System are eligible for the RAMP program.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The RAMP program is administered by Grant Management. The RAMP Grant program is annually authorized by the Texas Transportation Commission for 275 eligible airports as listed in Attachment A of the Minute Order. RAMP grants are annual grants concurrent with the TxDOT fiscal year. Grants are awarded by request from eligible airports, or by renewal of existing grants, and Grant Management provides grant execution and reimbursement request processing from public entities that purchase supplies or contracts for maintenance.

Each TxDOT District has an assigned RAMP Coordinator who brings the program to their local District airports and can assist with airport maintenance functions that can be performed by District forces, or take advantage of District contracts for maintenance items.

If local TxDOT District resources are used AVN will act as agent to deposit local matching funds to match with grant funding and allow TxDOT local Districts to charge airport maintenance function costs to RAMP grants.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

State Airport Grants, FY 2015 $3.5 million, Highway Fund 006

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

AVN is unaware of any other program that provides any type of identical or similar service or function.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Grant Management works directly with airport sponsors at each local government agency or other entity for grant execution, reimbursements, and support.

If a local government agency or other entity RAMP grant sponsor participates in airport maintenance projects performed or contracted by their local TxDOT District, AVN will act as agent by collecting and depositing the local government share of the cost. AVN will then provide all necessary services to the local TxDOT District to complete the scope of the project and direct project charges to the grant.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

AVN awards RAMP grants for maintenance to general aviation and reliever airports. Additional information can be found in the responses to C and F.

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Transportation Code 22.018 should be modified to allow AVN to act as agent for all airports eligible for airport development grants. Current statutes allow AVN to act as agent for only local governments. There are a few eligible airports that are owned by a state university or a water navigation district or similar entity.

Additionally, the state collects tens of millions of dollars annually in aviation related sales taxes. Legislative authority to reinvest this sales tax revenue in the Airport Facilities Development Program would significantly increase the number of airport improvement projects, and further enhance the Texas transportation system.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Contract Services

Location/Division: Contract Services Office

Contact Name: Kenneth Stewart

Actual Expenditures, FY 2014: $1,755,661

Number of Actual FTEs as of June 1, 2015: 26

Statutory Citation for Program: Texas Transportation Code, §§ 201.103, 201.202

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Contract Services Office oversees or is highly involved with most of the negotiated contracts that the department enters into, which can be divided into two groups of contracts: intergovernmental contracts and private entity contracts. Intergovernmental contracts include federal agreements, interstate agreements, interagency agreements (Tex. Gov't Code ch. 771), interlocal cooperation contracts (Tex. Gov't Code ch. 791), advance funding agreements (Tex. Transp. Code §§ 201.103, 222.031, 222.034, 222.051-.053), and pass-through toll agreements (Tex. Transp. Code § 222.104). Private entity contracts include Procurement Act contracts (Tex. Gov't Code subtit. 10.D.), professional services contracts (Tex. Gov't Code subch. 2254.A.), consulting services contracts (Tex. Gov't Code subch. 2254.B.), scientific services contracts (Tex. Transp. Code subch. 223.D.), donations (Tex. Transp. Code § 202.206), and comprehensive development agreements (Tex. Transp. Code ch. 371).

The Contract Services Office reviews, drafts, and negotiates contracts including major and high-risk contracts. The Contract Services Office standardizes contracts, ensures uniformity and compliance with laws, and develops contracting procedures. The Contract Services Office maintains an inventory of over 210 standard contract templates for department use.

The Contract Services Office provides practical and legal advice on contracting processes and techniques across all contracting types. The Contract Services Office provides training on contracting law, policy and techniques to department personnel. In FY 2014, the Contract Services Office provided training to 716 department personnel.

The Contract Services Office maintains the Executive Director's delegation of authority document and serves as a central repository of district, division, and office delegations of authority.

The Contract Services Office is the office of primary responsibility for the Contract Management Manual and the Negotiated Contracts Policy Manual.

The Contract Services Office manages the portion of TxDOCS (TxDOT's electronic document management system) related to contracts and supports the professional and miscellaneous contracts entered into the PeopleSoft Financial Supply Chain Management application.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The Contract Services Office tracks various key metrics to determine the effectiveness and efficiencies of its primary functions. These are reported to the Director of Contract Service on dashboards and tracking spreadsheets both by section and by the office as whole. The dashboards include metrics such as projects in-process/completed, negotiations in-process/completed, transactions (total number, percent processed in two days, percent processed in 5 days, average days per transaction), training completed (number of students trained and results of student evaluations), and customer satisfaction survey. Transactions are broken down by type (e.g., scanning, prime contract review, amendment review, work authorization review) so that there is a true apples-to-apples comparison. Reports include special projects and negotiations. Each project or negotiation has a schedule and is reported as being on or off-track.

On the following page is a chart, provided to department administration by Contract Services, that shows statistics and performance measures for FY 2014.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Contract Services Office was created in 1981. Its duties included standardizing contracts, ensuring uniformity and compliance with laws, and developing contract procedures. It moved between divisions of TxDOT until 1998, when it was reorganized and became an independent office. The Contract Services Office established contracting policies that remain in effect today, including Contract Services' responsibility for department signature authority, and the development of contracting resources, such as contract templates, the Contract Management Manual, Contract Services intranet site, negotiated contracts conference, and negotiated contracts training. In 2003, Contract Services became a section within the Office of General Counsel (OGC-CSS). In 2008, OGC-CSS was transferred to the General Services Division (GSD-CSS). Finally, on September 1, 2012, Contract Services was again made into a stand-alone office, the Contract Services Office. The stand-alone office was created because TxDOT's overall contracting program is too important to the department's current functions and future plans for this function not to be fully represented at the District/Division/Office level. The Contract Services Office

can better facilitate contracting discussions across the department and aid in the sharing of best practices. The Contract Services Office has become much more active in negotiating large contracts.

The Contract Services Office has 26 employees divided into the Contract Review Section, the Contract Support Section, and three Contracts Attorneys. The Contract Review Section is comprised of two contract review branches: the Private Entities Branch, which primarily handles contracts with private entities, and the Intergovernmental Branch, which primarily handles contracts with other governmental entities. The Contract Support Section is comprised of the Policy Branch and Systems Branch. The Policy Branch maintains and updates manuals, contract templates, course materials, and the Contract Services intranet site. The Policy Branch monitors and reports monthly the status of major negotiations and special projects. The Policy Branch also monitors contractor compliance with insurance requirements. The Systems Branch maintains the Contract Services' contract tracking system. The tracking system provides the near real-time status of all contracts entering Contract Services for review or execution and is used to manage workloads and assure that contracts are processed quickly and efficiently. The Systems Branch supports the processing of professional service and miscellaneous contracts in the PeopleSoft Financial Supply Chain Management application and the scanning of contracts into TxDOCS (TxDOT's electronic document management system). The Systems Branch maintains the Executive Director's and district/division/office delegation of authority documents. The Systems Branch reports contracting to the Legislative Budget Board and responds to open records requests. The Systems Branch is provides overall office support to the Contract Services Office.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Contract Services Office's internal customers consist of the department administration and all districts, divisions, and offices. The Contract Services Office has no external customers but its activities affect the department's interactions with private entities providing services to the department, as well as other governmental entities such as local governments, state agencies, other states, and federal agencies.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

In general, Contracts Services receives a draft of a contract prepared in a district, division, or office. The draft contract is assigned to a contract specialist that reviews and makes note of any issues. The contract is forwarded to an attorney to review and approve the contract specialist's work. The draft contract is returned to the contract specialist who addresses any comments by the attorney. The draft contract, along with instructions, is returned to the district, division, or office to be corrected and partially executed by the

other party. The Contract Services Office strives for one round of comments but in the case of intergovernmental contracts, this is typically a multi-round process that may culminate in a phone conversation between the TxDOT Contracts Attorney and the other party's attorney before partial execution occurs. Upon partial execution, the district, division, or office forwards the contract documents to the Contract Services Office. The Contract Services office arranges for the signature authority to execute the contract, scans a duplicate original, and sends a duplicate original back to the district, division, or office to forward to the other party. Depending upon which division, district, or office is the office of primary responsibility (OPR). Contract Services may send a duplicate to the OPR or retain it.

Contract Services Office has review oversight responsibility for Advance Funding Agreements (AFA). Any one of the 25 TxDOT districts or a division will submit an AFA to CSO via e-mail. When appropriate, a Special Approval is submitted electronically to be approved by TxDOT Administration. CSO requests subject matter divisions to perform a division review of the contract to provide any comments. CSO reviews the AFA for legal sufficiency and provides any comments for best practices & consistency based on TxDOT's policies, procedures, Rules, & laws. CSO approves for partial execution & then coordinates for full execution. CSO retains the State's original AFA in the Electronic Document Management System.

There are a few categories of AFAs that can be signed in the district. They are voluntary utility relocation, voluntary AFAs with no Federal or State match, & off-system bridge agreements that are the primary responsibility of the Bridge Division.

Professional Engineering Procurement Services (PEPS) is primarily responsible for procuring all engineering, surveying and architectural contracts for the department statewide. Contract Services Office (CSO) has review and oversight responsibility for reviewing draft engineering, architecture and surveying contracts, supplemental agreement (SA), work authorizations (WA) and supplemental work authorizations (SWA) for PEPS that are valued at $1mil and over. For contracts that are valued at $1mil up to $20mil, it is CSO's responsibility to acquire electronic approvals from Administration and the Steering Committee, prior to final execution by the Director of Contract Services. Contracts over $20mil are routed through Administration to the Executive Director for final execution. Contract Services is the office of record for these contract documents.

The Contract Services Office may take a more active role in the preparation, including scope writing, solicitation preparation, and negotiation, of less typical contracts such as larger and riskier contracts. These types of contracts have included professional service contracts that do not involve architecture, engineering, or surveying; consulting contracts; and enterprise level information technology contracts. The Contract Services Office typically negotiates dispute settlement and release agreements.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Contract Services Office does not directly spend monies through contract. However, the Contract Services Office facilitates the departments' entering into contracts.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Contract Services is unaware of any other program that provides any type of identical or similar service or function.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Contract Services Office generally supports districts, divisions, and offices in their contracting with local governments, regional mobility authorities, other states governments, and federal agencies (e.g., Federal Highway Administrations, Federal Transit Administration, Federal Rail Administration, Army Corps of Engineers, Fish and Wildlife Service). This support includes assessing the legality of the contracting process, approving contract language, reviewing contract documents, and, in some cases, leading negotiations.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The Contract Services Office does not directly spend monies through contract. However, the Contract Services Office facilitates the departments' entering into contracts.

L. Provide information on any grants awarded by the program.

The Contract Services Office does not award any grants. However, the Contract Services Office maintains contract templates for grant agreements including traffic safety grants and research grants.

M. What statutory changes could be made to assist this program in performing its functions? Explain.

Recently enacted SB20 requires additional reporting for contracts on each agency's website. If the Legislative Budget Board (LBB) were enabled with the technology and capacity to handle increased contract reporting and posting, each agency would not have to host the information and it would be in one location. This could also eliminate some duplicate efforts since other legislation requires reporting to the LBB.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Enterprise Project Delivery

Location/Division: Enterprise Systems Office

Contact Name: Maureen M. Wakeland

Actual Expenditures, FY 2014: $0

Number of Actual FTEs as of June 1, 2015: 13

Statutory Citation for Program: Transportation Code, Chapter 201

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Enterprise Systems Office is responsible for managing the design and deployment of a portfolio of enterprise Information Technology (IT) projects and other business system changes which involve TxDOT as an enterprise and address the department's key business activities. Enterprise solutions would include enterprise information management, transportation portfolio and project management and enterprise grant management. It manages the development and implementation of major technology and business system changes, while the maintenance and support of the new technology, software, or business processes will be assumed by other TxDOT departments upon completing implementation.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

No evidence is available at this time as the Enterprise Systems program was established in February 2015.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

TxDOT has traditionally developed and managed technology solutions specific to a siloed business area. This approach has resulted in redundant data and has increased the complexity of business analytics, in many cases preventing cross functional reporting. The Enterprise Systems Office will establish enterprise solutions, including supporting business processes to ensure improved business analytics, reporting, and transparency.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The projects delivered through the Enterprise Systems Office will potentially impact all TxDOT employees due to improvements in technology solutions and business processes.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Projects are identified through the agency's administration. Project Charters are developed and initial costs / return on investments are calculated. Working through the Enterprise Systems Office Executive Sponsor, project selection and priorities are established.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Modernize Portfolio / Project Management project has been funded as a line item in the FY 16/17 HB 1 Appropriations.

Other enterprise projects are funded through the Information Technology budget.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The Information Technology Division also provides enterprise project delivery. Typically the Information Technology Division enterprise projects address IT infrastructure needs, where the Enterprise Systems Office provides enterprise business solutions that include both a technology component and a business process improvement component.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Both Enterprise Systems Office and the Information Technology Division report to the same Executive Sponsor, which provides visibility across both organizations. This ensures that no duplication of projects or conflict exists. All Enterprise Systems Office projects have an Information Technology Division representative to ensure alignment of efforts.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Enterprise Systems Office may work with other units of government if required by a specific project. For example, the Modernize Portfolio / Project Management project could include local, regional, and federal units of government as potential stake holders.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The Enterprise Systems Office establishes contracts with vendors to provide assessments and technical solution implementation.

In Fiscal Year 14, the Enterprise Systems Office did not have any active contracts as the office was formed in February 2015.

There are no known contracting problems at this time.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The Enterprise Systems Office's primary goal is to provide agency wide solutions with a strong focus on business process improvement. Typical IT implementations focus on implementing a technical solution, where the Enterprise Systems Office is focused on implementing a business solution which may include new technologies, but also includes new or modified business processes and procedures.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

The Enterprise Systems Office does not perform any regulatory, licensing, certification, or permitting functions.

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Professional Engineering Procurement Services Division

Location/Division: Professional Engineering Procurement Services Division

Contact Name: Martin L. Rodin

Actual Expenditures, FY 2014: $13,958,004

Number of Actual FTEs as of June 1, 2015: 77

Statutory Citation for Program: Title 6 Texas Transportation Code, Chapter 223, Subchapter B, Contract Provisions. Texas Government Code, Chapter 2254, Subchapter A.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Professional Engineering Procurement Services (PEPS) Division is the department's consolidated procurement organization supporting the engineering, architectural, and survey contracting program. PEPS is responsible for the department's contracting strategy services, including the annual procurement plan development, consultant selection, contract development and negotiations, and contract administration.

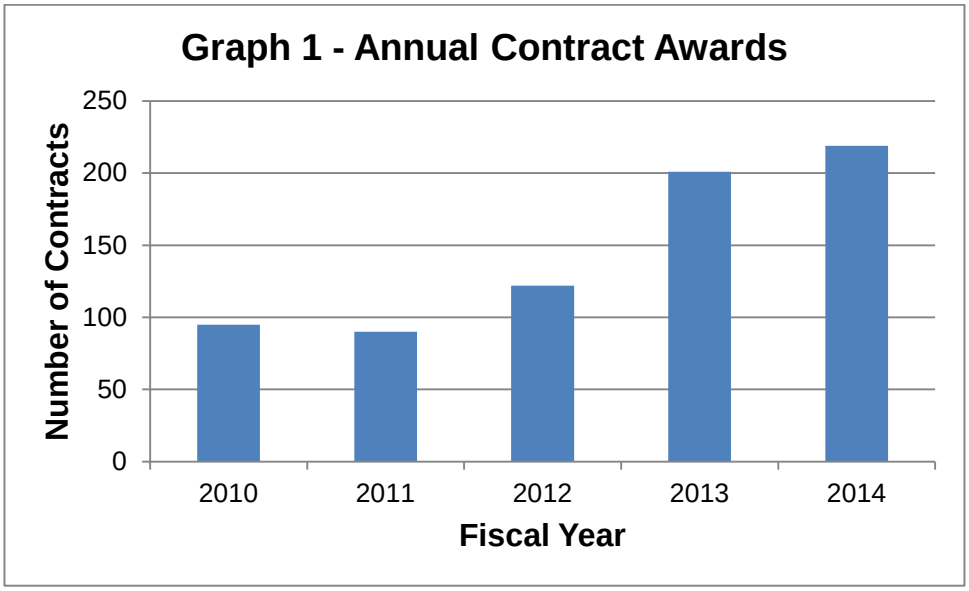
C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

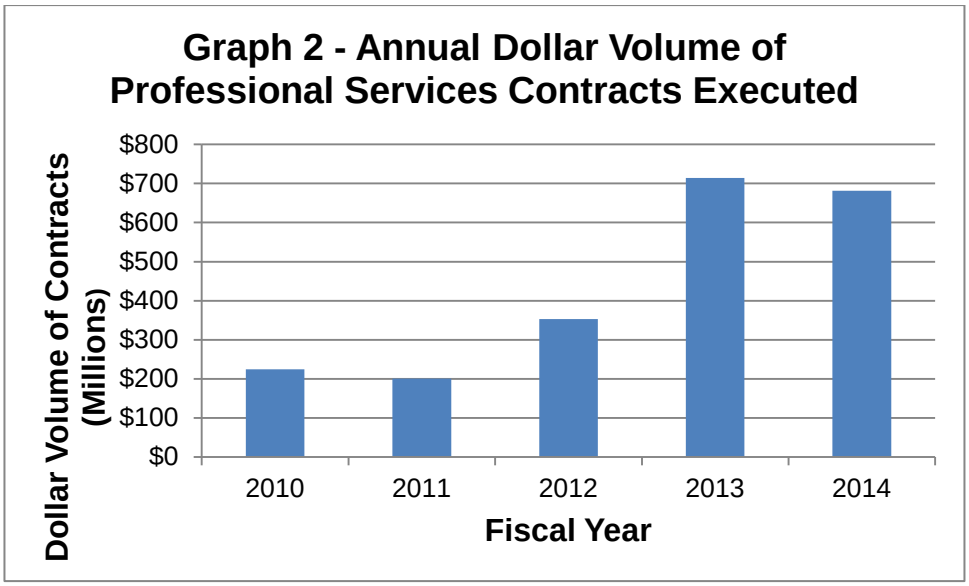
In 2014 a total of 59 new firms (firms that have not done business with the department within the last 5 years) were selected and are expanding the pool of qualified consultants available for use. The new procurement program has enabled HUB/DBE firms to be successful at winning work as prime providers, an increase of 30% in fiscal year 2014.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Prior to the mid-1990s, the need to outsource engineering, architectural, and surveying services was minimal; the department completed most of the design related activities with its own resources. Since the mid-1990s, the need for outsourcing has continued to increase relative to the annual volume of projects developed for letting. As a reference, internal resources can support the development of approximately $2 billion in projects per year. The department is dependent on consultants to meet construction letting volumes that exceed $2 billion.

Graph 1 – Annual Contract Awards shows the number of contracts awarded for each of the last 5 fiscal years and Graph 2 – Annual Dollar Volume of Professional Services Contracts Executed. Both of these graphs show an increase in procurements trending upward towards the current fiscal year. Both graphs are reflecting the increase in outsource needs as corresponding to both construction letting and the funding appropriated by the legislature over these years to address the State's infrastructure needs.





A significant program change occurred in October 2013 with the department's rollout of a reorganized and redesigned program for procuring and administering the engineering, architectural, and surveying services contracts. The purpose for the change was to increase consistency and efficiencies, by consolidating the program into a single division. Prior to the reorganization, procurements were overseen by a section in the Design

Division and 4 Regional Offices. Although these offices coordinated closely with each other, none were under a common director. This consolidation into a single division allowed for the streamlining of document flows and reducing the number of contract reviews and approvals. Additionally, to distinguish between low risk routine procurements and high risk complex procurements, different selection types were created to help reduce the time expended during the procurement process.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The PEPS Division works closely with engineering, architectural, and surveying or professional services consultants to consider industry concerns when developing policy and in implementing the professional services contract program. There are over 1,000 firms and 8,000 individuals that are pre-certified to perform professional services for the department.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The PEPS Division is overseen by a three member steering committee consisting of the department's Chief Engineer, Chief Strategy & Innovation Officer, and Chief Planning & Project Officer. This provides the PEPS Division with higher visibility within the department to help ensure program consistency with the development and implementation of a consolidated annual contract procurement plan.

The annual procurement plan incorporates the department's requested contracts and dollar amounts to be procured in pre-planned waves over the coming fiscal year. Waves are timed events that have anywhere from 14-18 procurements within them. To date, there have been four waves per year, one per quarter.

The first draft of the annual procurement plan is developed using historical data. PEPS then works with districts and divisions to adjust the annual procurement plan to address their respective needs for the year. Finally, the Steering Committee reviews and approves the plan around the July timeframe, prior to the first wave kicking off in September 2015.

The PEPS Division has 7 Service Centers and two Support Sections. The PEPS Division develops and maintains the policies and procedures for this program area. The PEPS Division has a process manual for the selection phase titled *PEPS Contracting: Selection Process*. The PEPS Division is finalizing a contracts management manual titled *PEPS Contracting: Contract Management for the Project Manager*.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The PEPS Division derives its entire program funding through the Fund 6 appropriations rider with an operating budget amount of $4,966,614 in strategy 101 for FY 2014 and $8,991,390 in strategy 111 for FY 2014. The remainder for the strategy 111 portfolio managed by PEPS belongs to the respective 25 districts and engineering divisions and is sourced to their respective budgets.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

PEPS: The department uses a Qualifications-Based Selection (QBS) process to procure professional services for engineering, architects and land surveyors. Firms are selected based on qualifications and cost is negotiated after selection. (Government Code, Chapter 2254, Subchapter A; Texas Transportation Code, Chapter 223, Subchapter B; and Texas Administrative Code, Chapter 9, Subchapter C)

Procurement: The department procures goods and non-professional services as delegated by the Comptroller of Public Accounts (CPA). For high dollar, high risk services and technology, the best value method is applied, considering both price and vendor service level.

(State Purchasing Act: Texas Government Code, Title 10, Subtitle D, Chapter 2155)

Highway Construction and Maintenance: The department uses the letting process to contract for highway maintenance and construction projects. The letting process awards based on low bid and not on best value. (Texas transportations Code, Chapter 223)

Scientific Services: The department selects technical experts through the use of competitive sealed proposals. Proposals are scored based on entity's qualification to perform and reasonableness of fees. (Transportation Code 223 and Texas Administrative Code, Chapter 9, Subchapter F)

Right of way Acquisition Services: The department selects service providers through the use of competitive sealed proposals. Proposals are scored based on entity's qualification to perform and reasonableness of fees. (Transportation Code 224 and Texas Administrative Code, Chapter 9, Subchapter F)

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The PEPS Division provides training to department employees about the program requirements as do the other programs within the department. Where the use of similar services does occur, coordination is made between those other business units. As an example, the Environmental Affairs Division supports the Scientific Services contracting program for the environmental assessment and documentation process. Typically, when projects are outsourced the environmental assessment and documentation services are included with engineering contracts for preliminary engineering and schematic design. To ensure consistency in the program, there is coordination between the two programs to ensure use of similar scoping documents. Rigor is also applied to ensure that when standalone services for environmental services are needed, those needs are channeled to the Environmental Affairs Division and when combined engineering and environmental services are needed, those are channeled to the PEPS Division.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The department utilizes federal funds on some projects for engineering and design services. The PEPS Division has incorporated procedures and requirements into the program that follow the federal process, to support the use of the federal funds. The PEPS Division coordinates and maintains open communication with the U.S. Federal Highways Administration (FHWA) ensure that the department's procedures are in compliance with federal programs.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

The PEPS Division procures contracts to support the department's 25 districts and engineering divisions to perform engineering and design related services. These services are procured as engineering, architectural, and surveying services contracts.

In fiscal year 2014, the department expended approximately $399.6 million on these services.

The total number of contracts where expenditures were made in fiscal year 2014 was 572 contracts.

Top 5 contracts by expenditures				
Firm	**Sum of 2014 Expenditures**	**Contract Total AMT**	**Disc**	**Description of Work**
HNTB CORPORATION	$14,004,437.31	$103,500,853.81	GEC/PMC	US 290, Program Management Consultant Team, US 290, from IH 610 to FM 2920.
CDM SMITH INC.	$11,813,849.87	$25,000,000.00	Procurement	Procurement Engineering services to support the development and implementation of planned PPP, including delivery methods such as concession, design-build and similar methods. In addition, technical support and feasibility analysis of unsolicited and solicited proposals will be needed.
CH2M HILL, INCORPORATED	$10,894,251.67	$29,860,613.91	GEC/PMC	SH 99 Grand Parkway, GEC for SH 99 Grand Parkway Project Segments E, F-1 F-2 and G.
JACOBS ENGINEERING GROUP INC.	$ 9,241,729.27	$25,000,000.00	Procurement	Procurement Engineering Services necessary to support the development and implementation of planned Public-Private Partnerships.
HNTB CORPORATION	$ 9,106,703.68	$10,000,000.00	Schem/Env/PS	Schematic, Environmental, and PS&E. One of 10 contracts procured using the new contracting approach (10x10)

The PEPS Division works with the department's 25 districts and engineering divisions to develop an annual procurement plan that is approved by the Steering Committee. On a monthly basis, the PEPS Division Director meets with the Steering Committee to report on procurement progress, including metrics, as well as any issues within the program.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Research Program

Location/Division: Research & Technology Implementation Office (RTI)

Contact Name: Rocio Perez

Actual Expenditures, FY 2014: $12,982,002

Number of Actual FTEs as of June 1, 2015: 14

Statutory Citation for Program: Title 23, Section 420.111 of the Code of Federal Regulations (CFR)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Research & Technology Implementation Office (RTI) manages TxDOT's technical research program, which is conducted predominantly by Texas state-supported colleges and universities under contract with TxDOT-RTI. The objective of the research program is to scientifically examine issues and identify innovations, practices, and practical solutions that can improve the Texas transportation system and/or TxDOT functional operations. RTI also manages TxDOT's implementation program, designed to assist with implementation of new technologies, innovations, practices, and solutions as they are initially integrated into TxDOT operations.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program.

The department's Research and Technology program provided a detailed analysis of the 21 selected projects in FY 2014, and calculated a return on investment of 116:1 for the program. The total research budget for those years was approximately $22 million, of which approximately $8 million was expended. Operational costs savings from the 21 projects analyzed were projected to be approximately $927,750,000 over a 20-year period.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

This program was originally limited by legislation to contracting with only Texas A&M University and The University of Texas. The program now may contract with any Texas

state-supported college or university to conduct research for TxDOT. There are 27 Texas universities active in the program.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The research program supports the technical operations within TxDOT and promotes the implementation of appropriate research recommendations that can also directly impact the traveling public in Texas.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The transportation research program is managed and administered by the Research and Technology Implementation Office (RTI) from its office in Austin. The work is contracted to Texas state supported universities, and all contracting is directly managed by RTI. Technical panels consist of TxDOT employees within functional areas (Construction & Maintenance, Planning & Environmental, Safety & Operations, Structures & Hydraulics, and Innovative). These panels rate and prioritize projects for each year's program. Several hundred TxDOT employees serve as project team members, overseeing the technical aspects of each project. RTI supports the operations of these project teams.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Research Program is funded through Fund 6 in TxDOT's appropriation. Approximately 80 percent of expenditures are reimbursed by FHWA under the federal State Planning and Research (SPR) program. The remaining expenditures are covered under Fund 6. The research program appropriation for FY 2014 is $22,762,528. The implementation program is also funded using Fund 6, with the FY 2014 appropriation set at $2,956,662.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

TxDOT has a Research and Technology Implementation Office (RTI) that is charged with implementing the federally funded transportation research program. There are no other programs, known, that provide identical or similar services or functions.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

RTI along with the Technical Panels review all project proposals during the selection process and considers any related research being conducted by other state DOTs and at the national level to avoid conflicts and duplications in relationship to TxDOT issues.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

RTI works with the Federal Highway Administration (FHWA) for approval of the annual research and implementation work programs, and financial matters related to securing federal reimbursement of eligible expenditures under the federal SPR program. FHWA employees also participate as advisors in project monitoring committees, overseeing the technical aspects of each project.

K. If contracted expenditures are made through this program please provide:

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2014;**
- **the number of contracts accounting for those expenditures;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Purpose is to perform research services for TxDOT. RTI managed 140 contracts in FY 2014. The purpose of these contracts is to perform research services for TxDOT. Contract performance is monitored by each Project Manager, with assistance from the project team to assure work performed is as contracted, and the project continues to meet TxDOT's needs. RTI monitors funding issues on all contracts, with support from the Project Manager, to assure contract budgets and other provisions are complied with.

The amount of those expenditures in fiscal year 2014 included contracted expenditures of $12,982,002.

The number of contracts accounting for those expenditures was 140.

The top five contracts by dollar amount, including contractor and purpose were:

0-9901 "Accelerate Texas"	TTI	950,000	Accelerate will research, develop, commercialize, and implement new transportation-related technologies with an initial focus on efforts relating to connected vehicles and automated vehicles and how these may impact transportation systems in Texas.
0-9903-13 "Coordination of Services in Support of TxDOT's Research Program"	CTR	589,000	Performing Agency supports the Research Program by providing services that facilitate the management and coordination of university activities as they interact with TxDOT's Research Program.
0-6665 "TxDOT Native Plant Integration Program for South, Central and West Texas"	TAMUK	500,000	This project will collect, evaluate, and release native seed sources for use by TxDOT in Central, West, and South Texas. Project seed collectors will obtain seeds from target native plant species throughout these regions.
9-1001-12 "Roadside Safety Device Crash Testing Program"	TTI	500,000	The objective of this research is to identify roadside safety issues and address them through a series of safety evaluations for the benefit of the motoring public. This project provides TxDOT with a mechanism to quickly and effectively evaluate high priority issues related to roadside safety devices. Roadside safety devices shield motorists from roadside hazards such as non-traversable terrain and fixed objects. To maintain the desired level of safety for the motoring public, these safety devices must be designed to accommodate a variety of site conditions, placement locations, and a changing vehicle fleet.
5-0575-13 "Local Technical Assistance Program"	TEEX	490,000	This project provides technical information and training to local governments.

The contracting process is streamlined to incorporate all standard contract provisions into an "umbrella agreement" under which each technical project agreement is now executed. Project Managers monitor performance to ensure that the researchers adhere to the work plan, project schedules and deliverables tables.

L. Provide information on any grants awarded by the program.

None

M. What statutory changes could be made to assist this program in performing its functions? Explain.

None

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The Cooperative Research Program is research and related efforts conducted by Texas state-supported universities for the Texas Department of Transportation (TxDOT). It focuses on technical transportation issues. Cooperation with applicable universities is reflected through close coordination between TxDOT users of research findings and university researchers, and participation of the universities in the partial funding of some projects.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

None

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

None

VIII. Statutory Authority and Recent Legislation

A.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 12: Statutes / Attorney General Opinions

Statutes

Citation/Title	Authority/Impact on Agency **(e.g., Provides authority to license and regulate nursing home administrators)**
Transportation Code, Chapter 21	Provides authority to develop aeronautics in this state.
Transportation Code, Chapter 51	Requires commission to cooperate with federal and state agencies and other appropriate persons to determine the state's federal local sponsorship requirements relating to the Gulf Intracoastal Waterway, to satisfy the responsibilities of the nonfederal sponsor as determined by federal law, and to coordinate state actions under Chapter 51.
Transportation Code, Chapter 55	Provides authority for funding port security, transportation, and facility projects, and maritime port studies.
Transportation Code, Chapter 91	Provides authority to plan rail facilities and systems in this state and to acquire, finance, construct, maintain, and operate a passenger or freight rail facility.
Transportation Code, Chapter 111	Transfers to TxDOT all powers and duties of the Railroad Commission of Texas that relate primarily to railroads and the regulation of railroads.
Transportation Code, Title 6, Subtitles A (Chapters 201-204) and B (Chapters 221-250)	Provides the general authority for the department and the commission.
Transportation Code, Chapter 256	Provides authority for funding of certain local roads and administration of the Transportation Infrastructure Fund.
Transportation Code, Chapter 284	Provides authority for the financing and transfer of assets of certain counties.
Transportation Code, Chapter 342	Provides authority to purchase, construct, maintain, operate, or control ferries.
Transportation Code, Chapter 366	Provides authority to interact with regional tollway authorities.

Citation/Title	Authority/Impact on Agency **(e.g., Provides authority to license and regulate nursing home administrators)**
Transportation Code, Chapter 370	Provides authority to interact with regional mobility authorities.
Transportation Code, Chapter 371	Provides authority for entering into Comprehensive Development Agreements for toll projects.
Transportation Code, Chapter 372	Provides authority to pursue certain remedies related to unpaid tolls.
Transportation Code, Chapter 373	Provides authority to undertake certain toll projects when local toll project entities decline to do so.
Transportation Code, Chapter 391	Provides authority for complying with the federal Highway Beautification Act.
Transportation Code, Chapter 392	Provides for beautification of state highway right of way.
Transportation Code, Chapter 393	Provides authority for regulation of outdoor signs on public rights of way.
Transportation Code, Chapter 394	Provides authority for regulation of outdoor signs on rural roads.
Transportation Code, Chapter 431	Provides authority for regulating Texas Transportation Corporations.
Transportation Code, Chapter 441	Provides authority for the regulation of road utility districts.
Transportation Code, Chapter 455	Provides the powers and duties relating to mass transit.
Transportation Code, Chapter 456	Provides for commission administration of state financing of public transportation.
Transportation Code, Chapter 458	Provides for the provision of public transportation services.
Transportation Code, Chapter 461	Provides for the coordination of public transportation.
Transportation Code, Chapter 471	Provides duties related to railroad crossings.
Transportation Code, Chapter 472	Provides authority to remove property from state highways.
Transportation Code, Chapter 544	Provides authority to regulate traffic signs, signals, and markings.
Transportation Code, Chapter 545	Provides authority to regulate operation and movement of vehicles.
Transportation Code, Chapter 550	Provides authority to collect and maintain accident reports.

Citation/Title	Authority/Impact on Agency **(e.g., Provides authority to license and regulate nursing home administrators)**
Transportation Code, Title 7, Subtitle E (Chapters 621-623)	Provides authority to regulate size and weight of motor vehicles operated on state highways, in conjunction with the Texas Department of Motor Vehicles.
Transportation Code, Chapter 644	Provides authority to adopt rules for the routing of hazardous materials
Civil Practice & Remedies Code, Chapter 17, Subchapter D (Long-arm jurisdiction over nonresident motor vehicle Operator)	Chairman of the Transportation Commission is an agent for service of process on a person who is a non-resident.
Government Code, Chapter 1403	Provides authority for the Border Colonia Access Program.
Natural Resources Code, Chapter 91	Provides authority to adopt safety regulations for saltwater pipelines, and to require the pipeline operator to lease its use of state right of way and relocate if necessary.
U.S. Code, Title 23	Regulates highways.
U.S. Code, Title 45	Regulates railroads.
U.S. Code, Title 49	Regulates transportation.
Moving Ahead for Progress in the 21st Century Act (MAP-21), extended by the Highway and Transportation Funding Act of 2014 as amended by the Highway and Transportation Funding Act of 2015	Federal laws that fund surface transportation programs through July 31, 2015.
National Environmental Policy Act of 1969 (NEPA)	Requires a federal agency to consider the environmental impacts of a major or significant action it takes or funds before the action is taken.

Table 13 Exhibit 12 Statutes

Attorney General Opinions

Attorney General Opinion No.	Impact on Agency
AG Opin. No. KP-0017 (2015)	A court would likely conclude that the language used to describe Proposition 15 on the November 2001 ballot (adding article III, section 49-k to the Texas Constitution, which created the Texas Mobility Fund) sufficiently expressed the scope and character of the proposed amendment and set its subject matter apart from the other amendments to satisfy constitutional standards.
AG Opin. No. GA-0687 (2008)	Section 228.012 of the Transportation Code does not provide authority for TxDOT to transfer monies held in trust in a particular subaccount of the state highway fund to a regional transportation authority.
AG Opin. No. GA-0493 (2006)	TxDOT properly construed its rules to permit individuals who are not members of a vehicle owner's immediate family to claim a stored vehicle using an Affidavit of Right of Possession and Control.
AG Opin. No. GA-0440 (2006)	TxDOT may install cameras on state highway ROW to monitor compliance with traffic control signals to enforce traffic laws on state highways and may permit local authorities to install cameras in connection with traffic- control signals on state highway ROW for the same purpose.
AG Opin. No. GA-0143 (2004)	Proceeds from the sale of TxDOT salvage or surplus personal property purchased with constitutionally dedicated funds are not dedicated and are placed in the general revenue fund.
AG Opin. No. GA-0003 (2002)	The Utility Accommodation Policy (43 TAC §§ 21.31 - 21.56) is a reasonable exercise of TxDOT's power of control over the operation of the state highway system. Utility rights-of-way for gas and electric lines are subordinate to the use of highways for highway purposes.
AG Opin. No. M-1228 (1972)	The Commission has the legal authority to build a new State Headquarters Building on specified land in Austin subject to a permit issued by the Texas Historical Commission under Sec. 191.095, Natural Resources Code.

Attorney General Opinion No.	Impact on Agency
AG Opin. No. WW-237 (1957)	The Commission may, without the supervision or approval of any other State agency, do anything necessary for planning, contracting, or constructing buildings that are necessary for constructing and maintaining the State Highway system.

Table 14 Exhibit 12 Attorney General Opinions

B.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 13: 84th Legislative Session

Legislation Enacted

Bill Number	Author	Summary of Key Provisions
HB 1	Otto	TxDOT's appropriation for the 2016-2017 biennium is $23.1 billion. The appropriation includes $1.2 billion of State Highway Fund dollars that in previous budgets had been allocated to the Department of Public Safety and other state agencies. Also included in the appropriation are oil and gas severance tax dollars that are deposited in the State Highway Fund under Proposition 1. The Comptroller estimates Proposition 1 funds to total $2.4 billion for the biennium.
HB 20	Simmons	HB 20 revises the planning and programing processes that "planning organizations," the department and the Texas Transportation Commission (commission) currently use to prioritize and finance transportation infrastructure projects. It limits the commission's discretionary funding decisions to 10 percent of the department's current biennial budget. It creates a nine-member House Select Committee on Transportation Planning and five-member Senate Select Committee on Transportation Planning, authorizes those committees to meet jointly or separately and requires them to review certain issues, prepare a written report of the reviewed subjects and submit it to the Legislature by November 1, 2016.
HB 122	Pickett	HB 122 statutorily prohibits the ability of the Texas Transportation Commission to issue new money bonds from the Texas Mobility Fund (TMF) as of January 1, 2015. The commission will be able to issue debt from TMF in order to refund outstanding obligations and variable rate obligations.
HB 426	Howard	HB 426 requires a state agency to accept an application for an employment opening from the online system maintained by the Texas Workforce Commission. It also requires that the online system for listing state agency employment openings maintained by the Texas Workforce Commission (TWC) allow an applicant to complete a single state application online and enter the application into an online database from which the applicant is able to electronically send the application and additional required documents to multiple state agencies.

Bill Number	Author	Summary of Key Provisions
HB 463	Springer	HB 463 allows a person who lives in a county with a population of 10,000 or less to mow, bale, shred or hoe material in state rights of way without adjoining landowners being first offered the first right of refusal. The TxDOT district office would still have to approve requests before requestor could begin mowing.
HB 497	Wu	HB 497 amends the definition of "Saltwater Pipeline Facility". This new definition broadens the term to include not only pipelines carrying produced water from an oil, gas or other type of well as the current definition entails, but also pipelines carrying non-produced water to a well.
HB 565	Burkett	HB 565 requires the Texas Transportation Commission (TTC) to hold a local public meeting concerning the project before approving a private turnpike or toll road. The bill states that a private toll entity can enter into an agreement with a public toll project entity (i.e. TxDOT, RMA, RTA, or a county) to finance, construct, maintain, or operate a toll road. The bill states that a private toll entity cannot exercise eminent domain.
HB 763	King	HB 763 adds a requirement for a petition to a state agency for adoption of rules. If an agency requires a specified number of signatures before it will consider a petition, the bill would then require that more than half of the number of signatures must be of Texas residents.
HB 1295	Capriglione	HB 1295 requires the disclosure of interested parties in certain contracts with governmental entities. The bill would defines “interested party” as a person who benefitted financially from a contract, including a person who had a legal or equitable interest in the contract or a contracting person or a person who served as a broker, intermediary, director, adviser, or attorney for, or otherwise actively participated in, a contract.
HB 1605	Martinez	HB 1605 prohibits TxDOT from charging a fee for the Texas Airport Directory.
HB 2612	Pickett	HB 2612 requires TxDOT to provide a report to Senate and House Transportation Committee members no later than September 1, 2016, regarding the removal of tolls on most toll projects in the state. The toll report will include 1) the amount of debt service on bonds issued for each toll project in the state; 2) bonds appropriate for accelerated or lump-sum payments of debt service as identified based on criteria approved by the Commission; and 3) a plan to eliminate all toll roads in the state with the exception of tolls on roads constructed, operated, or maintained only with the proceeds of bonds issued by a toll project entity other than TxDOT.

Bill Number	Author	Summary of Key Provisions
HB 2633	Hernandez	House Bill 2633 eliminates the previous process of an individual's ability to request a crash report by providing two of three identifying factors and replaces it with a requirement that the requestor be directly connected to the crash. The bill also adds radio, television and newspaper media meeting certain criteria to those eligible to request a report. The bill also requires TxDOT to create a redacted crash report that may be requested by any person.
HB 2861	Raymond	HB 2861 provides an optional procedure for issuing certain oversize/overweight (OS/OW) permits. It authorizes the Texas Transportation Commission to authorize the City of Laredo to issue permits for OS/OW vehicles transporting loads up to 125,000 lbs. on two segments of FM 1472 and certain city roadways in Webb County.
HB 3225	Murr	House Bill 3225 gives TxDOT the authority to restrict commercial motor vehicle traffic to a specific lane in a work zone that is on the state highway system. The executive director or designee may initiate the restriction based on a traffic study that evaluates the effect of the restriction and its impact on safety.
HB 3302	Darby	HB 3302 requires that TxDOT develop guidelines to require the use of only regionally appropriate plants for highway landscaping.
HB 3337	Clardy	HB 3337 prohibits state agencies from reimbursing employees or administrators for tuition expenses unless the programs were successfully completed at an accredited institution. TxDOT must adopt rules requiring the executive director to authorize the tuition reimbursement payments before they could be made.
HB 3750	Simmons	The bill requires the State Office of Risk Management (SORM) to conduct an interim study on insurable state assets to develop a statewide strategy to ensure that all property owned by the state is adequately insured. The Legislative Budget Board (LBB) shall assist in collecting information on buildings and facilities owned by state agencies. This information includes the locations of buildings, square footage, construction or acquisition date, amount of space being used, the value of the building, etc. Also, the LBB will collect info on state-owned land, including the name of the agency which owns land, location, acreage, value, etc. The LBB will report the required information to SORM by a dated prescribed by it

Bill Number	Author	Summary of Key Provisions
HB 3342	Kuempel	HB 3342 amends the Government Code to authorize the Comptroller of Public Accounts to enter into interagency agreements with one or more state governments, agencies of other states or other governmental entities or to participate in, sponsor or administer a cooperative purchasing agreement through an entity that facilitates those agreements for the purchase of goods or services if the comptroller determines that the agreement would be in the best interest of the state.
SB 20	Nelson	Due to the length of the summary, see page 16 of the document link below. http://ftp.dot.state.tx.us/pub/txdot-info/sla/84th-legislative-summary.pdf
SB 505	Perry	SB 505 requires meteorological evaluation towers taller than 50 feet but less than 200 feet above ground level to be painted in equal alternating bands of aviation orange and white, beginning with orange at the top of the tower. It requires towers to have aviation orange marker balls installed and displayed in accordance with certain federal standards and prohibit towers from being supported by guy wires unless those wires have a seven foot-long safety sleeve at each anchor point that extends from the anchor point of each guy wire.
SB 570	Estes	SB 570 requires that the Texas Department of Transportation (TxDOT) install signs that prohibit the use of fireworks at a highway rest stop if the corresponding county commissioners court petitions the Texas Transportation Commission (TTC) for the installation of signs.
SB 1059	Hinojosa	SB 1059 revises various provisions governing the optional procedure for the issuance of oversize/overweight (OS/OW) vehicle permits by the Port of Corpus Christi for vehicles using certain roadways in San Patricio and Nueces Counties. The bill adds portions of US Highway 181, SH 35, SH 361, proposed SH 200 and other routes in San Patricio and Nueces counties, to the OS/OW corridor, designated by the Texas Transportation Commission (Commission) in consultation with the Port of Corpus Christi Authority.
SB 1467	Watson	SB 1467 authorizes a person that enters into an agreement with TxDOT to provide services for a customer to pay on an electronic toll collection to collect a customer service fee in addition to the amount paid on the account. The bill provides the Texas Transportation Commission to determine, by rule, the maximum amount a person may collect as a service charge, not to exceed $3.

Bill Number	Author	Summary of Key Provisions
SB 1812	Kolkhorst	SB 1812 requires the Comptroller of Public Accounts (Comptroller) to create an eminent domain database on a website maintained by the Comptroller. The Comptroller is required to update the information annually. The bill requires public and private entities, including common carriers, with state authorized eminent domain authority to submit an annual report with eminent domain information.
SB 1877	Zaffirini	SB 1877requires each state agency to develop a data use agreement for use by the agency that meets the particular needs of the agency and is consistent with rules adopted by the Department of Information Resources that relates to information security standards for state agencies and requires a state agency to update the data use agreement at least biannually. The bill authorizes an agency to update the agreement at any time as necessary to accommodate best practices in data management.
SB 2004	Eltife	SB 2004 establishes a deferred maintenance fund to be part of the general revenue fund that consists of money credited, appropriated or transferred to the fund at the direction of the legislature.

Bill Number	Author	Summary of Key Provisions
SJR 5	Nichols	If ratified by the voters on November 3rd, 2015 there would be an annual $2.5 billion deposit of revenue to the State Highway Fund from the state sales and use tax. This amount would be deposited in the State Highway Fund once the sales and use tax accrued in the GR fund to an amount exceeding $28 billion. This subsection of the bill would take effect on September, 1, 2017 (FY 2018) and would expire August 31, 2032. In each fiscal year of the biennium beginning in FY 2020, 35% of net revenue collected from the sale, use, or rental of motor vehicles in excess of the first $5 billion would be deposited annually in the State Highway Fund. This subsection of the bill would take effect on September, 1, 2019 (FY 2020) and would expire August 31, 2029. The total revenue deposited to the State Highway Fund may be reduced if both chambers adopt a resolution with a recorded 2/3 majority vote. Funds deposited to the State Highway Fund under this SJR may be used to construct, maintain, or acquire ROW for public roadways other than toll roads. Funds may also be used to repay the principal and interest on Proposition 12 bonds. The expiration dates above could be extended in 10 year increments with a resolution approved by a majority vote in both legislative chambers.

Table 15 Exhibit 13 Legislation Enacted 84th Leg

Legislation Not Passed

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 13	Pickett	HB 13 would require TxDOT to work with planning organizations in metropolitan areas and local elected officials and transportation officials in rural areas to review the department's funding formulas and to determine how to allocate revenue among those formulas. It would require each Metropolitan Planning Organization (MPO) to develop a 10-year plan, which would be similar to the department's Unified Transportation Program (UTP), and to comply with new project selection and prioritization requirements. The author called a point of order on the bill because of an amendment that would have banned red light cameras in Texas.
HB 1350	Burkett	HB 1350 would limit the amount of tolls charged on roads so that they only cover debt service, operations and maintenance and funding certain reserves. The bill was not considered for a vote in the House Transportation Committee.
HB 1734	Shaheen	HB 1734 would require that a toll project becomes part of the state highway system and the commission shall maintain the project without tolls when the costs of acquisition and construction of the project have been paid. The bill prohibits a toll project entity from amending a financing or other agreement in a manner that would extend the date by which a toll project would become part of the state highway system. The bill was not heard in the House Transportation Committee.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 1834	Sanford	HB 1834 would require that a toll project of a toll project entity becomes a part of the state highway system and the commission shall maintain the project without tolls beginning on the earlier of: (1) when the costs of acquisition and construction of the project have been paid and all of the bonds and interest on the bonds that are payable from or secured by revenues of the project have been paid by the issuer of the bonds or another person with the consent or approval of the issuer; (2) 20 years after the date any portion of the project is opened for use, for a project for which a contract for the financing, construction, or operation of the project is entered into on or after September 1, 2015; or (3) September 1, 2047, for a project for which a contract for the financing, construction, or operation of the project is entered into before September 1, 2015. The bill was not heard in the House Transportation Committee.
HB 1835	Sanford	HB 1835 would prohibit TxDOT from operating a nontolled state highway or a segment of a nontolled state highway as a toll project, and to prohibit the transfer of a nontolled highway or segment to another entity for operation as a toll project. The bill was not considered for a vote in the House Transportation Committee.
HB 2085	Munoz	HB 2085 would makes changes to our optional oversize/overweight (OS/OW) permit process. It requires that TxDOT create a process to look at and recommend new overweight corridors, establish performance measures, and create pavement management plans. The local entity issuing the permit is required to consider the pavement management plan in setting the fees for the OS/OW permit. The bill was not heard in the Senate Transportation Committee.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 2592	Phillips	HB 2592 would establish maximum axle and gross weight limits for certain types of ready-mixed concrete trucks, including those weighing up to 80,000 lbs. without a permit, and authorize the Texas Department of Motor Vehicles (TxDMV) to issue a new type of permit that would allow those trucks to exceed the axle weight limits by ten percent and the gross weight limits by 5 percent. The bill was not considered for a vote in the House Transportation Committee.
HB 2606	King	HB 2606 would allow TxDMV to adopt rules authorizing the issuance of annual permits for well-servicing and drilling machinery. The bill did not receive a House vote.
HB 3061	Anchia	HB 3061 would authorize the Texas Department of Motor Vehicles (TxDMV) to issue a new type of oversize/overweight (OS/OW) permit for certain vehicles with three-axle trailers transporting "ocean cargo shipping containers moving in overseas international commerce" and a maximum gross vehicle weight of 97,000 lbs. The bill was not set on the House Calendar.
HB 3129	King	HB 3129 would require the Texas Department of Motor Vehicles (TxDMV) to issue a new type of permit for certain milk trucks. The bill would allow milk trucks operating with the proposed permit to use roads and bridges designated as load-zoned by TxDOT and by county commissioners courts. The bill was not considered for a vote in the House Transportation Committee.
HB 3339	Burkett	HB 3339 would require the condemning authority to pay the landowner's attorney and other professional fees when the amount of the final judgment (or commissioner's award if no objections are filed) is greater than 20% of the condemning authority's final offer prior to the commencement of the Special Commissioners' Hearing. The bill was not heard in the House Land and Resource Management Committee.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
SB 479	Schwertner	SB 479 would raise the standard of "actual progress" for a landowner's ability to repurchase a property condemned for a public purpose if no "actual progress" is made toward the public use within 10 years of the property being condemned. The bill was not considered for a vote in the House Business and Industry Committee.
SB 937	Kolkhorst	SB 937 would only allow consideration of existing general purpose lanes, and not frontage road lanes, when converting an existing roadway to a tolled facility. The bill was not heard in the Senate Transportation Committee.
SB 1167	Ellis	SB 1167 would require TxDOT to create a plan to install roadside communication infrastructure to support the operation of autonomous vehicle. This bill gives TxDOT the authority to establish an autonomous freight transportation pilot program and test the vehicles on public roadways. The bill was not considered for a vote in the Senate Transportation Committee.
SB 1182	Huffines	SB 1182 prohibits any money in the state highway fund, including gasoline taxes and vehicle registration fees, and the proceeds of highway improvement general obligation bonds (Prop 12), to be used to pay the costs of toll projects. The bill was not heard in the Senate Transportation Committee.
SB 1606	Huffines	SB 1606 would require the Transportation Commission, each fiscal year, to designate at least 10 specific highway projects to be completed using the design-build (DB) method. The bill was not heard in the Senate Transportation Committee.
SB 1919	Watson	SB 1919 would require the Transportation Commission to establish a variable speed limit pilot program. Variable speed limits allow for the temporary reduction of speed limits due to congestion, inclement weather, crashes, work zone activities, or other highway incidents to improve safety and highway capacity. The bill did not receive a Senate vote.

Table 16 Exhibit 13 Legislation Not Passed 84th Leg

IX. Major Issues

Site Consolidation in Austin

A. Brief Description of Issue

Staff for TxDOT divisions and offices in Austin work out of six sites, with 70% of the nearly 2,000 employees assigned to the Riverside Campus. This campus consists of three TxDOT-owned buildings, on property not owned by TxDOT. For each building there is a ground lease, and each of these leases has a different expiration date, with the earliest being June 30, 2022.

B. Discussion

Due to the value of the land, we anticipate that the owners of the property will not renew the leases. Even if the owners were to renew the lease, owning 1970s-era buildings on someone else's property is not a desirable arrangement for the state.

C. Possible Solutions and Impact

Over the next few years, TxDOT has the opportunity to consolidate TxDOT's Austin division and office staff at a site outside of the downtown area, thereby reducing our impact upon Austin congestion and enhancing quality of life for TxDOT employees and other Austin commuters. Although the first lease expires in seven years, it will take considerable time to evaluate options, secure funding, acquire or lease, and customize a site, and move employees. Last year, in anticipation of the length of this effort, TxDOT staff began to explore options for such a consolidation.

Consolidation of Texas Toll Pay By Mail

A. Brief Description of Issue:

Although there are multiple tolling entities in Texas, any toll tag issued in Texas works on the entire network of toll roads in Texas. However, for toll road customers who do not have a toll tag, the customer experience is too often confusing and frustrating.

B. Discussion

Among the multiple tolling entities in Texas, three, the Harris County Toll Road Authority, the North Texas Tollway Authority, and the Texas Department of Transportation, issue electronic toll tags to some of their customers. All electronic toll tags issued in Texas can be used on all toll roads in Texas, with the customer receiving one consolidated account statement. This is a convenience for the customer and an efficient way to collect for the tolling entities.

In addition to electronic toll tag payments, many tolling entities offer the option of Pay By Mail (PBM). Under PBM, a vehicle without an electronic toll tag may drive on a toll road. Under this option, the owner of the vehicle receives a bill in the mail based on the address registered with the Texas Department of Motor Vehicles. Each tolling entity handles their PBM transactions, leading to some drivers receiving multiple PBM invoices. Some toll entities do not offer this option and consider it a violation to drive on their facilities without an electronic toll tag or paying cash. This patchwork approach often causes confusion, frustration and a poor customer experience for motorists, truckers and visitors. This confusion and frustration also can be compounded by tolling entities operating under distinct sets of business rules.

C. Possible Solutions and Impact

The tolling entities in Texas should explore opportunities to consolidate the billing for PBM transactions and associated business rules and standards by a governance committee made up of key stakeholders.

Aircraft Fleet Replacement Plan

A. Brief Description of Issue

On September 1, 2005, the State Aircraft Pooling Board was abolished, and flight services operations were statutorily transferred to the Texas Department of Transportation. Of note, Chapter 2205, Texas Government Code, has not been fully updated to reflect this change even though TxDOT has assumed all roles and responsibilities previously held by the board. One of the responsibilities is the development of a long-range plan that "must include estimates of future aircraft replacement needs and other fleet management needs, including any projected need to increase or decrease the number of aircraft."

B. Discussion

Though other state agencies and institutions of higher education also own their own aircraft, TxDOT is responsible for maintaining and flying an Austin-based aircraft fleet on behalf of other state agencies. The TxDOT fleet consists of two three-passenger single-engine propeller-driven aircraft and four eight-passenger twin-turboprop aircraft. Of the four larger twin-turboprop aircraft, three are over thirty years old and the fourth is in its sixteenth year of service. The Fleet Replacement Plan includes replacement of the four larger aircraft with four high-performance turbofan aircraft, phased over a two year period. These replacement aircraft will improve the safety of the fleet as they possess modern safety and technological enhancements that improve crew situational awareness. In addition, replacement aircraft would improve the efficiency of the fleet as they are more mechanically reliable, faster, and are less expensive per mile to operate than the aircraft that are currently in use.

C. Possible Solutions and Impact

At a minimum, Chapter 2205, Texas Government Code, should be updated and revised. More importantly, TxDOT is asking that its flight services specifically be reviewed during the Sunset review process to ensure that it is serving the state's best interest and to make recommendations for the future of these services.

Technology and Transportation

A. Brief Description of Issue

The Texas Department of Transportation (TxDOT) studies, pilots, and deploys transportation technologies to address congestion, improve safety, and prepare for tomorrow's infrastructure needs. These technologies include integration of capabilities in preparation to support future vehicle technologies.

B. Discussion

TxDOT's strategic effort to modernize traffic management and intelligent transportation systems will address safety and congestion issues through technology approaches. Active Transportation and Demand Management (ATDM) is the dynamic management, control, and influence of demand and traffic flow of transportation facilities and overall network. Through the use of available tools and assets, such as dynamic messaging, integrated corridors and other Intelligent Transportation Systems (ITS), traffic flow is better managed and traveler behavior is influenced and safer in real-time. By deploying specialized equipment, software and applications, and establishing and using a strict asset management and maintenance program, TxDOT will be able to improve the current system and properly support the future Connected Vehicle (CV)/Automated Vehicle (AV) environment. These technology efforts reduce and delay bottleneck and saturation conditions, improve safety, cut down vehicle emissions, and maximize system efficiency. The success of these programs is reliant upon collaboration and participation from public agencies, our local public partners, our research partners and private industry.

C. Possible Solutions and Impact

To continue to provide a modern transportation system, TxDOT will need to plan for the level of support required by any future federal laws and regulations, and for the future expectations of the traveling public. TxDOT must continue to design and install, operate and maintain ATDM, CV and AV supporting infrastructure. The Legislature may want to consider the value, resourcing and application of capabilities such as dynamic messaging, integrated corridors, and data sharing technologies. Additionally, the Legislature may want to consider policies regarding CV and AV, including liability, as vehicle makers are already employing lower level automation headed toward fully automated systems. As legislation and resources allow, TxDOT will be pursuing more opportunities to explore, pilot and implement technologies.

X. Other Contacts

A.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 14: Contacts

Interest Groups
(groups affected by agency actions or that represent others served by or affected by agency actions)

Organization/Contact	Address	Phone Number	Email
35W Coalition Gail Cooksey Secretary, 35W Coalition		972-580-0662	gail@cookseypr.com
AASHTO Bud Wright, Executive Director	444 N. Capitol St. NW, Suite 249 Washington, DC 20001	(601) 359-1538	bwright@aashto.org
AGC Houston	3825 Dacoma St. Houston, Texas 77092-8717	(713) 843-3700	membership@agchouston.org
Airport Owners & Pilots Association	421 Aviation Way, Frederick, MD 21701	(800) 872-2672	www.aopa.org
Alliance for I-69 Jennifer Shepard, Executive Director	1200 Smith, Suite 700, Houston TX 77002	(703) 580.4416	Jennifer@jgshepard.com
Alliance Work Partners Scott Terres	2525 Wallingwood Drive Building 5 Austin, Texas 78746	(512) 328-1144	sterres@alliancewp.com
American Association of State Highway and Transportation Officials	4200 Smith School Road Austin, TX 78744	202.624-5800	info@aashto.org
American Automobile Association of Texas	1219 28th Street, N.W. Washington, D.C. 20007	469-221-8316	
American Concrete Pipe Association Matt Childs, President	8445 Freeport Parkway, Suite 350, Irving TX 75063-2595	(972) 506-7216	mchilds at concrete-pipe.org
American Council of Engineering Companies	2180 North Loop West, Suite 320 Houston, TX 77018	713.426.0800	mia@acechouston.org
American Railway Engineering and Maintenance of Way Association	10003 Derekwood Ln., Ste. 210 Lanham, MD 20706	301/459-3200	www.arema.org
American Road & Transportation Builders Association	2300 Wilson Blvd, Suite 300, Arlington, VA 22201	202-289-4434	
American Society for Testing and Materials	ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA, 19428-2959 USA	610-832-9500	www.astm.org
American Society of Civil Engineers, Houston Branch	5430 Westheimer Rd. Houston, TX 77056		info@ascehouston.org

Organization/Contact	Address	Phone Number	Email
American Traffic Safety Services Association	15 Riverside Parkway, Suite 100 Fredericksburg, Virginia 22406	(540) 368-1701	communications@atssa.com
ART William Moseley, Transportation Director	8700 Tesoro Dr., Suite 700 San Antonio, TX 78217	(866) 889-7433	wmoseley@aacog.com
Asphalt Emulsion Manufacturers Association Mike Krissoff	PMB 250 3 Church Circle Annapolis, MD 21401	(410) 267-0023	krissoff@aema.or
Asphalt Institute	2696 Research Park Drive Lexington, KY 40511-8480	(859) 288-4960	info@asphaltinstitute.org
Associated General Contractors	333 Guadalupe, Suite 2-350, Austin, Texas 78711-2337	703-548-3118	infor@abc.org
Associated General Contractors of Texas	2300 Wilson Blvd., Suite 300 Arlington, VA 22201	(703) 548-3118	
Associated General Contractors of Texas	300 Barton Springs Road Austin, TX 78704	(512) 478-4691	
Association of Laredo Forwarding Agents, Inc. Manuel Canales			manuel@canpagl.com
Association of Laredo Forwarding Agents, Inc. Omar Gonzalez Longoria, Executive Officer	107 Calle del Norte, Suite 114 Laredo, TX 78041	956.724.3026	omar@gonzalezlongoria.com
Bay Area Houston Economic Partnership	18045 Saturn Lane, Houston, TX 77058	832.536.3255	info@bayareahouston.com
Bay Area Houston Transportation Partnership Bob Mitchell, President	PO Box 57942Webster, TX 77598	(832) 771-0773	bob@bayareahouston.com
Better Business Bureau	1120 Cerrillos Rd P.O. Box 1149 Santa Fe, NM 87504-1149	(713) 868-9500	bbbinfo@bbbhou.org
Bike Austin	PO Box 5993 Austin, TX 78763	512-587-8136	mercedes@bikeaustin.org
BikeTexas	P.O. Box 1121, Austin 78767	(512) 476-7433	mail@biketexas.org
Brotherhood of Locomotive Engineers and Trainmen Terry Briggs	7083 Baker Blvd. Richland Hills, TX 76118	817-285-7668	terry@tslb.org
Brotherhood of Railway Carmen	3 Research Place Rockville, Maryland 20850	301-948-4910	www.tcunion.org
Burlington Northern Santa Fe Railway Dennis Kearns, Legislative Counsel	1001Congress Ave., Suite 250 Austin, TX 78701-2423	512-473-2823	dennis.kearns@bnsf.com
Burlington Northern Santa Fe Railway, James Nadalini	2650 Lou Menk Drive Fort Worth, Texas 76131-2830		James.Nadalini@BNSF.com
Burlington Northern Santa Fe Railway, Nathan Asplund	2650 Lou Menk Drive Fort Worth, Texas 76131-2830		Nathan.Asplund@BNSF.com

Organization/Contact	Address	Phone Number	Email
Burlington Northern Santa Fe Railway,Frank P. Hernandez	San Luis Potosí, SLP	U.S. Cell 915.345.8962 Mexico Cell from USA: 521.444.188.4089	Frank.Hernandez@BNSF.com
CARR (City and Rural Rides)	P.O. Box 712 Coleman, TX 76834	(325) 625-4491	www.cityandruralrides.com
CARTS	2010 E. 6th St. Austin, TX 78702	(512) 478-7433	info@ridecarts.com
Cement Council Jan Prusinski, Executive Director	1820 Harwood Court Hurst, TX 76054	(817) 540.4437	jprusinski@cementx.org
Citizens Transportation Coalition	PO Box 66532, Houston TX 77266	832-768-5258	http://www.txarp.org/
Compost Advisory Council of Texas, Brent Wade	TCEQ, Waste Permits Division, P.O. Box 13087, MC-126, Austin, TX 78711-3087	(512) 239-6566	Brent.wade@tceq.gov
Corridor Watch Linda Stall	Corridorwatch.org; Fayetteville, TX 78940-5468	(979) 535-4213	lindastall@corridorwatch.org
Council of Engineering Companies (CEC) Mike Hancock	1001 Congress Avenue Suite 200 Austin, Texas 78701	(512) 474-1474	mike@acectx.org
County of El Paso Bob Geyer Rural Transit Manager	800 E. Overland, Suite 208, El Paso, Texas 79901	(915) 834-8242	bgeyer@epcou nty.com
County Tax Assessor-Collectors Association John Ames, President			John.Ames@dallascounty.org
Dallas Regional Mobility Coalition Drew Campbell Executive Director	P.O. Box 195892 Dallas, Texas 75219	214-850-9395	drewcampbell@capitol-insights.com
DD Hachar Trust / Project 45, David Earl			dearl@earl-law.com
Double Mountain Coach	620 N. Washington Ave., Aspermont, TX 79502	(940) 989-2239	asbdc@westex.net
Downtown Austin Alliance	211 East 7th Street, Suite 818 Austin, TX 78701	512-469-1766	daa@downtownaustin.com
Environmental Defense Fund Catherine Ittner	301 Congress Avenue Suite 1300 Austin, TX 78701	(512) 478-5161	www.edf.org
Fleetwood Transportation Services, Inc.	P.O. Box 430 – Diboll, TX 75941	936-829-4735	ronniek@ftwd.net
Greater 288 Partnership	P. O. Box 2592 Pearland, Texas 77588	832.274.0869	info@greater288.org
Greater Houston Partnership	Address: 1200 Smith, Suite 700, Houston, TX 77002-4400	713-844-3600	ghp@houston.org
Grimes Citizen Advisory Group	https://www.facebook.com/GrimesCitizenAdvisoryGroup		

Organization/Contact	Address	Phone Number	Email
Grimes County Sub-regional Planning "391" Commission	http://grimescountysrpc.blogspot.com/		
Gulf Intracoastal Canal Association James Stark, Executive Director	P.O. Box 6846, New Orleans, LA 70174	(901) 490-3312	jstark@gicaonline.com
Historic Bridge Foundation Kitty Henderson, Executive Director	P.O. Box 66245, Austin TX 78766	(512) 407-8898	histbrdg@gte.net
Houston Museum District	1401 Richmond Avenue, Suite 290 Houston, TX 77006	713-715-1939	contact@houstonmuseumdistrict.org
Houston Tomorrow Group	3015 Richmond Ave.Suite 201 Houston, Texas 77098	713.523.5757	
Houston Tomorrow United States	3015 Richmond Ave. Suite 201 Houston, Texas 77098	713.523.5757	
I-27 Corridor Glen Robertson, Mayor of Lubbock	P.O. Box 200 Lubbock, TX 79457	(806) 775.2010	grobertson@mylubbock.us
I69INFO.COM Chris Lawrence	109 Fitzgerald Hall; 3500 Lindell Boulevard; St. Louis, MO 63103-1021	(314) 977-3006	I69@lordsutch.com
IBC Bank Gerald Schwebel, Executive Vice President	PO Drawer 1359 Laredo, TX 78042	956.726.6687	gschwebel@ibc.com
International Adopt-a-Highway Association Richard Ebeling, President	Keystone Common Bldg., 6th Floor, 400 North Street, Harrisburg, PA 17105	(717) 705-1552	rebeling@state.pa.us
International Municipal Signal Association Douglas M. Aiken	597 Haverty Court, Suite 100 Rockledge, FL 32955	(321) 392-0500	daiken@imsasafety.org
International Regional Magazine Association Tara Flint, Executive Director	38 Burgess Avenue Toronto, ON M4E 1W7	(416) 705-6884	irma@regionalmagazines.org
Kansas City Southern de México , Dr. Vladimir J. Róbles Garza	Avenida Manuel L. Barragán No. 4850 Norte, Col. Hidalgo Monterrey, N.L. 64290	Tel. 81.8305.7800 ext. 7230	vrobles@kcsouthern.com.mx
Kansas City Southern de México, Edgar Guillaumin Ireta	Avenida Manuel L. Barragán No. 4850 Norte, Col. Hidalgo Monterrey, N.L. 64290	Cel. (1) 442.219.1905	eguillaumin@kcsouthern.com.mx
Kansas City Southern Railway James R. Thornel, AVP Network Services	4601 Shreveport-Blanchard Hwy. Shreveport, LA 71107	318-676-6015	jthornel@kcsouthen.com
Keep America Beautiful, Inc., Jennifer Jehn, President	1010 Washington Blvd Stamford, CT 06901	(203) 659-3070	jdrzyaga@kab.org
Keep Texas Beautiful Cathy Gail	8850 Business Park Dr., Suite 200 Austin, TX 78759	(512) 961-5263	cathie@ktb.org

Organization/Contact	Address	Phone Number	Email
Laredo Licensed US Customs Brokers Association, Ignacio Perez Keith			irpkeith@prodigy.net.mx
Lincoln Park Conservation Committee	1333 W. Loop, South, #1200 Houston, TX 77021		http://lincolnparkcc.org/contact/
Lufkin/Angelina County Economic Development	P.O. Drawer 190, Lufkin, TX 75902	936-633-0221	jwehmeier@cityoflufkin.com
Maverick County Development Corporation, Raul E. Perez	PO Box 3693, Eagle Pass, TX 78853	830.773.6166 and cell. 830.776.3148	raul.perez@eaglepassmcdc.com and raul.perez.mcdc@hotmail.com
Moore Brothers Construction	P.O. Box 35 – Lufkin, TX 75902-0035	936-639-2261	thomasmoore@moorebro.com
Mothers Against Drunk Driving Debbie Weir	511 E. John Carpenter Freeway, Suite 700 Irving, TX 75062	(877) 275-6233	dweir@madd.org
NASCO, Tiffany Melvin, Executive Director	901 Main Street, Suite 4400 Dallas TX 75202	(214) 744-1042	tiffany@nasconetwork.com
National Association of State Aviation Officials	8400 Westpark Dr, McLean VA 22102	(703) 454-0649	info@nasao.org
National Business Aviation Association	1200 G Street NW, Suite 100 Washington, DC 20005	(202) 783-9000	info@nbaa.org
National Institute of Governmental Purchasing, Inc. Rick Grimm	151 Spring Street, Herndon, VA 20170-5223	703-736-8900	rgrimm@nigp.org
National Roadside Vegetation Management Association	5616 Lychburg Circle, Hueytown, Al. 35023	(205) 491-7574	Jreynoldsnrvma @charter.net
National Safety Council	1121 Spring Lake Drive Itasca, IL 60143	(630) 285-1315	customerservice@nsc.org
National Transportation Training Directors Rick Smith		(512) 363-7842	ricksmith@uta.edu
No Texas HSR/Texans Against HSR	PO Box 245, Jewett, TX 75846		kyle@TexansAgainstHSR.com
North American Development Bank Daniel Gutiérrez, Coordinador de Desarrollo de Proyectos	203 S. St. Mary's, Suite 300 San Antonio, TX 78205	210.231.8000	DGutierrez@nadb.org
North American Development Bank Juan Antonio Flores, Associate Director for Public Affairs	203 S. St. Mary's, Suite 300 San Antonio, TX 78205	210.231.8000	jaflores@nadb.org
North American Development Bank Rafael Ramírez, Analyst	203 S. St. Mary's, Suite 300 San Antonio, TX 78205	210.231.8000	RRamirez@nadb.org

Organization/Contact	Address	Phone Number	Email
North America's SuperCorridor Coalition, Inc (NASCO) Francisco Conde, Director of Special Projects	901 Main Street, Suite 4400 Dallas, TX 75202	214.744.1018	frank@nascocorridor.com
North America's SuperCorridor Coalition, Inc. Tiffany Melvin	901 Main Street, Suite 4400 Dallas, TX 75202	(214) 744-1042	tiffany@nascocorridor.com
North Houston Association	16825 Northchase Drive Suite 160 Houston, TX 77060	281-875-0660	
Northern Engineering Santos Limon, Project Manager	1040 East 800 North Orem, UT 84097	801.802.8992	slimon@neiutah.com
PCS Public Transit	1309 W. 8th Ave. Amarillo, TX 79101	(806) 372-2531	www.pcsvcs.org
People Organized in Defense of Earth and Her Resources Susana Almanza, Director	P.O. Box 6237, Austin, TX 78762-6237	(512) 401-3311	Poder.austin@gmail.com
Precast/Prestressed Concrete Manufacturers Association of Texas Chris Lechner,Executive Director	P.O. Box 310358 New Braunfels, TX 78131	(866) 944-7262	
Rails To Trails	2121 Ward Court NW, 5th Floor, Washington, DC 20037	(202) 974-5110	Trade.railstotrails.org
Retired State Employees Association	6901 N. Lamar, Suite 121	(512) 451-0087	
Save our Springs Alliance	221 E. 9th St. Austin 78701	512-477-2320	www.sosalliance.org
SHARP Lines Leslie Carroll, Transportation Director	118 N. 1st St. Crowell, TX 79227	(940) 684-1571	sharplines@rollingplains.org
Sierra Club, Lone Star Chapter Scheleen Walker, Director	1202 San Antonio, St. Austin, TX 78701	(512) 477-1729	scheleen.walker@sierraclub.org
Sinclair Black	208 W. 4th Street, 3A Austin, TX	(512) 474-1632	Sinclair@blackvernooy.com
Smart Transportation Division John Previsich, President	24950 County Club Blvd. Suite 340 North Olmsted, OH 44070	(216) 228-9400	President_td@smart-union.org
South Central Chapter of American Association of Airport Executives			www.scaaae.org
South Central Planning & Development Commission Jo-Anna Jones, Planner	P.O. Box 1870, Gray LA 70359	(985) 851-2900	jones@scpdc.org
South East Texas Transit	2210 Eastex Freeway, Beaumont, TX 77703	(409) 899-8444	setrpc@setrpc.org

Organization/Contact	Address	Phone Number	Email
South Texas Development Council Robert Mendiola	1002 Dicky Lane Laredo, TX 78043	(956) 722-3995	rmendiola@stdc.cog.tx.us
SPAN, Deb Robertson, Executive Director	1800 Malone St. Denton, TX 76201	(940) 382-1900	www.span-transit.org
SPARTAN Brian Baker, Director	1105 W. Highway 114 Levelland, TX 79336	(806) 894-3800	brian.baker@spcaa.org
Spartan Transportation	1105 W. Hwy 114 Levelland TX 79336	(806) 894-3800	spartaninfo@spcaa.org
SWART Public Transit Sarah Hidalgo-Cook, General Manager	713 E. Main Street Uvalde, TX 78801	(830) 278-4155	scook@paseoswart.org
Texas Aggregates and Concrete Association	900 Congress Ave., Suite 200 Austin, TX 78701	(512) 451-5100	http://www.tx-taca.org/contact
TAPS Public Transit	3400 Texoma Pkwy Sherman TX 75090	(855) 331-6732	www.tapsbus.com
Team Texas, Megan Price	5900 W. Plano Pkwy Suite 100 Plano, TX 75093	(214) 461-2078	mprice@ntta.org
Texas Alliance of Rail Districts John Helsley, President	P.O. Box 6004; Granbury, Tx. 76049	817-326-2551	jhelsley@chart er.net
Texas Asphalt Pavement Association Harold Mullen	149 Commercial Drive Buda, Texas 78610	(512) 312-2099	hmullen@texasasphalt.org
Texas Association of Campground Owners	910 S. Crowley Road, Suite 9-504 Crowley, TX 76036	(877) 518-1989	tacoexec@swbell.net
Texas Association of Convention and Visitor Bureaus Marla Roe, Executive Director	P.O. Box 265 Hamlin, TX 79520	(512) 550-3464	marla@tacvb.org
Texas Association of Railroad Passengers, Henry Wulff	PO Box 6874 Round Rock TX 78683-6874	(956) 357-0735	http://www.txarp.org/
Texas Aviation Association	P.O. Box 27918 Austin, TX 78755	(512) 453-5111	info@txaa.org
Texas Border Coalition Monica Weisberg-Stewart, Chairman Committee on Immigration			MonicaWS1@aol.com
Texas Coal Ash Utilization Group	Rick Hoelscher,President	210-349-4069	nakers@txcityattorney.com
Texas Concrete Pavement Association, Gerald Lankes, Executive Director	P.O. Box 1463 Round Rock, TX 78680-1463	(512) 870-7742	tcpa@houston.rr.com
Texas Eagle Forum	P.O. Box 79534 Dallas, TX 75379	(214) 556-2777	
Texas Farm Bureau Vernie Glasson, Executive Director	P.O. Box 2689 Waco, TX 76702	(254) 772.3030	vglasson@txfb.org

Organization/Contact	Address	Phone Number	Email
Texas Floodplain Management Association Roy Sedwick, Executive Director	P.O. Box 90367, Austin 78709		rdsedwick@austin.rr.com
Texas Good Roads & Transportation Association Lawrence Olsen	P.O. Box 12428 Austin, Texas 78711-2428	512-478-9351	lolsen@tgrta.com
Texas Hotel & Lodging Association	1701 West Avenue Austin, Texas 78701	(512) 474-2996	news@texaslodging.com
Texas Industries for the Blind and Handicapped Ron Bartles, State Marketing Manager	1011 East 53 ½ Street Austin, TX 78751	(512) 451-8145	rbartels@tibh.o rg
Texas Lime Association Kelvin Reinhardt	3502 Katsura Lane Austin, Texas 78746	(512) 723-5463	kelvinreinhardt@limetexas.org
Texas Trucking Association John Esparza	6555 North State Hwy. 161 Irving, Texas 75039	512/478/2541	john@tmta.com
Texas Municipal League	6200 La Calma Dr., #200 Austin, TX 78752	512-231-7400	
Texas Municipal Police Association	1200 New Jersey Ave, SE Washington, DC 20590	(512) 454-8900	
Texas Ports Association Eduardo Campirano, President	1000 Foust Road, Brownsville TX 78521	(956) 831-4592	eacampirano@portofbrownsville.com
Texas Public Employees Association Gary Anderson, Executive Director	512 E. 11th St., Austin TX 78701	(512) 476-2691	gary.anderson@tpea.org
Texas Public Works Association Ronnie Bates, Chapter Administrator	P.O. Box 293762 Lewisville, TX 75029	(214) 444-9596	tpwa@outlook.com
Texas Rail Advocates, Peter LeCody		(214) 803-7285	http://www.texasrailadvocates.org/default.asp
Texas Railroad Commission		(512) 463-7158	
Texas Shortline Railroad Association Steve George, President	6300 Ridglea Place, Suite 1200; Fort Worth, Texas 76116	817-763-8297	spg@fwwr.net
Texas Society of Professional Surveyors Executive Director, DJ Kyle	P.O. Box 13164 Austin, Texas 78711	(512) 327-7871	DJKyle@tsps.org
Texas State Agency Business Administrators Association	PO Box 149347, Austin, Texas 78714-9347		www.tsabaa.com
Texas Transit Association	106 E. 6th Street, Suite 900, Suite 100 Austin, TX 78701	(512) 322-5331	www.txtransit.org
Texas Travel Industry Association	3345 Bee Caves Road, Suite 102A Austin, TX 78746	(512) 328-8842	davidt@ttia.org

Organization/Contact	Address	Phone Number	Email
Texas Vegetation Management Association	6402 Betty Cook Dr. Austin, Tx. 78723	(512) 933-9930	cjsmith@landolakes.com
The Bank of New York Trust Company, N.A., Global Corp Trust	Saúl E. Ramirez, Vice President 919 Congress Avenue, Suite 500 Austin, TX 78701	(512) 236-6518	saul.ramirez@b ankofny.com
The Border Trade Alliance Jesse Hereford, President			jjhereford@sbinfra.com
The Border Trade Alliance Kathy Neal			kathy.neal@aosepc.com
The Border Trade Alliance Nelson Balido, President	6501 N. Greenway Pkwy. Ste. 103-290 Scottsdale, AZ 85254	210.912.3212	nelson@thebta.org
The Border Trade Alliance Samuel Vale		956.500.0576	sfvale@starrbridge.com
The District Public Transit	1759 N. Earl Rudder Freeway Bryan, TX 77803	(979) 778-0607, ext. 7008	customercare@btd.org
The Grand Parkway Association	4544 Post Oak Place Suite 222 Houston, TX 77027	(713) 965-0871	dgornet@grandpky.com
The Kansas City Southern (represented by Baker & Miller PLLC), Robert Wimbish	2401 Pennsylvania Ave., NW Suite 300, Washington, DC 20037	202.663.7824	RWimbish@bakerandmiller.co m
The Nature Conservatory Laura Huffman, State Director	318 Congress Avenue Austin TX 78701	(512) 623-7241	lhuffman@tnc.org
Transportation Advocacy Group – Houston	1160 Dairy Ashford Suite 500 Houston, Texas 77079	832.459.5116	
Transportation Advocates of Texas Don Rodman	13526 George Rd, Suite 107 San Antonio, Texas 78230	(361) 777-3999	don@therodmanco.com
Travel Industry Association	1100 New York Avenue, NW, Suite 450, Washington, DC 20005-3934	(202) 408-8422	feedback@ustravel.org
Union Pacific Railroad Ron Olson – Special Rep. Gov. Affairs	1001 Congress Ave., Suite 250 Austin, TX 78701	512-478-5881	rmolson@up.com
Union Pacific, Ivan Jaime	1711 Quintana Road San Antonio, Texas 78211	210.200.3656 and 402.501.2883 (cell)	ijaime@up.com
United Transportation Union	1204 San Antonio St., Suite 203 Austin, TX 78701	(512) 472-7072	SLD@ututx.org
ViaNovo William K. Moore	633 Pennsylvania Ave., NW, Fourth Floor Washington DC 20004	202.288.0892	
West Houston Association	Memorial City Plaza Two 820 Gessner Suite 1310 Houston, TX 77024	713.461.9378	info@westhouston.org
West Texas Opportunities, TRAX	603 N. 4th St. Lamesa, TX 79331	(806) 872-8354	Wtxop.info@gowto.org

Organization/Contact	Address	Phone Number	Email
Women in Transportation, Houston Chapter	1701 K Street NW, Suite 800, Washington, DC 20006	202-955-5088	membership@wtsinternational.org
Young Professionals in Transportation–Houston Chapter	701 N Post Oak Road Suite 430 Houston, TX 77024		ypthouston@gmail.com

Table 17 Exhibit 14 Interest Groups

Interagency, State, or National Associations
(that serve as an information clearinghouse or regularly interact with your agency)

Organization/Contact	Address	Phone Number	Email
Abilene Metropolitan Planning Organization E'lisa Smetana, Executive Director	402 Cypress St., Abilene, TX 79601	(325) 676-6243	elisa.smetana@abilenetx.com
Administración General de Aduanas (Ciudad Camargo), Lic. Miguel Ángel Aguilar Zamora	Carretera a Puente Internacional Km 6, Edificio de la Aduana, Camargo, Tamps 88440	891.974.3568	miguel.aguilar@sat.gob.mx
Administración General de Aduanas (Ciudad Miguel Alemán), Lic. Dolores Velazco Rosas		897.105.9001	
Administración General de Aduanas (Ciudad Reynosa), Lic. Jorge Fernando Boy Espinoza	Libramiento Luis Donaldo Colosio S/N, Col. Nuevo Amanecer Reynosa 88577	899.921.0260/61	jorge.boy@sat.gob.mx - CC nelda.lozano@sat.gob.mx
Administración General de Aduanas (Matamoros), Lic. Juan Ramón Huerta León	Acción Cívica y División del Norte S/N, Col. Doctores Matamoros 877460	868.811.0101	Please send fax
Administración General de Aduanas (Nuevo Laredo), Lic. Miguel Ángel Aguilar Zamora	Carretera Nuevo Laredo-Piedras Negras Km. 12.5, Puente Internacional de Comercio Mundial, Puente III, Sector Centro Nuevo Laredo, Tamaulipas 88000		miguel.aguilar@sat.gob.mx
Administración General de Aduanas (Nuevo Laredo),Ing. Carlos Gómez Unda Allende	Carretera Nuevo Laredo-Piedras Negras Km. 12.5, Puente Internacional de Comercio Mundial, Puente III, Sector Centro Nuevo Laredo, Tamaulipas 88000	867.711.3204 867.711.3201	carlos.unda@sat.gob.mx
Administración General de Aduanas (Piedras Negras), Lic. Ernesto Alonso González Hernández	Zaragoza y Fuente s/n, Zona Centro Piedras Negras, Coahuila 26000	878.782.6592	alonso.gonzalez@sat.gob.mx; copy assistant cynthia.valdez@sat.gob.mx
Administración General de Aduanas (Acuña), Lic. Adan Lisea Rosas	Miguel Hidalgo y Nicolás Bravo S/N, Edificio Puerto de México, Cd. Acuña, Coahuila 26200	877.772.5066	l.gonzalez@sat.gob.mx (sub-administrador) Copy: evelyn.lopez@sat.gob.mx and nancy.oyervidez@sat.gob.mx
Administración General de Aduanas (Acuña), Luis Landeros			luis.landeros@sat.gob.mx;

Organization/Contact	Address	Phone Number	Email
Administración General de Aduanas (Colombia), Andrés López	Carretera Nuevo Laredo-Piedras Negras, Km.34.5, Anáhuac Colombia, NL 65000	867.734.5101	andres.lopez@sat.gob.mx
Administración General de Aduanas (Colombia), Lic. Alejandro Díaz Mundo	Carretera Nuevo Laredo-Piedras Negras, Km.34.5, Anáhuac	867.734.5101	alejandro.diaz@sat.gob.mx
Administración General de Aduanas (Colombia), Lic. Irma Karina López López	Carretera Nuevo Laredo-Piedras Negras, Km.34.5, Anáhuac Colombia, NL 65000	867.734.5101	irma.karina@sat.gob.mx and CC claudia.coronel@sat.gob.mx
Administración General de Aduanas, Arq. Alejandro Zamudio Gómez	Av. Hidalgo 77, Modulo IV 1 Piso, Col. Guerrero México, D.F. '06300	55.5802.0782	alejandro.zamudio@sat.gob. mx
Administración General de Aduanas, Arq. Carlos Manuel Morales Tayavas	Av. Hidalgo 77, Modulo IV 1 Piso, Col. Guerrero México, D.F. '06300	55.5802.0897	carlos.morales@sat.gob.mx
Amarillo College Ed Nolte	PO Box 447 Amarillo, TX 78187	(806) 335-4298	Nolte-el@actx.edu
Amarillo Metropolitan Planning Organization Gary Holwick, Director	P.O. Box 1971 Amarillo, TX 79105-1971	(806) 378-6293	gary.holwick@amarillo.gov
Arizona Department Of Transportation Jodi Rooney Director, Planning and Programming	206 S 17th Ave, Room 100 Phoenix, AZ 85007	(602) 206.3524	JRooney@azdot.gov
Ark-Tex Council of Governments Lynda Woods-Pugh, CCTM Transportation & Community Development Manager	P.O. Box 5307 Texarkana, TX 75505-5307	(903) 832-8636	lwoods@atcog. org
Austin-San Antonio Intermunicipal Commuter Rail District Sid Covington,Chair	P.O. Box 1618 San Marcos, Texas 78667	512-925-1231	sid_c@swbell. net
B&M Bridge John Hopkins, Chief Operating Officer		(956) 548-2415	JohnH@BMbridgeco.com
Barton Springs Edwards Aquifer Conservation District	1124 Regal Row Austin, TX 78748	512-282-8441	bseacd@bseacd.org
Bond Review Board	P.O. Box 13292 Austin, TX 78711-3292	(512) 463-1741	brbirm@brb.state.tx.us
Brazos Transit District	1759 N Earl Rudder Fwy Bryan, TX	(800) 272-0039	

Organization/Contact	Address	Phone Number	Email
Brazos Valley Council of Governments Michael Parks Assistant Executive Director	P.O. Drawer 4128 Bryan, Texas 77805–4128	(979) 595-2800, ext. 2001	mparks@bvcog.org
Bryan–College Station Metropolitan Planning Organization	Linda LaSut		llasut@bcsmpo.org
California Department Of Transportation Kome Allse, Deputy Director	P.O. Box 942874 Sacramento, CA 94274	(916) 653.1637	Kome.allse@dot.ca.gov
Camino Real Regional Mobility Authority Raymond Telles, Executive Director	300 N. Campbell, 2nd Floor, El Paso TX 79901	(915) 212-1072	tellesrl@crrma.org
Caminos y Puentes Federales , Ing. Américo Alvarado Linares	Ave. Luis Echeverría No. 575, Col. Aquiles Serdán,Reynosa, Tamps. 88540	899.921.1015 899.921.1016	agalvarado@capufe.gob.mx with copy to svalenzuela@capufe.gob.mx
Caminos y Puentes Federales , Lic. Alberto González Káram	Ave. Luis Echeverría No. 575, Col. Aquiles Serdán,Reynosa, Tamps. 88540	899.921.1022 cel. 899.132.4825	jagonzalez@capufe.gob.mx
Caminos y Puentes Federales, Ing. Gerardo Javier Saldívar Reyna	Ave. Luis Echeverría No. 575, Col. Aquiles Serdán,Reynosa, Tamps. 88540	899.921.1015 899.921.1016	gsaldivar@capufe.gob.mx with copy to svalenzuela@capufe.gob.mx
Caminos y Puentes Federales, Manuel Padilla			
Caminos y Puentes Federales, Raúl Teviño		878.782.3315	
Capital Area Metropolitan Planning Organization	505 Barton Springs Road, Suite 700 Austin, TX 78704	(512) 974-2275	Ashby.johnson@campotexas.org
Center for Transportation Infrastructure Systems, UT El Paso Soheil Nazarian, Center Director	500 W. University El Paso, TX 79968	(915) 747-6925	nazarian@utep.edu
Central Texas College Bill Hazzard	PO Box 1800 Killeen, TX 76540	(254) 526-1349	billy.hazzard@ctcd.edu
Central Texas Regional Mobility Authority	3300 N I-35 #300 Austin, TX 78705	512-996-9778	mstein.ctrma.org
Centro SCT Coahuila , Ing. Rolando Flores Garcia	Carretera Central México-Piedras Negras No. 4213 Saltillo, Coahuila 25299	844.430.4899	rfloresg@sct.gob.mx
Centro SCT Coahuila , Lic. Jesús de León Tello	Carretera Central México-Piedras Negras No. 4213 Saltillo, Coahuila 25299		jdeleont@sct.gob.mx

Organization/Contact	Address	Phone Number	Email
Centro SCT Coahuila ,Ing. Luis Encinas Bauza	Carretera Central México-Piedras Negras No. 4213 Saltillo, Coahuila 25299	844.430.4899	lencinas@sct.gob.mx
Centro SCT Coahuila, Ing. Jaime Román López Fuentes	Carretera Central México-Piedras Negras No. 4213 Saltillo, Coahuila 25299		jlopezfu@sct.gob.mx
Centro SCT Coahuila, Ing. Rodrigo Alfredo Pérez Armenta	Carretera Central México-Piedras Negras No. 4213 Saltillo, Coahuila 25299	844.288.2845	rperezar@sct.gob.mx
Centro SCT Nuevo León, Ing. Carlos Alfredo Medina Vázquez	Palacio Federal de Cd. Guadalupe, B. Juárez y Corregidora, Col. Centro Cd. Guadalupe, N.L. 67102	81.4000.2800 ext. 56501	cmedinav@sct.gob.mx
Centro SCT Nuevo León, Ing. Vinicio A. Serment Guerrero	Palacio Federal de Cd. Guadalupe, B. Juárez y Corregidora, Col. Centro Cd. Guadalupe, N.L. 67102	81.4000.2815	vserment@sct.gob.mx
Centro SCT Nuevo León, Juan Miranda Roque	Palacio Federal de Cd. Guadalupe, B. Juárez y Corregidora, Col. Centro Cd. Guadalupe, N.L. 67102		jmiranda43@hotmail.com
Centro SCT Nuevo León, Lic. Héctor Eduardo Belmares de León	Palacio Federal de Cd. Guadalupe, B. Juárez y Corregidora, Col. Centro Cd. Guadalupe, N.L. 67102	81. 8355.0934 and 81.4000.2819	hectorbelmaresdeleon@hotmail.com CC to nnmuniz@sct.gob.mx
Centro SCT Nuevo León, Luis Antonio Posada F.	Palacio Federal de Cd. Guadalupe, B. Juárez y Corregidora, Col. Centro Cd. Guadalupe, N.L. 67102	81.4000.2819	lposadaf@sct.gob.mx
Centro SCT Nuevo León, M.A.E. Zeferino Salgado Almaguer	Palacio Federal de Cd. Guadalupe, B. Juárez y Corregidora, Col. Centro Cd. Guadalupe, N.L. 67102		zsalgado@sct.gob.mx
Centro SCT Tamaulipas, Marco Antonio García Castillo	Avenida América Española No. 273, Col. Centro, SCT Tamaulipas Cd. Victoria, 87189	834.312.2199	jugarcia@sct.gob.mx

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Centro SCT Tamaulipas,Ing. Gilberto Estrella Hernández	Avenida América Española No. 273, Col. Centro, SCT Tamaulipas Cd. Victoria, Tamaulipas 87189	834.312.2199	gestrelh@sct.gob.mx
Centro SCT Tamaulipas,Ing. Jorge Organista Barba	Avenida América Española No. 273, Col. Centro, SCT Tamaulipas Cd. Victoria, 87189	834.312.2199	jorganis@sct.gob.mx
Centro SCT Tamaulipas,Ing. Victor Manuel Galindo Moreno	Palacio Federal Planta Baja, Col. Zona Centro, (Edif. 1, P. A., SECCION: Delegación de Autotransporte),Nuevo Laredo 88000	867.712.9292	vgalindo@sct.gob.mx
Centro SCT Tamaulipas,Xavier Méndez Lerma	Avenida América Española No. 273, Col. Centro, SCT Tamaulipas Cd. Victoria, 87189	834.312.2199	xmendezl@sct.gob.mx
City of El Paso Tommy Gonzalez, City Manager	300 N. Campbell, El Paso TX 79901	(915) 212-1061	gonzalezt@elpasotexas.gov
City of Lubbock/Citibus	PO Box 2000 Lubbock, Texas 79457	(806)712-2003	www.citibus.com
Coastal Bend Council of Governments	2910 Leopard St. Corpus Christi, TX 78408	361 883-5743	richard@cbcog98.org
Colorado Valley Transit	108 Cardinal Lane Columbus, TX 78934	(979) 732-6281	cvt@gotransit.org
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Secretaría de Desarrollo Social, Arq. José Luis Llovera Abreu	Av. Reforma 333 piso 2, Col. Cuahtémoc Mexico D.F. '06500	55.5080.0940 ext. 57403	jose.llovera@sedesol.gob.mx
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Secretaría de Desarrollo Urbano y Medio Ambient, Lic. Ramiro Ramos Salinase	Calle Cerro al Tepeyac c/ Prol. América Española Núm. 208 Sur, Gracc. Hdas del Santuario Cd. Victoria 87149	834.315.3949	ramiro@mexico.com
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Secretaría de Obras Públicas y Transporte, Arq. Adela Blanco Ceballos	Centro de Gobierno, Carr. 57 y Blvd. Centenario de Torreón s/n, Planta Baja Saltillo, Coahuila 25924	844.698.1000 ext. 7648 or direct: 844.252.7702	adelab@hotmail.com
Secretaría de Obras Públicas y Transporte, Ing. Ernesto Garza Flores	Centro de Gobierno, Carr. 57 y Blvd. Centenario de Torreón s/n, Planta Baja Saltillo, Coahuila 25924	844.698.1017 or 18	

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Secretaría de Obras Públicas, Arq. Andrés Velázques Quiñones	Centro de Oficinas Gubernamentales Torre Bicentenario Libramiento Naciones Unidas con Prol. Blvd. Práxedis Balboa Cd. Victoria 87130	834.107.8518, 8519 and 8520	andresvelazquez@hotmail.com
Secretaría de Obras Públicas, Arq. Sandra Guerra Ramírez	Carretera Victoria - Soto La Marina Km. 6 Cd. Victoria, Tamaulipas v	834.318.3400 ext. 46803 or direct line 834.318.3403 and 834.318.3410	arq-sgr@hotmail.com
Secretaría de Obras Públicas, Arq. Vicente Saint Martín Ochoa	Centro de Oficinas Gubernamentales Torre Bicentenario Libramiento Naciones Unidas con Prol. Blvd. Práxedis Balboa Cd. Victoria 87130	834.107.8518, 8519 and 8520	vicente.saint@hotmail.com
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Starr County International Bridge System, Raul Peña, Bridge Overseer	PO Box 941 Roma, TX 78584	(956) 849-7371	
Sulphur River Regional Mobility Authority	P.O. Box 288 Sulphur Springs, TX 75483	93-438-4006	judge@Hopkins countytx. org
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Texas Board of Professional Engineers Executive Director Lance Kinney, Ph.D., P.E.	12100 Park 35 Circle Building A, Suite 156 Austin, Texas 78753	(512) 440-7723	lance.kinney@engineers.texas.gov
Texas Board of Professional Land Surveying Executive Director:		(512) 239-5263	tony.estrada@txls.texas.gov
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Texas Department of Criminal Justice	P.O. Box 149104 Austin, TX 78714-9104	(512) 463-9988	rc.thaler@tdcj.state.tx.us
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Texas Department of Insurance	P.O. Box 12157Austin, Texas 78711	512-676-6000	
Texas Department of Insurance Workers Compensation Division	7551 Metro Center Drive, Suite 100 Austin, TX 78744-1645	(512) 804-4000	
Texas Department of Licensing and Regulations	1700 N. Congress, Austin, Texas 78701	(512) 463-6599	
Texas Department of Public Safety	P.O. Box 1541Corpus Christi, TX 78403	(512) 424-2000	

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Texas Railroad Commission		(512) 463-7158	
Texas State Auditor's Office	Austin, TX 78701	(512) 936-9500	
Texas State Classification Office Senior Classification Analyst	1821 Rutherford Lane, Suite 400 Austin, Texas 78754	(512) 936-9628	
Texas State Department of Health Services	1100 San Jacinto Blvd, Austin, TX 78701	(512) 776-711	
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US Army Corps of Engineers	Jadwin Building, 2000 Fort Point Road, Galveston, TX 77553-1229	(409) 766-3004	swgpao@usace.army.mil
US DOT	1701 N. CongressAustin, TX 78701	1.866.377.8642	www.dot.gov
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West Central Texas Council of Governments Tom K. Smith, Executive Director	3702 Loop 322, Abilene TX 79602	(325) 672-8544	wctcog@wctcog.org
Wichita Falls Metropolitan Planning Organization	Lin Barnett		lin.barnett@cwftx.net
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WTAMU	Duane Rosa	806-651-2520	drosa@mail.wtamu.edu

Table 18 Exhibit 14 Interagency, State, and National Association

Liaisons at Other State Agencies

(with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
Bond Review Board Robert C. Kline	300 W.15th Street Ste.409 78701 Austin, TX 78701	(512) 463-9892	kline@brb.state.tx.us
Governor Economic Development and Tourism Bryan Daniel	P.O. Box 12428 Austin, Texas 78711	(512) 936-0303	bryan.daniel@gov.texas.gov
Governor's Budget Office Kara Belew	P.O. Box 12428 Austin, Texas 78711	(512) 463-1778	kara.belew@gov.texas.gov
Governor's Policy Office Drew DeBerry	P.O. Box 12428 Austin, Texas 78711	(512) 463-1778	drew.deberry@gov.texas.gov
Legislative Budget Board Thomas Galvan	1501 North Congress Austin, Texas 78701	(512) 463-1200	thomas.galvan@lbb.state.tx.us
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Texas Comptroller of Public Accounts Brooke Paup	P.O. Box 13528 Austin, Texas 78711	(512) 463-7252	brooke.paup@cpa.state.tx.us
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Texas Facilities Commission Harvey Hilderbran	1711 San Jacinto, Austin, TX 78701	(512) 463-3446	harvey.hilderbran@tfc.state.tx.us

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
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Texas Railroad Commission Stacie Fowler	1701 N. Congress Austin, TX 78711	(512) 463-7086	stacie.fowler@rrc.state.tx.us
Texas State Auditor's Office John Keel	1501 N. Congress Ave. Austin, TX 78701	(512) 936-9300	john.keel@sao.state.tx.us
Texas State Historic Commission Vaughn Aldredge	1511 Colorado Austin, TX 78701	(512) 463-5754	vaughn.aldredge@thc.state.tx.us
Texas State Preservation Board John Sneed	201 E. 14 Street, Suite 950 Austin, Texas 78701	(512) 463-5495	john.sneed@tspb.state.tx.us
Texas Transportation Institute Texas A&M University Dennis L Christiansen	3135 TAMU College Station, Texas 77843	(979) 845-1713	dennis-c@tamu.edu
Texas Workforce Commission Tom McCarty	101 E 15th St. Austin, TX 78778	(512) 936-2346	tom.mccarty@twc.state.tx.us
The University of Texas Austin Dr. Ron Matthews	1 University Station C2200 Austin, TX 78712	(512) 471-3108	rdmatt@mail.utexas.edu
Texas Secretary of State Avdiel Y. Huerta	P.O. Box 12697 Austin, TX 78711	(512) 463-5770	ahuerta@sos.state.tx.us

Table 19 Exhibit 14 Liaisons at Other State Agencies

XI. Additional Information

A. Evaluation of Agency Reporting Requirements

See Appendix C - Table 20 Exhibit 15 Agency Reporting Requirements

B. Has the agency implemented statutory requirements to ensure the use of "first person respectful language"? Please explain and include any statutory provisions that prohibits these changes.

Not applicable

C.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 16: Complaints Against the Agency — Fiscal Years 2013 and 2014

	Fiscal Year 2013	Fiscal Year 2014
Number of complaints received	8,364	12,459
Number of complaints resolved	7,234	11,162
Number of complaints dropped / found to be without merit	1,130	1,297
Number of complaints pending from prior years	19	15
Average time period for resolution of a complaint	20	7

Table 21 Exhibit 16 Complaints Against the Agency

D.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 17: Purchases from HUBs

Fiscal Year 2013

Category	Total $ Spent	Total HUB $ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	$4,445,943,865	$214,300,418	4.82%	11.2%	11.2%
Building Construction	$4,347,930	$817,638	18.81%	21.1%	21.1%
Special Trade	$10,060,692	$4,443,672	44.17%	32.7%	32.7%
Professional Services	$365,974,002	$83,426,661	22.80%	23.6%	23.6%
Other Services	$287,229,114	$70,111,235	24.41%	24.6%	24.6%
Commodities	$92,818,688	$12,247,436	13.20%	21.0%	21.0%
TOTAL	$5,206,374,314	$385,347,062	7.40%		

Table 22 Exhibit 17 HUB Purchases for FY 2013

Fiscal Year 2014

Category	Total $ Spent	Total HUB $ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	$5,275,696,063	$290,766,287	5.51%	11.2%	11.2%
Building Construction	$6,263,945	$3,762,825	60.07%	21.1%	21.1%
Special Trade	$18,609,031	$6,529,997	35.09%	32.7%	32.7%
Professional Services	$390,620,414	$47,003,188	12.03%	23.6%	23.6%
Other Services	$388,968,353	$76,147,219	19.58%	24.6%	24.6%
Commodities	$148,586,381	$22,173,119	14.92%	21.0%	21.0%
TOTAL	$6,228,744,190	$446,382,638	7.17%		

Table 23 Exhibit 17 HUB Purchases for FY 2014

Fiscal Year 2015 (Semi-Annual)

Category	Total $ Spent	Total HUB $ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	$2,496,147,162	$95,186,766	3.81%	7.14%	11.2%
Building Construction	$2,689,578	$747,725	27.80%	20.16%	21.1%
Special Trade	$8,675,425	$4,020,107	46.34%	36.14%	32.9%
Professional Services	$191,887,531	$56,454,025	29.42%	18.75%	23.7%
Other Services	$214,415,317	$37,843,070	17.65%	25.08%	26.0%
Commodities	$79,608,325	$7,657,686	9.62%	15.84%	21.1%
TOTAL	$2,993,423,341	$201,909,380	6.75%		

Table 24 Exhibit 17 HUB Purchases for FY 2015

E. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Government Code, Sec. 2161.003; TAC Title 34, Part 1, rule 20.15b)

Yes, our agency has a HUB Policy. Our agency addresses performance shortfalls in the Strategic HUB Plan, which outlines our shortfalls and measures to ensure compliance and/or "good faith effort" to meet those areas related to the policy.

F. For agencies with contracts valued at $100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of $100,000 or more? (Texas Government Code, Sec. 2161.252; TAC Title 34, Part 1, rule 20.14)

Yes, this requirement is notated in our policy and procedures, and, included in solicitations with an expected value of $100,000 or more, which include renewals, where subcontracting opportunities are probable.

G. For agencies with biennial appropriations exceeding $10 million, answer the following HUB questions.

1. Do you have a HUB coordinator? If yes, provide name and contact information. (Texas Government Code, Sec. 2161.062; TAC Title 34, Part 1, rule 20.26)

Yes, Carlos A. Balderas is our HUB Program Director and can be reached by phone at (512) 416.4687 or via e-mail at carlos.balderas@txdot.gov

2. **Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Texas Government Code, Sec. 2161.066; TAC Title 34, Part 1, rule 20.27)**

   Yes, we have an upcoming TxDOT Vendor Forum on July 8, 2015 which will allow HUBs to receive various trainings and network with General Contractors, State Agencies, Minority Trade Associations and TxDOT Staff from various internal divisions.

3. **Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Government Code, Sec. 2161.065; TAC Title 34, Part 1, rule 20.28)**

   Yes, this requirement is stated in our policy and procedures, and, TxDOT is currently sponsoring 6 mentor protégé relationships.

H. Fill in the charts below detailing your agency's Equal Employment Opportunity (EEO) statistics.

TEXAS DEPARTMENT OF TRANSPORTATION
Exhibit 18: Equal Employment Opportunity Statistics

1. Officials / Administration

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2013	368	2.45%	8.99%	15.76%	19.51%	17.66%	39.34%
2014	382	2.36%	8.99%	16.75%	19.51%	16.49%	39.34%
2015	388	2.84%	8.99%	16.75%	19.51%	17.78%	39.34%

Table 25 Exhibit 18 EEO Statistics for Officials/Administration

2. *Professional*

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2013	4,688	8.04%	11.33%	22.35%	17.4%	33.34%	59.14%
2014	4,872	8.64%	11.33%	22.45%	17.4%	33.56%	59.14%
2015	4,903	9.14%	11.33%	23.01%	17.4%	34.24%	59.14%

Table 26 Exhibit 18 EEO Statistics for Professionals

3. *Technical*

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2013	1,668	8.03%	14.16%	24.04%	21.36%	11.33%	41.47%
2014	1,845	7.59%	14.16%	25.80%	21.36%	11.27%	41.47%
2015	1,825	7.07%	14.16%	25.75%	21.36%	11.95%	41.47%

Table 27 Exhibit 18 EEO Statistics for Technical

4. *Administrative Support*

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2013	610	7.70%	13.57%	25.41%	30.53%	85.57%	65.62%
2014	598	7.02%	13.57%	26.92%	30.53%	86.62%	65.62%
2015	579	6.39%	13.57%	27.46%	30.53%	87.74%	65.62%

Table 28 Exhibit 18 EEO Statistics for Administrative Support

5. *Service / Maintenance*

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2013	423	10.64%	14.68%	38.30%	48.18%	5.44%	40.79%
2014	381	7.09%	14.68%	35.96%	48.18%	6.04%	40.79%
2015	390	8.72%	14.68%	37.69%	48.18%	5.90%	40.79%

Table 29 Exhibit 18 EEO Statistics for Service and Maintenance

6. Skilled Craft

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2013	3,913	7.62%	6.35%	27.22%	47.44%	2.12%	4.19%
2014	3,570	7.87%	6.35%	28.07%	47.44%	2.02%	4.19%
2015	3,622	7.45%	6.35%	28.02%	47.44%	1.99%	4.19%

Table 30 Exhibit 18 EEO Statistics for Skilled Craft

I. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

TxDOT has a complaint and inquiry/investigation process to identify any violations of EEO laws, and then appropriate disciplinary action would be coordinated with Office of General Counsel and HRD. In addition, TxDOT provides EEO training to all new hires, and mandatory EEO training as required.

XII. Agency Comments

No additional comments

ATTACHMENTS OR LINKS TO AGENCY INFORMATION

Attachments or Links Relating to Key Functions, Powers, and Duties

1. Agency's enabling statute.

   See Section VIII of this report.
2. Annual report published by the agency from FY 2012–2015.

   Not applicable
3. Internal or external newsletters published by the agency from FY 2014–2015.

   The Communications Division produces TN magazine, the department's official employee news magazine. The current and archived versions of TN can be accessed at http://viewer.zmags.com/publication/75f55166#/75f55166/1
4. List of publications and brochures describing the agency.

   - 2015 Educational Series http://www.txdot.gov/government/legislative/state-affairs/educational-series.html
   - TxDOT Funding Brochure http://ftp.dot.state.tx.us/pub/txdot-info/fin/funding_sources.pdf
   - 84th Legislature 2015 - Mapping for the Future, Summary of Enacted Legislation http://ftp.dot.state.tx.us/pub/txdot-info/sla/84th-legislative-summary.pdf
   - 83rd Legislative Session Summary – Building on Success http://ftp.dot.state.tx.us/pub/txdot-info/sla/83rd-legislative-summary.pdf
5. List of studies that the agency is required to do by legislation or riders.

   See Attachment 5.
6. List of legislative or interagency studies relating to the agency that are being performed during the current interim.

   See Attachment 6.
7. List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions. Provide links if available.

   See Attachment 7.

Attachments or Links Relating to Policymaking Structure

8. Biographical information (e.g., education, employment, affiliations, and honors) or resumes of all policymaking body members.

   See Attachment 8.

9. Agency's most recent rules. If lengthy, please provide citations.

   TxDOT's rules can be found in Title 43 of the Texas Administrative Code. http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=43&pt=1

Attachments or Links Relating to Funding

10. Agency's Legislative Appropriations Request for FY 2016–2017.

    http://www.txdot.gov/government/legislative/leg-ap-req.html

11. Annual financial reports from FY 2012–2014.

    http://www.txdot.gov/government/reports/finance.html

12. Operating budgets from FY 2013–2015.

    http://www.txdot.gov/government/reports/finance.html

Attachments or Links Relating to Organization

13. If applicable, a map to illustrate the regional boundaries, headquarters location, and field or regional office locations.

    See Attachment 13 – TxDOT Facilities.

Attachments or Links Relating to Agency Performance Evaluation

14. Quarterly performance reports completed by the agency in FY 2012–2015.

    See Attachment 14 – Agency Performance Reports FYs 2012-2014.

15. Any recent studies on the agency or any of its functions conducted by outside management consultants or academic institutions.

    Not applicable.

16. Agency's current internal audit plan.

    http://ftp.dot.state.tx.us/pub/txdot-info/adm/2013/documents/minute_orders/0829/11.pdf

17. Agency's current strategic plan.

    http://www.txdot.gov/inside-txdot/office/state-affairs/strategic-plan.html

18. Internal audit reports from FY 2011–2015 completed by or in progress at the agency.

    http://www.txdot.gov/apps-cq/audit_reports/default.htm

19. List of State Auditor reports from FY 2011–2015 that relate to the agency or any of its functions.

    See Attachment 19 – State Auditor Reports on TxDOT Functions

20. Any customer service surveys conducted by or for your agency in FY 2014–2015.

    http://ftp.dot.state.tx.us/pub/txdot-info/sla/satisfaction-survey-2014.pdf

Attachment 5 - List of studies that the agency is required to do by legislation or riders.

84th Legislature, Regular Session, 2015

Legislation

HB 3225
Relating to lane restrictions for certain motor vehicles in highway construction or maintenance work zones.
Section 545.0653(b), Transportation Code: The executive director or the executive director's designee may restrict a commercial motor vehicle to a specific lane of traffic in a construction or maintenance work zone for a highway that is part of the state highway system if the executive director or the executive director's designee determines that, based on a traffic study performed by the department to evaluate the effect of the restriction, the restriction is necessary to improve safety.

HB 3750
Relating to interim studies on real property owned by the state.
The State Office of Risk Management (SORM) shall conduct an interim study on insurable state assets, using information provided by the Legislative Budget Board (LBB), to develop a statewide strategy to ensure that all real property owned by the state, including buildings, facilities, and land, is adequately insured.
Note: TxDOT will need to provide the required information to the LBB, which will report it to SORM. TxDOT will need to ascertain whether such information must include right of way.

HB 790
Relating to a study on the implementation and effectiveness of sound mitigation measures on certain highways.
The Texas A&M Transportation Institute shall conduct a study assessing the implementation and effectiveness of sound mitigation measures on highways that are part of the state highway system and toll roads or turnpikes under the jurisdiction of a toll project entity as defined by Section 372.001, Transportation Code.

HB 1119, which required TxDOT and TTI to conduct a study to assess the need for the replacement of certain fallen or damaged mile markers, was vetoed by the Governor on June 18, 2015.

HB1 Riders

38. Study on Transportation Technology. Out of the funds appropriated, the Department of Transportation, as it determines appropriate and feasible, shall examine and evaluate innovative transportation technologies for purposes of cost savings, reducing traffic congestion, promoting safety, and increasing economic productivity. (Pg. VII-29)

46. Report on the Elimination of Toll Roads. Out of funds appropriated, it is the intent of the Legislature that the Texas Department of Transportation conduct a study on the feasibility of eliminating toll roads and the payment of debt to accomplish this purpose. It is the intent of the Legislature that the report:

(1) list the amount of debt service on bonds issued for each toll project in this state;
(2) identify, based on criteria provided by the Texas Transportation Commission, bonds that would be appropriate for accelerated or complete lump-sum payment of debt service; and

Attachment 5 - List of studies that the agency is required to do by legislation or riders.

(3) propose a plan to eliminate all toll roads in this state, except for tolls on roads constructed, operated, or maintained only with proceeds from the issuance of bonds by a toll project entity other than the department, by methods including:

(A) the accelerated or complete lump-sum payment of debt service on bonds identified under Subdivision (1); or

(B) requiring, as a condition on receipt of state financial assistance, a commitment by a toll project entity to eliminate toll collection on a project for which the financial assistance is provided.

It is the intent of the Legislature that the report be completed by September 1, 2016, and a copy be provided to the Legislative Budget Board and the standing committees of each house of the Legislature with primary jurisdiction over transportation matters. (Pgs. VII-29-30)

Attachment 5 - List of studies that the agency is required to do by legislation or riders.

83rd Legislature, Regular Session, 2013

Legislation

HB 2204

Relating to the establishment of a variable speed limit pilot program by the Texas Transportation Commission

The commission by rule shall establish and the department shall implement a variable speed limit pilot program to study the effectiveness of temporarily lowering prima facie speed limits to address inclement weather, congestion, road construction, or any other condition that affects the safe and orderly movement of traffic on a roadway.

SB 1 Riders

44. Study on Transportation Technology. Out of the funds appropriated, the Department of Transportation, as it determines appropriate and feasible, shall examine and evaluate innovative transportation technologies for purposes of cost savings, reducing traffic congestion, promoting safety, and increasing economic productivity. (Pg. VII-32)

Note: The 83rd Legislature, Third Called Session, 2013, passed HB 1 (Relating to transportation funding, expenditures, and finance and the preservation of a sufficient balance in the economic stabilization fund; making an appropriation), which created an interim committee composed of representatives and senators. The interim committee was charged with studying several topics related to transportation funding.

Attachment 5 - List of studies that the agency is required to do by legislation or riders.

82nd Legislature, Regular Session, 2011

Legislation

HB 699*
Relating to the funding of port security, facility projects, and port studies.
Section 55.002(a)(2), Transportation Code: From money in the port access account fund, the department shall fund:

(1) port security, transportation, or facility projects; and
(2) maritime port studies.

HB 1201*
Relating to repeal of authority for the establishment and operation of the Trans-Texas Corridor.
Secton 224.1541, Transportation Code: The commission may authorize the operation of a vehicle that exceeds certain weight or size limitations on a lane designated as an exclusive lane under this section if supported by an engineering and traffic study that includes an analysis of the structural capacity of bridges and pavements, current and projected traffic patterns and volume, and potential effects on public safety.

SB 1420*
Relating to the continuation and functions of the Texas Department of Transportation; providing penalties.
Section 621.202 (a), Transportation Code: To comply with safety and operational requirements of federal law, the commission by order may set the maximum width of a vehicle, including the load on the vehicle, at eight feet for a designated highway or segment of a highway if the results of an engineering and traffic study, conducted by the Texas Department of Transportation, that includes an analysis of structural capacity of bridges and pavements, traffic volume, unique climatic conditions, and width of traffic lanes support the change.

HB 422
Relating to certain oversize and overweight permits issued by the Texas Department of Transportation.
Section 623.0711(c), Transportation Code: The commission rules must require that, before the department issues a permit under this section, the department:

(1) determine that the state will benefit from the consolidated permitting process; and
(2) complete a route and engineering study that considers:
    (A) the estimated number of loads to be transported by the motor carrier under the permit;
    (B) the size and weight of the commodity;
    (C) available routes that can accommodate the size and weight of the vehicle and load to be transported;
    (D) the potential roadway damage caused by repeated use of the road by the permitted vehicle;
    (E) any disruption caused by the movement of the permitted vehicle; and
    (F) the safety of the traveling public.

*Bills do not require studies; rather the department is required to fund or to take action depending on a study the department completes.

HB 1 Riders

Attachment 5 - List of studies that the agency is required to do by legislation or riders.

36. Study on Road Damage Caused by Oversized and Overweight Vehicles. Out of funds appropriated, the Department of Transportation shall evaluate the damage that oversized and overweight vehicles cause on roads including exempt vehicles such as agricultural, garbage collection, grocery, produce, farm produce, concrete, milk, timber, and rock vehicles. Based on this evaluation, the Department of Transportation shall provide recommendations for permit fee and fee structure adjustments, including the highway maintenance fee, to the Governor and the Legislative Budget Board by December 1, 2012. (Pg. VII-33)

44. Funds for Research of Methods to Maximize Toll Revenues. Out of amounts appropriated above in Strategy A.1.4, Research, the Department of Transportation shall provide necessary funds, not to exceed $250,000 for the biennium, to the Texas Transportation Institute to complete a study of methods to maximize toll revenues. (Pg. VII-37)

Attachment 6 - List of legislative or interagency studies relating to the agency that are being performed during the current interim.

The department is required to perform the following studies, based on bills and riders passed during the most recent Legislative Session:

- HB 3225—Traffic study to evaluate the effect of restriction of commercial vehicle traffic and its impact on safety (as necessary).
- HB 3750—Interim study on real property owned by the state (Study will be conducted by the State Office of Risk Management and the department will provide information as necessary).
- HB 790—Texas Transportation Institute Study on sound mitigation measures on highways that are part of the state highway system and toll roads or turnpikes under the jurisdiction of a toll project entity.
- Rider 38—Study on Transportation Technology (as department determines appropriate and feasible).
- Rider 46—Study on the feasibility to eliminate all toll roads and payment of debt to accomplish this purpose.

Attachment 7 - List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions.

Federal Highway Administration:

Innovative Project Delivery Using Alternative Financing Mechanisms: Assessment of Benefits, Costs, and Risks (2014)
Understanding Long-Distance Traveler Behavior (2014)
Culvert and Storm Drain Management Case Study; Vermont, Oregon, Ohio, and Los Angeles County (2014)
Photographic Data Extraction Feasibility and Pilot Study in Support of Roadside Safety and Roadway Departure Research (2014)
State of the Practice and Art for Structural Health Monitoring of Bridge Substructures (2014)
A Study on Intelligent Compaction and In-Place Asphalt Density (2014)
Post-Tensioning Tendon Grout Chloride Thresholds (2014)
Casual Carpooling Focus Group Study (2013)
Financial Structuring and Assessment for Public-Private Partnerships: A Primer (2013)
Friction Angles of Open-Graded Aggregates From Large-Scale Direct Shear Testing (2013)
Simulator Study of Signs for A Complex Interchange and Complex Interchange Spreadsheet Tool (2013)
Results from the Integrated Mobile Observations Study (2013)
Synthesis of Traveler Choice Research: Improving Modeling Accuracy for Better Transportation Decisionmaking (2013)

Congressional Research Service:

Funding and Financing Highways and Public Transportation (2013)

Transportation Research Board:

Alternative Funding and Financing Mechanisms For Passenger and Freight Rail Projects (2015)
FEMA and FHWA Emergency Relief Funds Reimbursements to State Departments of Transportation: A Synthesis of Highway Practice (2015)
What Do Americans Think About Federal Tax Options to Support Public Transit, Highways, and Local Streets and Roads? Results from Year Five of a National Survey (2015)

States with recently published studies:

California

The Mile Marker: A Caltrans Performance Report, First Quarter 2015 (2015)
Deployment of Prior HOV Lanes Research Results in Developing Analysis Tools for New Managed Lanes Projects (2014)
Caltrans Airport Forecasting Study (2014)
District 1 Climate change Pilot Study (2014)
Caltrans Activities to Address Climate Change - Reducing Greenhouse Gas Emissions and Adapting to Impacts (2013)
Addressing Climate Change Adaptation in Regional Transportation Plans: A Guide for California MPOs and RTPAs (2013)
Impacts of Increasing Vehicle-Occupancy Requirements on HOV/HOT Lanes (2013)
Caltrans SHOPP PID-Process Improvement Study (2013)

Attachment 7 - List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions.

Colorado

CDOT Rapid Debris Removal Research Project (2014)

Florida

Deployment Strategies of Managed Lanes on Arterials (2015)
Opportunities on the State Highway System to Generate Revenue or Offset Expenditures for the State of Florida (2013)
Lifting HOV/HOT Lane Eligibility and Shoulder Use Restrictions for Traffic Incident Management (2013)
Integrating Transit with Road Pricing Projects (2013)

Georgia

Final Report of the Joint Study Committee on Critical Transportation Infrastructure Funding (2014)*
Economic Impact of Ecosystem Services Provided by Ecologically Sustainable Roadside Right of Way Vegetation Management Practices (2014)

Idaho

129,000 Pound Pilot Project: Report to the 62nd Idaho State Legislature (2013)*

Illinois

LED Street Lighting Evaluation—Phase II: LED Specification and Life-Cycle Cost Analysis (2015)

Indiana

Impact of HB-1481 on Indiana's Highway Revenue Generation, Asset Degradation, Modal Distribution, and Economic Development and Competitiveness (2014)*

Iowa

Assessment of Nondestructive Testing Technologies for Quality Control/Quality Assurance of Asphalt Mixtures (2015)
Iowa DOT Library Services, Collection, & Technology Assessment (2014)
Demonstration of Load Rating Capabilities through Physical Load Testing: Ida County Bridge Case Study (2013)

Kansas

Accommodating Oversize/Overweight Vehicles at Roundabouts: Final Report (2013)

Louisiana

Improving Freight Crash Incident Management (2015)
STC Synthesis of Transportation Funding Sources and Alternatives in the Southeastern States Now and in the Future (2015)

Attachment 7 - List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions.

Maryland

Impact of Data Source on Travel Time Reliability Assessment (2014)
Comprehensive Highway Corridor Planning with Sustainability Indicators (2013)

Michigan

Funding Structures and Competing Priorities for Regional Transit in Metro Detroit (2014)
Decision Framework for Corridor Planning within the Roadside Right-of-Way (2013)
Review and Revision of Overload Permit Classification: Final Report (2013)

Minnesota

Commercial Weight Enforcement Innovation (2015)
Implementation of Traffic Data Quality Verification for WIM Sites (2015)
MnPASS Modeling and Pricing Algorithm Enhancement (2015)
Assessing Return on Investment in Minnesota's State Highway Program (2013)

Mississippi

Alternative Mowing Regimes' Influence on Native Plants and Deer (2014)

Montana

Development of IT Strategic Enterprise Architecture for MDT (2015)

New York

Nighttime Highway Construction Illumination (2014)
Feasibility of Installing Noise Reduction Technologies on Commercial Vehicles to Support Off-Hour Deliveries (2014)
Freight Tricycle Operations in New York City (2014)

Ohio

Evaluation of Low Temperature Cracking Resistance of WMA (2014)

Oregon

Multimodal Freight Project Prioritization (2014)

South Carolina

Rate of Deterioration of Bridges and Pavements as Affected by Trucks (2013)

Vermont

Attachment 7 - List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions.

Assessment of the "Bridge in a Backpack" Bridge System from Advanced Infrastructure Technologies (2014)
Harvesting Data from Advanced Technologies (2014)

Virginia

Identifying and Prototyping Integrated Corridor Management (ICM) Strategies for Application in Virginia (2014)
Local Government Funding and Financing of Roads: Virginia Case Studies and Examples From Other States (2014)
Determinants of Variability in Preliminary Engineering Funding (2014)
Standardized Test Method to Quantify Environmental Impacts of Stormwater Pipe Rehabilitation Materials (2014)
Integration of Travel Demand Models with Operational Analysis Tools (2013)

Washington

Development of a Freight Benefit/Cost Methodology for Project Planning (2013)

Wisconsin

Aligning Oversize/Overweight Permit Fees with Agency Costs: Critical Issues (2013)

Wyoming

http://highwaytransport.transportation.org/Pages/highway_reports.aspx

Multi-State Studies:

Enhancing Transit Service in Rural Areas and Native American Tribal Communities: Potential Mechanisms to Improve Funding and Service (2014)

*Legislatively mandated

Attachment 8 – Biographical Information for Policymaking Body

Tryon D. Lewis is chair of the Texas Transportation Commission, which oversees statewide activities of the Texas Department of Transportation. He was appointed to the commission by Gov. Greg Abbott on Feb. 13, 2015.

Lewis is a former state representative from Texas' 81st District, serving from 2008 to 2015. During Rep. Lewis' legislative career he served as the chairman of the Judiciary and Civil Jurisprudence Committee and was the co-chair of the Joint House Senate Committee on Judicial Selection. Rep. Lewis also served on the House Higher Education Committee and the House Committee on Public Safety.

Prior to his service in the legislature, Lewis held office as a state district judge, serving in that capacity from 1985 until 2006. He practiced law in Odessa from 1973 to 1984 and then again from 2006 to present. He is currently a shareholder in the Atkins Hollman Jones Peacock Lewis & Lyon Law Firm.

Lewis has previously served on the boards of local organizations including Meals on Wheels, ECISD Education Foundation, the Permian Playhouse, the Odessa Cultural Council, the state board of the Texas Young Lawyers Association and has served as president of the Ector County Bar Association.

Commissioner Lewis attended Odessa College, the University of Texas at Austin and Baylor Law School. His wife, Trudy, is a retired history teacher. They have two daughters, Eleanor and Annie.

Jeff Austin III is a member of the Texas Transportation Commission, which oversees statewide activities of the Texas Department of Transportation. He was appointed commissioner by Gov. Rick Perry on Oct. 20, 2011.

Austin is vice chairman of Austin Bank and Texas NA. He is a board member of First State Bank in Athens, and of Capital Bank in Houston, and a past president of First State Bank in Frankston. He is a board member and past chair of the Texas Bankers Association, a member of the American Bankers Association Government Relations Committee and the Bank CEO Network, an executive committee member and past director of the Texas Lyceum, and a board member and a past president and scoutmaster of the East Texas Area Council of Boy Scouts.

He was the presiding officer of the North East Texas Regional Mobility Authority, and board chair of the Tyler Area Chamber of Commerce. He is also a past board member of the Bob Bullock History Museum, the Tyler Economic Development Corporation, the Better Business Bureau of East Texas, the University of Texas Tyler Business School Advisory Board, the University of Texas Tyler Health Center Development Board, and the Trinity Mother Frances Hospital Foundation.

Austin received a bachelor's degree and a master's degree in Business Administration from the University of Texas at Tyler, and is a graduate of the Southern Methodist University Southwestern Graduate and Intermediate Schools of Banking, and the Harvard Business School Advanced Management Program. Austin has two daughters and resides in Tyler.

Attachment 8 – Biographical Information for Policymaking Body

Jeff Moseley is a member of the Texas Transportation Commission, which oversees statewide activities of the Texas Department of Transportation. Gov. Rick Perry appointed him in June 2012.

Prior to his appointment, Moseley was chief executive officer of the Greater Houston Partnership. During seven years in this role, he worked on numerous regional transportation policy efforts and partnered with transportation stakeholders such as the Gulf Coast Regional Mobility Partners and the I-69 Corridor Coalition.

He previously served as director of the Governor's Office of Economic Development and Tourism. Between 1991 and 1999, Moseley served as Denton County Judge. During that time, he was a member of the metropolitan planning organization for the North Central Texas Council of Governments, supported the passage of two mobility bond campaigns, organized the I-35 Corridor Coalition and was involved in the creation of the North Texas Tollway Authority.

Moseley is a partner in Griffith Moseley Johnson and Associates, which provides economic development and site selection consulting. A sixth-generation Texan, he and his wife, Jackie, have two daughters, Joi and Jenni. Moseley received the Outstanding Alumnus Award from Southern Nazarene University in Oklahoma.

Victor T. Vandergriff is a member of the Texas Transportation Commission, which oversees statewide activities of the Texas Department of Transportation. He was appointed commissioner by Gov. Rick Perry on March 26, 2013, and took his seat on the commission on April 30, 2013.

Vandergriff is an attorney and private businessman specializing in business development and legislative issues.

From 2009 to 2013, Vandergriff served as the chairman of the Texas Department of Motor Vehicles Board. He was also a board member for the North Texas Tollway Authority from 2007 to 2013 and served as chairman from 2010 to 2011.

Vandergriff formerly served as Vice President of V.T., Inc. and Automotive Investment Group, the largest private retail automotive group in the United States. He was involved as an owner, dealer and executive manager in the automobile industry for more than 25 years. Vandergriff and his family have owned and operated automobile dealerships for more than 80 years in the Dallas-Fort Worth region.

Vandergriff attended the University of Southern California, where he received a degree from the School of Public Administration in Public Affairs. He received his law degree from Southern Methodist University in Dallas.

J. Bruce Bugg, Jr. is a member of the Texas Transportation Commission, which oversees statewide activities of the Texas Department of Transportation. He was appointed commissioner by Gov. Greg Abbott on Feb. 13, 2015.

Bugg is chairman and trustee of The Tobin Endowment, a private charitable foundation, in San Antonio, Texas and chairman and co-founder of the Bexar County Performing Arts Center Foundation, owner of the new $203 million Tobin Center for the Performing Arts in San Antonio. Bugg currently serves as a member of the board of directors of the San Antonio Chamber of Commerce, the board of trustees of the Texas Biomedical Research Institute and board of trustees of St. Mary’s Hall, a private school in San Antonio, Texas, and

Attachment 8 – Biographical Information for Policymaking Body

chairman of the Endowment Investment Committee and a member of the board of directors of The Santa Fe Opera in Santa Fe, New Mexico. He is former chairman of the board of Governors of Cancer Therapy & Research Center, former officer and trustee of the Texas Research and Technology Foundation, a trustee emeritus of the board of Trustees of the McNay Art Museum.

Bugg is also chairman, president and chief executive officer of Southwest Bancshares, Inc., a Texas bank holding company for The Bank of San Antonio, and chairman of The Bank of San Antonio; and chairman, president and chief executive officer of Texas Hill Country Bancshares, Inc., a Texas bank holding company for Texas Hill Country Bank. In addition, Bugg also serves as chairman of San Antonio Capital & Trust Co., L.L.C. and chairman and chief executive officer of Argyle Investment Co., L.L.C., a private investment firm.

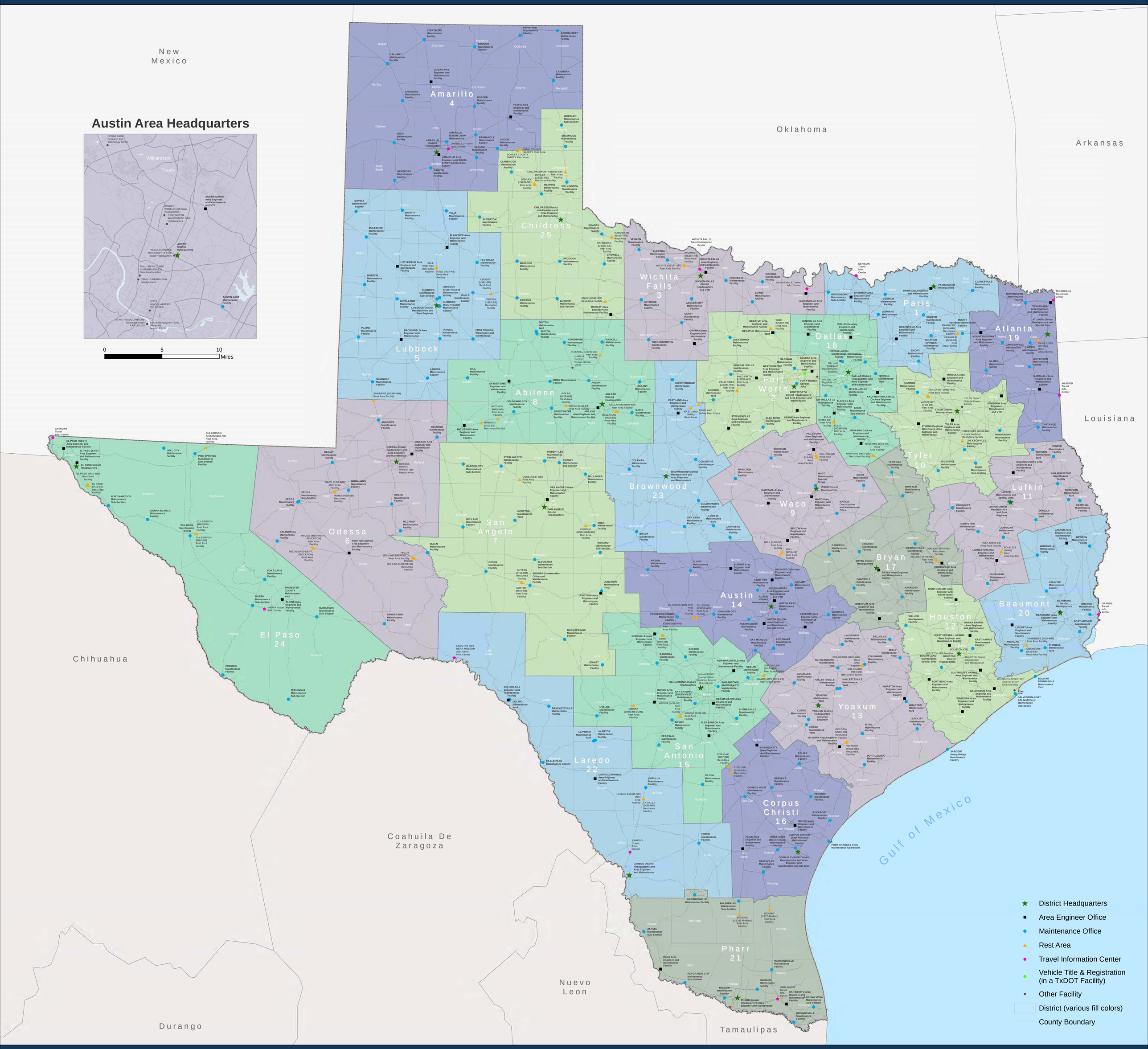
Bugg was appointed to serve as chairman and president of the Texas Economic Development Corporation and a senior advisor to Governor Perry on the State of Texas' economic development strategies and initiatives from 2012 to May, 2014. Prior to this appointment, Bugg was appointed to serve as the Governor's appointee on the board of directors of Humanities Texas in Austin, Texas.

Bugg is a member of the State Bar of Texas and holds Juris Doctorate and Bachelor of Business Administration degrees from Southern Methodist University. He is married to Alethea Bugg and has two sons, Jim and Tom. Bugg is an Eagle Scout.

TxDOT Facilities

Attachment 13

2015



Texas Department of Transportation
Transportation Planning and Programming Division
Data Analysis, Mapping and Reporting Branch
July 06, 2015

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Actual Performance for Output/Efficiency Measures
82nd Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

Agency: 601 Department of Transportation

Type/Strategy/Measure	2012 Target	2012 Actual	2012 YTD	Percent of Annual Target		
Output Measures						
1-1-1 PLAN/DESIGN/MANAGE						
1 ENGINEERING PLANS						
Quarter 1	550.00	139.00	139.00	25.27	%	110.00 - 165.00
Quarter 2	550.00	168.00	307.00	55.82	% *	247.50 - 302.50
Explanation of Variance: Due to additional funds (Prop 12), projects were accelerated to letting this quarter. The annual target will probably be attained.						
Quarter 3	550.00	225.00	532.00	96.73	% *	385.00 - 440.00
Explanation of Variance: Due to additional funds (Prop 12), projects were accelerated to letting this quarter. The annual target will be attained.						
Quarter 4	550.00	218.00	750.00	136.36	% *	522.50 - 577.50
Explanation of Variance: Due to additional funds (Prop 12), projects were accelerated to letting this quarter. The annual target will be attained.						
2 DOLLAR VOLUME OF CONTRACTS						
Quarter 1	2,280.00	824.78	824.78	36.17	% *	456.00 - 684.00
Explanation of Variance: Four projects accounted for over half of the dollars awarded during the first two months of FY 2012. These projects totalled more tha $400 million.						
Quarter 2	2,280.00	577.98	1,402.76	61.52	% *	1,026.00 - 1,254.00
Explanation of Variance: The total-to-date dollar volume is still above the expected value due to the high dollar amounts awarded in the 1st quarter. The 2nd quarter dollar volumes are right on target.						
Quarter 3	2,280.00	423.59	1,826.35	80.10	% *	1,596.00 - 1,824.00
Explanation of Variance: As explained in the previous quarterly reports, the department experiences variability in letting volumes over the course of the year. The department expects to exceed the annual performance target.						
Quarter 4	2,280.00	1,145.85	2,972.20	130.36	% *	2,166.00 - 2,394.00
Explanation of Variance: The total dollar amount was above the variance due to the high dollar amounts awarded in the 1st and 4th quarters. There were monies left over due to projects with higher estimates than awarded amounts through the 3rd quarter. Furthermore, more funding became available during the course of the fiscal year.						

* Varies by 5% or more from target.

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2012 Target**	**2012 Actual**	**2012 YTD**	**Percent of Annual Target**	
Output Measures					
3 # OF PROJ AWARDED					
Quarter 1	640.00	128.00	128.00	20.00 % *	128.00 - 192.00
Explanation of Variance: The high dollar volume of the projects awarded during first quarter limited the number of projects that the department could take to letting.					
Quarter 2	640.00	160.00	288.00	45.00 % *	288.00 - 352.00
Explanation of Variance: More contracts were awarded in 2nd quarter compared to the 1st quarter, but with a lower overall quarterly dollar volume. The department expects to meet the FY target.					
Quarter 3	640.00	206.00	494.00	77.19 %	448.00 - 512.00
Quarter 4	640.00	191.00	685.00	107.03 % *	608.00 - 672.00
Explanation of Variance: The total number of projects awarded was above the variance due to the high number of projects awarded awarded in the 3rd and 4th quarters. There were monies left over due to projects with higher estimates than awarded amounts through the 3rd quarter. Furthermore, more funding became available during the course of the fiscal year.					
2-1-4 AVIATION SERVICES					
1 # GRANTS APPROVED FOR AIRPORTS					
Quarter 1	90.00	40.00	40.00	44.44 % *	18.00 - 27.00
Explanation of Variance: The number of projects awarded is greater during the first quarter as this is when the majority of new projects for the fiscal year are approved.					
Quarter 2	90.00	27.00	67.00	74.44 % *	40.50 - 49.50
Explanation of Variance: Receiving ARRA funding allowed us to move other projects forward; additionally we have programmed a few smaller planning grant for Master plans and Business plans.					
Quarter 3	90.00	22.00	89.00	98.89 % *	63.00 - 72.00
Explanation of Variance: The department has had the opportunity to recapture and program unexpected fund balances from closed grants. Additionally, many bids have been lower than originally estimated which has provided more grant funding capabilities.					
Quarter 4	90.00	32.00	121.00	134.44 % *	85.50 - 94.50
Explanation of Variance: Due to staffing changes, AVN issued more grants in the first quarter than we typically have in previous years. We have also been the recipient of additional federal funding for smaller planning grants; and we have had the ability to fund several additional smaller planning, design and construction projects utilizing remaining funds from the cost savings of other projects.					

* Varies by 5% or more from target.

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2012 Target**	**2012 Actual**	**2012 YTD**	**Percent of Annual Target**	
Output Measures					
3-1-2 NEW MAINTENANCE CONTRACTS					
1 MILES CONTRACTED - SEAL COAT					
Quarter 1	15,720.00	9,734.00	9,734.00	61.92 % *	3,144.00 - 4,716.00
Explanation of Variance: The number of lane miles contracted for resurfacing exceeds the quarterly projections because most of the mileage listed is based on contracts let and most of those contracts are let in the fall through February so that the work can be done in the spring and summer months.					
Quarter 2	15,720.00	3,734.00	13,468.00	85.67 % *	7,074.00 - 8,646.00
Explanation of Variance: Construction resurfacing contracts are counted when the contract is let and most of contracts are let in the fall and winter months so that the work can be done in the spring and summer months.					
Quarter 3	15,720.00	1,113.00	14,581.00	92.75 % *	11,004.00 - 12,576.00
Explanation of Variance: The contract work in DCIS is counted as the contracts are let and a large percentage of the projects are let early in the fiscal year.					
Quarter 4	15,720.00	4,112.00	18,693.00	118.91 % *	14,934.00 - 16,506.00
Explanation of Variance: Additional funds were provided the Maintenance budget which provided the opportunity to exceed the target goals for resurfacing for both contracts and state force work.					
3-1-4 ROUTINE MAINTENANCE					
2 # MILES RESURFACED W/SC/OL					
Quarter 1	7,518.00	2,079.00	2,079.00	27.65 %	1,503.60 - 2,255.40
Quarter 2	7,518.00	675.00	2,754.00	36.63 % *	3,383.10 - 4,134.90
Explanation of Variance: Very little state force resurfacing work is done during the winter and this work is reported as the work is done.					
Quarter 3	7,518.00	2,305.00	5,059.00	67.29 % *	5,262.60 - 6,014.40
Explanation of Variance: State force work is counted as the work is completed and we expect more work is to be done in the last quarter of the year.					
Quarter 4	7,518.00	4,584.00	9,643.00	128.27 % *	7,142.10 - 7,893.90
Explanation of Variance: Additional funds were provided the Maintenance budget which provided the opportunity to exceed the target goals for resurfacing for both contracts and state force work.					
5-1-6 RAIL SAFETY					

* Varies by 5% or more from target.

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2012 Target**	**2012 Actual**	**2012 YTD**	**Percent of Annual Target**	
Output Measures					
1 # OF FEDERAL RAIL UNITS INSPECTED					
Quarter 1	115,360.00	27,821.00	27,821.00	24.12 %	23,072.00 - 34,608.00
Quarter 2	115,360.00	31,249.00	59,070.00	51.20 %	51,912.00 - 63,448.00
Quarter 3	115,360.00	32,854.00	91,924.00	79.68 %	80,752.00 - 92,288.00
Quarter 4	115,360.00	35,882.00	127,806.00	110.79 % *	109,592.00 - 121,128.00

Explanation of Variance: The Rail Safety Section exceeded the FRA Unit target due to the dedication and performance of certified inspectors employed during FY2012. Rail Safety employees reported a higher percentage of their on-duty hours performing routine inspection activities resulting in the high unit production. In a normal year more time would have been spent in training, complaint investigation and travel. A part of the increased productivity is also due to the Texas Rail Inspection Program, developed by the section, which helps target the inspections to areas having the highest risk and greatest needs in order to help improve railroad safety in Texas.

* Varies by 5% or more from target.

ATTACHMENT 14

Actual Performance for Outcome Measures
82nd Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **601** Agency name: **Department of Transportation**

Type/Objective/Measure	**2012 Target**	**2012 YTD**	**Percent of Annual Target**	
1-1 EFFECTIVE PLANNING AND DESIGN				
1 % DESIGN PROJECTS DELIVERED ON TIME	91.00 %	68.00 %	74.73 % *	86.45 - 95.55
Explanation of Variance: The percent of projects completed on time was improved from last year. The FY 12 result reflects our performance based on recent program and project initiatives; the 91% target measure was a decision that was made during the 2010 Legislative Appropriation Request(LAR), without the benefit of statistical information.				
2 % DESIGN PROJ DELIVERED ON BUDGET	36.00 %	52.00 %	144.44 % *	34.20 - 37.80
Explanation of Variance: The percent of projects completed on budget increased from the previous year; the positive increase was above the target-variance due to a focused approach by the designers to use improved tools and techniques for cost estimates and a more stable economic competitive environment.				
2-1 CONSTRUCTION AND RECONSTRUCTION				
1 % CONSTRUCTION PROJ ON BUD	91.00 %	87.95 %	96.65 %	86.45 - 95.55
2 % 2-LANE HIGH IMPACT SHLDR	58.20 %	60.40 %	103.78 %	55.29 - 61.11
3 % RAILROAD XING SIGNAL	60.00 %	61.68 %	102.80 %	57.00 - 63.00
4 % CONSTRUCT COMPL ON TIME	70.00 %	76.55 %	109.36 % *	66.50 - 73.50
Explanation of Variance: The percent of projects completed on time was above the variance due to the fact that the target assigned to this fiscal year was lowered from 75% to 70%, even though the measure for this year of 76.55% remained almost the same than last year's measure corresponding to 77.28%.				
5 % AVN PAVEMENT RATED GOOD OR EXC	75.50 %	79.00 %	104.64 %	71.73 - 79.28
3-1 SYSTEM MAINTENANCE				
1 % BRIDGES RATED GOOD	81.80 %	81.19 %	99.25 %	77.71 - 85.89
2 MAINTENANCE ASSESSMENT PGM	77.00	78.07	101.39 %	73.15 - 80.85

* Varies by 5% or more from target.

Agency code: **601** Agency name: **Department of Transportation**

Type/Objective/Measure	**2012 Target**	**2012 YTD**	**Percent of Annual Target**	
3 STATEWIDE ASSESSMENT SCORE	86.80	87.80	101.15 %	82.46 - 91.14
4-1 ENHANCED PUBLIC TRANSPORTATION				
1 % NUMBER PUBLIC TRANSPORTATION TRIP	1.50 %	28.70 %	1,913.33 % *	1.43 - 1.58

Explanation of Variance: Greater-than-expected growth in public transportation ridership due to very strong growth in urban tansit ridership, including larger student population at Texas Tech, new park and ride lot north of Galveston, and jump in student ridership at Texas A&M.

4-2 ENHANCE PUBLIC SAFETY AND SECURITY				
1 # FATALITIES PER 100M MI	1.26	1.28	101.59 %	1.20 - 1.32

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures
82nd Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

Agency: 601 Department of Transportation

Type/Strategy/Measure	2013 Target	2013 Actual	2013 YTD	Percent of Annual Target	
Output Measures					
1-1-1 PLAN/DESIGN/MANAGE					
1 ENGINEERING PLANS					
Quarter 1	550.00	214.00	214.00	38.91 % *	110.00 - 165.00
Explanation of Variance: Due to additional funds (Prop 12), projects have been accelerated to letting this quarter. TxDOT will likely attain the annual target.					
Quarter 2	550.00	190.00	404.00	73.45 % *	247.50 - 302.50
Explanation of Variance: Due to additional funds (Prop 12), projects have been accelerated to letting this quarter. TxDOT will likely attain the annual target.					
Quarter 3	550.00	222.00	626.00	113.82 % *	385.00 - 440.00
Explanation of Variance: Due to additional funds (Prop 12), projects have been accelerated to letting this quarter. The annual target will be attained.					
Quarter 4	550.00	279.00	905.00	164.55 % *	522.50 - 577.50
Explanation of Variance: Due to additional funds (Prop 12), the department accelerated projects to letting this quarter. The department attaned the annual target in the third quarter.					
2 DOLLAR VOLUME OF CONTRACTS					
Quarter 1	3,110.00	1,467.63	1,467.63	47.19 % *	622.00 - 933.00
Explanation of Variance: Several high-value contracts were let during this quarter, particularly in September 2012. At this rate, TxDOT will likely exceed its annual performance target.					
Quarter 2	3,110.00	593.79	2,061.42	66.28 % *	1,399.50 - 1,710.50
Explanation of Variance: TxDOT awarded low dollar volumes of contracts during this quarter, particularly in January 2012. However, through this quarter, TxDOT is still above its performance target due to high-value contracts let in the first quarter.					
Quarter 3	3,110.00	1,033.61	3,095.03	99.52 % *	2,177.00 - 2,488.00
Explanation of Variance: The high dollar volume of contracts awarded during this quarter is commensurate with the high number of projects awarded. Through this quarter, TxDOT has achieved its performance target for the entire fiscal year.					
Quarter 4	3,110.00	1,180.15	4,275.18	137.47 % *	2,954.50 - 3,265.50
Explanation of Variance: TxDOT awarded high dollar volume of contracts during the first quarter. Thereafter, dollar volume of contracts was commensurate with the high number of projects awarded. By the third quarter, TxDOT had already achieved its performance target for the entire fiscal year.					

* Varies by 5% or more from target.

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2013 Target**	**2013 Actual**	**2013 YTD**	**Percent of Annual Target**	
Output Measures					
3 # OF PROJ AWARDED					
Quarter 1	600.00	186.00	186.00	31.00 % *	120.00 - 180.00
Explanation of Variance: In September 2012, TxDOT awarded 85 contracts, an unusually high monthly number. The awards for the next 2 months were more typical, in which the department awards approximately 50 contracts per month.					
Quarter 2	600.00	173.00	359.00	59.83 % *	270.00 - 330.00
Explanation of Variance: TxDOT awarded a high number of low dollar-value contracts during this quarter. TxDOT continues to award more projects than projected.					
Quarter 3	600.00	197.00	556.00	92.67 % *	420.00 - 480.00
Explanation of Variance: TxDOT awarded a high number of average-value contracts during this quarter. TxDOT continues to award more projects than projected and by the first month of the fourth quarter, the department expects to exceed its performance target for the entire fiscal year.					
Quarter 4	600.00	241.00	797.00	132.83 % *	570.00 - 630.00
Explanation of Variance: After the first quarter, TxDOT awarded a high number of average-value contracts. By the first month of the fourth quarter, the department had exceeded its performance target for the entire fiscal year.					
2-1-4 AVIATION SERVICES					
1 # GRANTS APPROVED FOR AIRPORTS					
Quarter 1	90.00	11.00	11.00	12.22 % *	18.00 - 27.00
Explanation of Variance: While the department did not meet its first quarter target, we fully expect to meet or exceed the annual target.					
Quarter 2	90.00	23.00	34.00	37.78 % *	40.50 - 49.50
Explanation of Variance: Aviation is on track to meet its annual spend target. Because of the advance planning required for and seasonal nature of these expenditures, we often times do not deploy funds evenly across the year. This does not reduce the effectiveness of the program.					
Quarter 3	90.00	31.00	65.00	72.22 %	63.00 - 72.00
Quarter 4	90.00	26.00	91.00	101.11 %	85.50 - 94.50
3-1-2 NEW MAINTENANCE CONTRACTS					

* Varies by 5% or more from target.

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2013 Target**	**2013 Actual**	**2013 YTD**	**Percent of Annual Target**	
Output Measures					
1 MILES CONTRACTED - SEAL COAT					
Quarter 1	13,719.00	10,542.00	10,542.00	76.84 % *	2,743.80 - 4,115.70
Explanation of Variance: The department has let 73% of the state targeted lane miles of contracted resufacing, which is typical of what is expected. Most of the Preventive Maintenance Contracts are let in the 1st quarter of the Fiscal Year and most of the contract work is done during late spring and summer.					
Quarter 2	13,719.00	2,237.00	12,779.00	93.15 % *	6,173.55 - 7,545.45
Explanation of Variance: The department has let 93% of the state targeted lane miles of contracted resurfacing, which is typical of what is expected. Most of th Preventive Maintenance Contracts are let in the 1st and 2nd quarters of the Fiscal Year and most of the contract work is done during late spring and summer.					
Quarter 3	13,719.00	2,094.00	14,873.00	108.41 % *	9,603.30 - 10,975.20
Explanation of Variance: The department has built up the maintenance budget the last few years to support implementation of the 4-year maintenance plans. As a result, we have been able to expend more funds, which has allowed us to contract for more lanes of resurfacing than anticipated. This will enhance the overall quality of the state's roadway system pavements. Almost all of the contracts are let early in the fiscal year and we count the mileage for these contract when let rather than when the actual resurfacing is done.					
Quarter 4	13,719.00	3,068.00	17,941.00	130.77 % *	13,033.05 - 14,404.95
Explanation of Variance: Contract resurfacing exceeded target values by 30%. The districts were able to do this because of lower bid costs and good plans. Note: the measure represents all types of resurfacing work, such as ACP Overlays, Micro Surfacing, and Seal Coats.					
3-1-4 ROUTINE MAINTENANCE					
2 # MILES RESURFACED W/SC/OL					
Quarter 1	7,756.00	2,068.00	2,068.00	26.66 %	1,551.20 - 2,326.80
Quarter 2	7,756.00	535.00	2,603.00	33.56 % *	3,490.20 - 4,265.80
Explanation of Variance: The State force resurfacing is recorded as the work is done and we would expect resurfacing work to slow down during the winter. Most of the state force resurfacing starts in late spring and goes on through the summer.					
Quarter 3	7,756.00	2,120.00	4,723.00	60.89 % *	5,429.20 - 6,204.80
Explanation of Variance: The number miles resurfaced by state force is low but it is expected that the 4th quarter's work will meet the annual target.					
Quarter 4	7,756.00	4,218.00	8,941.00	115.28 % *	7,368.20 - 8,143.80
Explanation of Variance: Resurfacing by state forces also exceeded expected value by 15% because of good management. Note: the measure represents all types of resurfacing work, such as ACP Overlays, Micro Surfacing, and Seal Coats.					
5-1-6 RAIL SAFETY					

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures
82nd Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2013 Target**	**2013 Actual**	**2013 YTD**	**Percent of Annual Target**	
Output Measures					
1 # OF FEDERAL RAIL UNITS INSPECTED					
Quarter 1	118,820.00	30,947.00	30,947.00	26.05 %	23,764.00 - 35,646.00
Quarter 2	118,820.00	28,199.00	59,146.00	49.78 %	53,469.00 - 65,351.00
Quarter 3	118,820.00	35,573.00	94,719.00	79.72 %	83,174.00 - 95,056.00
Quarter 4	118,820.00	27,979.00	122,698.00	103.26 %	112,879.00 - 124,761.00

* Varies by 5% or more from target.

Actual Performance for Outcome Measures
82nd Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **601** Agency name: **Department of Transportation**

Type/Objective/Measure	**2013 Target**	**2013 YTD**	**Percent of Annual Target**	
1-1 EFFECTIVE PLANNING AND DESIGN				
1 % DESIGN PROJECTS DELIVERED ON TIME	92.00 %	68.00 %	73.91 % *	87.40 - 96.60
Explanation of Variance: The percent of projects completed on time is the same as last year. The FY 13 result reflects our performance based on recent program and project initiatives; the 92% target was set during the 2010 Legislative Appropriation Request (LAR), without the benefit of more recent statistical information. TxDOT requested that the goal be set at 71% for FY 2014 and 2015. New goal has been approved by 83rd Legislature.				
2 % DESIGN PROJ DELIVERED ON BUDGET	37.00 %	55.00 %	148.65 % *	35.15 - 38.85
Explanation of Variance: The percent of projects completed on budget increased from the previous year; there was a positive increase of 3%, and the overall results remained above the target. The variance is due to a focused approach by the designers to use improved tools and techniques for cost estimates and a more stable economic competitive environment. TxDOT requested to increase the goal to 48% for FY 2014 and 2015. New goal has been approved by 83rd Legislature.				
2-1 CONSTRUCTION AND RECONSTRUCTION				
1 % CONSTRUCTION PROJ ON BUD	95.00 %	86.07 %	90.60 % *	90.25 - 99.75
Explanation of Variance: Together the Metro districts had 80.77% of their projects completed on budget and the other 20 districts had 90.54%. Overall performance remained steady during the course of the year. It decreased by 1.88% from last year whereas the target was increased from 91% to 95%.				
2 % 2-LANE HIGH IMPACT SHLDR	58.70 %	84.00 %	143.10 % *	55.77 - 61.64
Explanation of Variance: The results for FY 2013 far exceed the target because the department discovered that, for the past several years, we had incorrectly been calculating the % of two-lane roads with improved shoulders as a portion of the total on-system highway network (61.9%) rather than as a portion of the two-lane highway network only (84.0%). The department will work to increase the targets for the next biennium to more accurately reflect the potential improvements in this performance area going forward.				
3 % RAILROAD XING SIGNAL	60.80 %	61.40 %	100.99 %	57.76 - 63.84
4 % CONSTRUCT COMPL ON TIME	70.00 %	63.49 %	90.70 % *	66.50 - 73.50
Explanation of Variance: Together the Metro districts had 63.78% of their projects completed on time and the other 20 districts had 63.24%. Overall performance remained steady during the course of the year. It decreased by 4.13% from last year whereas the target remained at 70%.				

* Varies by 5% or more from target.

Agency code: **601** Agency name: **Department of Transportation**

Type/Objective/Measure	**2013 Target**	**2013 YTD**	**Percent of Annual Target**	
5 % AVN PAVEMENT RATED GOOD OR EXC	76.00 %	80.40 %	105.79 % *	72.20 - 79.80

Explanation of Variance: The department exceeded the target for this year due to an increased rate of runway rehabilitation projects.

3-1 SYSTEM MAINTENANCE

1 % BRIDGES RATED GOOD	82.50 %	81.40 %	98.67 %	78.38 - 86.63
2 MAINTENANCE ASSESSMENT PGM	76.00	77.69	102.22 %	72.20 - 79.80
3 STATEWIDE ASSESSMENT SCORE	86.90	86.86	99.95 %	82.56 - 91.25

4-1 ENHANCED PUBLIC TRANSPORTATION

1 % NUMBER PUBLIC TRANSPORTATION TRIP	1.00 %	2.20 %	220.00 % *	0.95 - 1.05

Explanation of Variance: Texas continues to see growth in public transportation ridership demonstrative of the demand for increased service in all areas of Texas, rural and urban. Additionally, urban transit systems in university and college cities particularly see strong student ridership growth.

4-2 ENHANCE PUBLIC SAFETY AND SECURITY

1 # FATALITIES PER 100M MI	1.25	1.41	112.80 % *	1.19 - 1.31

Explanation of Variance: Since 2003, Texas has experienced a significant overall reduction in this rate, and the 2011 rate of 1.28 was the lowest ever recorded in Texas. During this time period, Texas has experienced a rapidly growing population, reaching 25.1 million residents with the 2010 federal census. The 2012 population estimate for the state has increased to 26.1 million. In addition, in recent years Texas has seen a large increase in commercial truck traffic related to shale oil and gas extraction in various areas of the state. The increase in the Texas fatality rate, and the corresponding rise in traffic fatalities, mirrors increases experienced in the country as a whole. Some analysts have also noted that these increases in traffic crashes and fatalities may at least partially the result of an improving national economy which has led to an increase in vehicle miles traveled in the last two years. TxDOT expects the increase in this rate to slow or reverse itself in the near future.

* Varies by 5% or more from target.

Actual Performance for Output/Efficiency Measures
83rd Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2014 Target**	**2014 Actual**	**2014 YTD**	**Percent of Annual Target**	
Output Measures					
1-1-1 PLAN/DESIGN/MANAGE					
1 ENGINEERING PLANS					
Quarter 1	750.00	167.00	167.00	22.27 %	150.00 - 225.00
Quarter 2	750.00	145.00	312.00	41.60 % *	337.50 - 412.50
Explanation of Variance: Local let projects are now being processed for letting by the district offices instead of thru DES & TRF. The annual target may be attained.					
Quarter 3	750.00	178.00	490.00	65.33 % *	525.00 - 600.00
Explanation of Variance: Local let projects are now being processed for letting by the district offices instead of through DES and TRF. The annual target may be attained.					
Quarter 4	750.00	279.00	769.00	102.53 %	712.50 - 787.50
2 DOLLAR VOLUME OF CONTRACTS					
Quarter 1	2,400.00	1,076.17	1,076.17	44.84 % *	480.00 - 720.00
Explanation of Variance: The significant overrun of the first quarter target is due to 8 projects accounting for 41% of total dollar volume. One project was awarded for more than $150 million, another came in at $85 million, and the remaining 6 were all more than $22 million each.					
Quarter 2	2,400.00	769.10	1,845.27	76.89 % *	1,080.00 - 1,320.00
Explanation of Variance: The significant overrun of the second quarter target is due to 7 projects accounting for 51% of total dollar volume. One project was awarded for more than $135 million, another came in at $68 million, and the remaining 5 were all more than $24 million each. Through this quarter, we have already achieved more than 75% of the target for this measure.					
Quarter 3	2,400.00	680.55	2,525.82	105.24 % *	1,680.00 - 1,920.00
Explanation of Variance: The overrun of the third quarter target is due to 14 projects accounting for half of total dollar volume. One project was awarded for over $65 million, another for $58 million, and the remaining 12 for over $10 million each. At the end of the third quarter, the department had aleady exceeded 105% of its target for this measure.					
Quarter 4	2,400.00	1,333.81	3,859.63	160.82 % *	2,280.00 - 2,520.00
Explanation of Variance: The overrun of the fourth quarter target is due to 27 projects accounting for over a half of the total dollar volume. One project was awarded for over $156 million, 6 for over $30 million, and the remaining 20 for over $10 million each.					

* Varies by 5% or more from target.

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2014 Target**	**2014 Actual**	**2014 YTD**	**Percent of Annual Target**	
Output Measures					
3 # OF PROJ AWARDED					
Quarter 1	600.00	151.00	151.00	25.17 %	120.00 - 180.00
Quarter 2	600.00	143.00	294.00	49.00 %	270.00 - 330.00
Quarter 3	600.00	190.00	484.00	80.67 % *	420.00 - 480.00
Explanation of Variance: For the first time during this fiscal year, TxDOT awarded more projects during this quarter than projected due to a high number of lov dollar-value contracts let.					
Quarter 4	600.00	273.00	757.00	126.17 % *	570.00 - 630.00
Explanation of Variance: For the second consecutive quarter during this fiscal year, TxDOT awarded more projects than projected due to a high number of low dollar-value contracts let.					
2-1-4 AVIATION SERVICES					
1 # GRANTS APPROVED FOR AIRPORTS					
Quarter 1	90.00	18.00	18.00	20.00 % *	18.00 - 27.00
Explanation of Variance: While the department did not meet the first quarter target range, we fully expect to meet or exceed the annual target.					
Quarter 2	90.00	23.00	41.00	45.56 %	40.50 - 49.50
Quarter 3	90.00	26.00	67.00	74.44 %	63.00 - 72.00
Quarter 4	90.00	23.00	90.00	100.00 %	85.50 - 94.50
3-1-2 NEW MAINTENANCE CONTRACTS					

* Varies by 5% or more from target.

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2014 Target**	**2014 Actual**	**2014 YTD**	**Percent of Annual Target**	
Output Measures					
1 MILES CONTRACTED - SEAL COAT					
Quarter 1	13,772.00	8,751.00	8,751.00	63.54 % *	2,754.40 - 4,131.60
Explanation of Variance: Most of the contracts for resurfacing pavements are let in the first quarter of the fiscal year and work usually begins in third quarter of the fiscal year.					
Quarter 2	13,772.00	2,512.00	11,263.00	81.78 % *	6,197.40 - 7,574.60
Explanation of Variance: Most of the resurfacing contracts are let early in the fiscal year which causes the lane miles let estimate to be high.					
Quarter 3	13,772.00	2,157.00	13,420.00	97.44 % *	9,640.40 - 11,017.60
Explanation of Variance: We have overrun the contract amount of resurfacing for the 3rd quarter because we count all construction contract as they are let not as built.					
Quarter 4	13,772.00	3,634.00	17,054.00	123.83 % *	13,083.40 - 14,460.60
Explanation of Variance: The $225 million transferred to the Transportation Infrastructure Fund in HB 2025 allowed the Department to resurface more miles by contract than expected.					
3-1-4 ROUTINE MAINTENANCE					
1 # MILES RESURFACED W/SC/OL					
Quarter 1	8,003.00	1,362.00	1,362.00	17.02 % *	1,600.60 - 2,400.90
Explanation of Variance: The 7.98% underrun of state force work was caused partially by the colder than usual weather in November; thus less asphalt work could be done. In addition the first quarter of the fiscal year usually has less than one quarter of the yearly work total because of the uncertainty of the weather.					
Quarter 2	8,003.00	339.00	1,701.00	21.25 % *	3,601.35 - 4,401.65
Explanation of Variance: The estimate for state force resurfacing work is low because very little of this work can be done during the fall and winter months.					
Quarter 3	8,003.00	1,796.00	3,497.00	43.70 % *	5,602.10 - 6,402.40
Explanation of Variance: We have under run the 3rd quarter state force resurfacing target because we count this work when built and June, July and August are the biggest months for state force work. We expect to achieve this target by the end of the fiscal year.					
Quarter 4	8,003.00	4,442.00	7,939.00	99.20 %	7,602.85 - 8,403.15
5-1-6 RAIL SAFETY					

* Varies by 5% or more from target.

Agency: 601 Department of Transportation

Type/Strategy/Measure	**2014 Target**	**2014 Actual**	**2014 YTD**	**Percent of Annual Target**	
Output Measures					
1 # OF FEDERAL RAIL UNITS INSPECTED					
Quarter 1	120,000.00	25,836.00	25,836.00	21.53 %	24,000.00 - 36,000.00
Quarter 2	120,000.00	25,470.00	51,306.00	42.76 % *	54,000.00 - 66,000.00
Explanation of Variance: The rail safety inspection program had two vacancies for the three months of the quarter resulting in our FY YTD performance being below our target. We are currently in the hiring process for these positions.					
Quarter 3	120,000.00	25,428.00	76,734.00	63.95 % *	84,000.00 - 96,000.00
Explanation of Variance: Three (3) of the 14 rail safety inspector positions are currently vacant. Due to the specialized nature of this work, a higher wage scale paid to federal inspectors, and the improving economy, we have experienced difficulty in attracting qualified applicants. All three vacant positions have been posted at least once without finding someone qualified to fill the vacancy. We are currently preparing to repost the positions. The existing inspectors are re-doubling their efforts to increase the total number of FRA units inspected without compromising the quality of inspections performed.					
Quarter 4	120,000.00	36,222.00	112,956.00	94.13 % *	114,000.00 - 126,000.00
Explanation of Variance: The rail safety inspection program had vacancies resulting in our FY 14 performance being below our target. Expanded hiring and succession planning process is in place to improve FY 15 performance.					

* Varies by 5% or more from target.

ATTACHMENT 14

Actual Performance for Outcome Measures
83rd Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **601** Agency name: **Department of Transportation**

Type/Objective/Measure	**2014 Target**	**2014 YTD**	**Percent of Annual Target**	
1-1 EFFECTIVE PLANNING AND DESIGN				
1 % DESIGN PROJECTS DELIVERED ON TIME	71.00 %	80.19 %	112.94 % *	67.45 - 74.55
Explanation of Variance: In May 2013, the department updated its policy governing a project's target milestone dates. The former policy did not allow for altering of forecast dates (regardless of necessity) and resulted in stale data being reported to the public. The updated policy provides a "check and balance" protocol for change approvals through a governing Project Review Board, while also allowing for substantiated changes that affect a project's target dates. This resulted in a one-time increase in this year's Design on Time performance calculation (compared to the FY 2013 result). TxDOT expects the result to level out going forward.				
2 % DESIGN PROJ DELIVERED ON BUDGET	48.00 %	53.17 %	110.77 % *	45.60 - 50.40
Explanation of Variance: The percentage of projects completed on budget decreased from the previous year. However, the department exceeded the target due to an improved and more stable economic competitive bidding environment.				
2-1 CONSTRUCTION AND RECONSTRUCTION				
1 % CONSTRUCTION PROJ ON BUD	95.00 %	86.48 %	91.03 % *	90.25 - 99.75
Explanation of Variance: Together the Metro districts had 85.77% of their projects completed on budget and the other 20 districts had 86.92%. Overall performance remained steady during the course of the year and it increased by 0.41% from last year.				
2 % 2-LANE HIGH IMPACT SHLDR	61.20 %	61.85 %	101.06 %	58.14 - 64.26
3 % CONSTRUCT COMPL ON TIME	70.00 %	68.08 %	97.26 %	66.50 - 73.50
4 % AVN PAVEMENT RATED GOOD OR EXC	78.40 %	78.97 %	100.73 %	74.48 - 82.32
3-1 SYSTEM MAINTENANCE				
1 % BRIDGES RATED GOOD	82.40 %	81.80 %	99.27 %	78.28 - 86.52
2 MAINTENANCE ASSESSMENT PGM	76.50	76.16	99.56 %	72.68 - 80.33
3 STATEWIDE ASSESSMENT SCORE	88.00	88.07	100.08 %	83.60 - 92.40

* Varies by 5% or more from target.

Agency code: **601** Agency name: **Department of Transportation**

Type/Objective/Measure	**2014 Target**	**2014 YTD**	**Percent of Annual Target**	
4-1 ENHANCED PUBLIC TRANSPORTATION				
1 % NUMBER PUBLIC TRANSPORTATION TRIP	1.00 %	1.10 %	110.00 % *	0.95 - 1.05

Explanation of Variance: While data reported for the annual report does not indicate any one system, group of systems, or specific reason for increased ridership above the estimated target, many transit systems in Texas have experienced increased ridership through coordinated services. Examples of these coordination efforts include but are not limited to providing service for the Texas workforce by working with private sector companies, educational opportunities by working with colleges and universities, and a variety of other transportation needs, generally health related, which are financed with funds from state and federal human service sources. These fluctuations can be seasonal and continue to change based on local needs and funding availability to sustain service.

4-2 ENHANCE PUBLIC SAFETY AND SECURITY				
1 # FATALITIES PER 100M MI	1.26	1.39	110.32 % *	1.20 - 1.32

Explanation of Variance: Since 2003, Texas has experienced a significant overall reduction in this rate, and the 2011 rate of 1.28 was the lowest ever recorded in Texas. During this time period, Texas has experienced a rapidly growing population, reaching 25.1 million residents with the 2010 federal census. The 2012 population estimate for the state has increased to 26.1 million. In addition, in recent years Texas has seen a large increase in commercial truck traffic related to shale oil and gas extraction in various areas of the state. The increase in the Texas fatality rate, and the corresponding rise in traffic fatalities, mirrors increases experienced in the country as a whole. Some analysts have also noted that these increases in traffic crashes and fatalities may be at least partially the result of an improving national economy, which has led to an increase in vehicle miles traveled in the last two years. TxDOT expects the increase in this rate to slow or reverse itself in the near future.

* Varies by 5% or more from target.

Attachment 19 – State Auditor Reports on TxDOT Functions

Release Date	Report Number	Report Title
6/1/2015	15-033	An Audit Report on a Construction Contract at the Department of Transportation
2/27/2015	15-313	State of Texas Federal Portion of the Statewide Single Audit Report for the Fiscal Year Ended August 31, 2014
2/27/2015	15-555	State of Texas Financial Portion of the Statewide Single Audit Report for the Year Ended August 31, 2014
2/24/2015	15-024	A Report on State of Texas Compliance with Federal Requirements for the Highway Planning and Construction Cluster at the Department of Transportation for the Fiscal Year Ended August 31, 2014
1/23/2015	15-019	A Report on Recent Contracting Audits
12/22/2014	15-015	A Report on Analysis of Quality Assurance Team Projects
12/12/2014	15-012	A Report on the Delegation of Authority to State Entities to Contract for External Audit Services
7/31/2014	14-039	A Report on State Agency, University, and Community College District Compliance with the Public Funds Investment Act and Investment Reporting Requirements
2/28/2014	14-325	State of Texas Federal Portion of the Statewide Single Audit Report for the Fiscal Year Ended August 31, 2013
2/28/2014	14-555	State of Texas Financial Portion of the Statewide Single Audit Report for the Year Ended August 31, 2013
2/25/2014	14-024	A Report on State of Texas Compliance with Federal Requirements for the Highway Planning and Construction Cluster at the Department of Transportation for the Fiscal Year Ended August 31, 2013
2/18/2014	14-020	A Report on Analysis of Quality Assurance Team Projects
1/14/2014	14-017	A Report on the Audits of the Fiscal Year 2013 Financial Statements of the Central Texas Turnpike System and the Texas Mobility Fund at the Department of Transportation
7/24/2013	13-044	An Audit Report on Selected Contracts at the Department of Transportation
3/29/2013	13-028	A Report on Analysis of Quality Assurance Team Projects
2/28/2013	13-322	State of Texas Federal Portion of the Statewide Single Audit Report for the Fiscal Year Ended August 31, 2012
2/28/2013	13-555	State of Texas Financial Portion of the Statewide Single Audit Report for the Year Ended August 31, 2012
2/25/2013	13-022	A Report on State of Texas Compliance with Federal Requirements for Selected Major Programs at the Department of Transportation for the Fiscal Year Ended August 31, 2012
1/4/2013	13-016	A Report on the Audits of the Fiscal Year 2012 Financial Statements of the Department of Transportation, the Central Texas Turnpike System, and the Texas Mobility Fund
11/5/2012	13-006	A Report on State Agency and Transportation Authority Implementation of Sunset Advisory Commission Management Actions
8/6/2012	12-049	An Audit Report on Performance Measures, Implementation of Prior Audit Recommendations, and Trends at the Department of Transportation
6/6/2012	12-035	A Report on State Agency, University, and Community College District Compliance with the Public Funds Investment Act and Investment Reporting Requirements

Release Date	Report Number	Report Title
5/15/2012	12-031	An Audit Report on the Operations of the Department of Transportation's Flight Services Section
2/29/2012	12-328	State of Texas Federal Portion of the Statewide Single Audit Report for the Fiscal Year Ended August 31, 2011
2/29/2012	12-555	State of Texas Financial Portion of the Statewide Single Audit Report for the Year Ended August 31, 2011
2/24/2012	12-020	A Report on State of Texas Compliance with Federal Requirements for Selected Major Programs at the Department of Transportation for the Fiscal Year Ended August 31, 2011
1/6/2012	12-014	A Report on the Audit of the Central Texas Turnpike System's Fiscal Year 2011 Financial Statements
12/20/2011	12-010	A Report on the Audit of the Texas Mobility Fund's Fiscal Year 2011 Financial Statements
8/9/2011	11-045	An Audit Report on Accounts Payable and Encumbrances at Selected State Agencies
5/2/2011	11-706	A Classification Compliance Review Report on the State's Program Specialist Positions at Selected Natural Resources Agencies and Selected Business and Economic Development Agencies
2/28/2011	11-318	State of Texas Federal Portion of the Statewide Single Audit Report for the Fiscal Year Ended August 31, 2010
2/28/2011	11-555	State of Texas Financial Portion of the Statewide Single Audit Report for the Year Ended August 31, 2010
2/23/2011	11-025	A Report on State of Texas Compliance with Federal Requirements for the Highway Planning and Construction Cluster of Federal Programs and the Airport Improvement Program for the Fiscal Year Ended August 31, 2010
2/11/2011	11-020	A Report on the Audit of the Department of Transportation's Central Texas Turnpike System's Financial Statements for the Fiscal Year Ended August 31, 2010
2/4/2011	11-018	A Report on the Audit of the Department of Transportation's Texas Mobility Fund Financial Statements for the Fiscal Year Ended August 31, 2010

Appendix A:

TxDOT Innovative Project Delivery - Cost & Funding Summary

(FY 2005 - FY 2016)

Project Name	Type	Phase	100 Congested Road Rank 2014	Toll, Managed, Non-toll	FY Let (Conditional Award Year - estimated for 2015-16)	COST VERSUS FUNDING		
						Total Capital Cost [1]	Total Public Funding	Total Funding
CDA Projects in Operations and Maintenance (3 projects) [2] CDA Statute: Chapter 223 Subchapter E								
SH 130 Segments 5 & 6	CDA-Concession	Operations & Maintenance	-	Toll	2006	$1,367,000,000		
DFW Connector	CDA-Design Build	Operations & Maintenance	34	Toll	2009	$1,295,060,895	$1,294,734,656	
North Tarrant Express (NTE) Segments 1 & 2W	CDA-Concession	Operations & Maintenance	24, 34, 84	Managed	2009	$2,107,437,000	$594,209,968	
CDA Projects in Design/Construction (7 projects) CDA Statute: Chapter 223 Subchapter E								
LBJ Managed Lanes	CDA-Concession	Design/Construction	18, 69, 7 ,10, 38, 75	Managed	2009	$2,983,049,730	$762,025,730	
SH 99 (Grand Parkway) Segment F1, F2, and G[7]	CDA-Design Build	Design/Construction	45	Toll	2013	$2,932,279,766		
IH 35E Managed Lanes	CDA-Design Build	Design/Construction	38	Managed	2013	$1,356,409,047	$1,071,409,047	
North Tarrant Express (NTE) Segment 3A	CDA-Concession	Design/Construction	8, 14	Managed	2013	$1,505,485,000	$211,445,000	
Loop 375 Border Highway West Expressway	CDA-Design Build	Design/Construction	-	Toll	2014	$639,500,000	$639,500,000	
SH 183 Managed Lanes	CDA-Design Build	Design/Construction	39	Toll	2014	$1,013,339,200	$1,013,339,200	
CDA Projects in Procurement (2 projects) [3] CDA Statute: Chapter 223 Subchapter E								
SH 288 Harris County [5]	CDA-Concession	Procurement	23, 91	Toll	2015	$815,000,000	$106,640,000	
US 181 Harbor Bridge	CDA-Design Build	Procurement	-	Non-Toll	2015	$1,014,162,405	$1,014,271,266	
Projects Totals						**$17,028,723,043**	**$6,707,574,867**	

TxDOT Innovative Project Delivery - Cost & Funding Summary
(FY 2005 - FY 2016)

(CONTINUED)

Project Name	PUBLIC FUNDING [4]							
	Traditional State Highway Funding (Federal, State, STP)							
	Category 1	Category 6	Category 10	Category 11	Category 12	Surface Transportation Program (STP)	State Funds	Federal Funds
CDA Projects in Operations and Maintenance (3 projects) [2] CDA Statute: Chapter 223 Subchapter E								
SH 130 Segments 5 & 6								
DFW Connector	$1,400,000					$7,500,000	$687,000,000	$260,800,000
North Tarrant Express (NTE) Segments 1 & 2W							$118,806,818	$475,403,150
CDA Projects in Design/Construction (7 projects) CDA Statute: Chapter 223 Subchapter E								
LBJ Managed Lanes							$738,025,730	$24,000,000
SH 99 (Grand Parkway) Segment F1, F2, and G[7]								
IH 35E Managed Lanes		$1,780,000	$18,046,046		$296,390,000		$127,900,881	
North Tarrant Express (NTE) Segment 3A							$211,445,000	
Loop 375 Border Highway West Expressway								
SH 183 Managed Lanes			$13,019,178		$602,300,001		$177,587,569	
CDA Projects in Procurement (2 projects) [3] CDA Statute: Chapter 223 Subchapter E								
SH 288 Harris County [5]					$25,000,000		$60,820,000	
US 181 Harbor Bridge		$291,000,000			$526,000,000		$66,000,000	
Projects Totals	$1,400,000	$292,780,000	$31,065,224		$1,449,690,001	$7,500,000	$2,187,585,998	$760,203,150

(CONTINUED)

	PUBLIC FUNDING [4] (CONTINUED)									
	Traditional State Highway Funding (MPO)			Non-Traditional Sources				Local Funding		
	Category 2	Category 5	Category 7	Category 3	Prop 12	Prop 14	Texas Mobility Fund (TMF)	Local Funds	Regional Toll Revenue	To be Determined
CDA Projects in Operations and Maintenance (3 projects) [2] CDA Statute: Chapter 223 Subchapter E										
SH 130 Segments 5 & 6										
DFW Connector					$31,700,000	$306,334,656				
North Tarrant Express (NTE) Segments 1 & 2W										
CDA Projects in Design/Construction (7 projects) CDA Statute: Chapter 223 Subchapter E										
LBJ Managed Lanes										
SH 99 (Grand Parkway) Segment F1, F2, and G[7]										
IH 35E Managed Lanes	$90,876,056	$153,875,900	$15,506,105	$367,034,059						
North Tarrant Express (NTE) Segment 3A										
Loop 375 Border Highway West Expressway				$639,500,000						
SH 183 Managed Lanes	$109,440,001		$525,000					$10		$110,467,441
CDA Projects in Procurement (2 projects) [3] CDA Statute: Chapter 223 Subchapter E										
SH 288 Harris County [5]				$15,820,000		$5,000,000				
US 181 Harbor Bridge	$12,600,000		$19,200,000					$99,471,266		
Projects Totals	$212,916,057	$153,875,900	$35,231,105	$1,022,354,059	$31,700,000	$311,334,656		$99,471,276		

TxDOT Innovative Project Delivery - Cost & Funding Summary
(FY 2005 - FY 2016)

(CONTINUED)

Project Name	PRIVATE FUNDING								
	State Toll Revenue Bonds	Transportation Infrastructure Finance and Innovation Act (TIFIA)	Developer Debt and Equity						
			Developer Bonds/PABs	Developer Equity	Project Specific Toll Revenue	Capitalized Interest and Interest Income	Developer TIFIA	Tolling ITS	Total Funding
CDA Projects in Operations and Maintenance (3 projects) 2 CDA Statute: Chapter 223 Subchapter E									
SH 130 Segments 5 & 6				$891,000,000			$476,000,000		$1,367,000,000
DFW Connector									$345,534,656
North Tarrant Express (NTE) Segments 1 & 2W			$397,775,000	$426,027,000		$53,366,000	$649,437,000		$1,526,605,000
CDA Projects in Design/Construction (7 projects) CDA Statute: Chapter 223 Subchapter E									
LBJ Managed Lanes			$606,035,000	$681,407,000	$17,036,000	$96,546,000	$850,000,000		$2,251,024,000
SH 99 (Grand Parkway) Segment F1, F2, and G7	$2,072,431,000	$841,000,000							
IH 35E Managed Lanes		$285,000,000							$941,728,166
North Tarrant Express (NTE) Segment 3A			$274,030,000	$442,480,000			$577,530,000		$1,294,040,000
Loop 375 Border Highway West Expressway									$639,500,000
SH 183 Managed Lanes		$155,632,050							$835,751,631
CDA Projects in Procurement (2 projects) 3 CDA Statute: Chapter 223 Subchapter E									
SH 288 Harris County 5				$27,600,000					$73,420,000
US 181 Harbor Bridge									$657,271,266
Projects Totals	$2,072,431,000	$1,281,632,050	$1,277,840,000	$2,468,514,000	$17,036,000	$149,912,000	$2,552,967,000		$9,821,407,278

Notes:
1. Total Capital Cost include ROW, Utilities, Design, Construction, Tolling/ITS, Change Orders and Contingencies when applicable.
2. Capital Costs for projects in Operations and Maintenance reflect costs of Design/Construction.
3. Projects in procurement show projected Capital Costs estimates.
4. Public funding includes traditional state highway funding (MPO, Federal,State,STP), non traditional sources and local funding.
5. SH 288 developer funding breakdown will not be finalize until financial close.
6. Table does not include projects in planning since is too early to determine an actual scope, estimate costs and funding sources.
7. SH 99 (Grand Parkway) Segment F1, F2, and G capital costs of $2.932B include Segment F-G capital costs of $1.452B and Segment D&E Construction, Financing, other reimbursement & soft costs of $1.480B

Funding Notes:
- 'Traditional State Highway Funding (Federal, State, STP)' includes Category 1, 6, 10, 11, 12 and STP funds.
- 'Traditional State Highway Funding (MPO)' includes Category 2, 5 and 7 funds.
- 'Non-traditional Sources' include Category 3, Prop 12, Prop 14, and Texas Mobility Funds.
- State Toll Revenue and TIFIA includes Grand Parkway Transportation Corporation (GPTC) bonds and TIFIA loan received by the State.
- 'Developer Debt and Equity' includes Developer Equity, Developer acquired TIFIA/PABs, and other debt issued by the Developer.
- 'Local Funding' includes funds provided by the local entities.

Appendix B:

TxDOT Innovative Project Delivery - Cost & Funding Summary
(FY 2005 - FY 2016)

Project Name	Type	Phase	100 Congested Road Rank 2014	Toll, Managed, Non-toll	FY Let (Conditional Award Year - estimated for 2015-16)	COST VERSUS FUNDING		
						Total Capital Cost [1]	Total Public Funding	Total Funding
Design-Build Projects in Design/Construction (5 projects) DB Statute: Chapter 223 Subchapter F								
SH 71 Express	Design-Build	Design/Construction	-	Toll	2014	$144,152,528	$89,705,000	$148,705,000
Horseshoe Project	Design-Build	Design/Construction	19, 20, 71	Non-Toll	2013	$797,654,145	$818,933,987	$818,933,987
US 77 Upgrade (Kingsville to Driscoll)	Design-Build	Design/Construction	-	Non-Toll	2013	$84,195,780	$85,355,000	$85,355,000
Loop 1604 Western Extension	Design-Build	Design/Construction	-	Non-Toll	2013	$125,586,202	$126,000,000	$126,000,000
Energy Sector Project	Design-Build	Design/Construction	-	Non-Toll	2014	$190,624,588	$190,624,588	$190,624,588
Design-Build Projects in Procurement (3 projects) 3 DB Statute: Chapter 223 Subchapter F								
SH 360	Design-Build	Procurement	-	Toll	2015	$318,423,041	$335,696,758	$628,696,758
SH 99 (Grand Parkway) Segment H, I-1, and I-2	Design-Build	Procurement	-	Toll	2015	$1,280,000,000		$300,000,000
SH 249 (Grimes and Montgomery Counties)	Design-Build	Procurement	-	Toll	2016	$390,100,000	$410,000,000	$410,000,000
Projects Totals						$3,330,736,284	$2,056,315,333	$2,708,315,333

TxDOT Innovative Project Delivery - Cost & Funding Summary
(FY 2005 - FY 2016)

(CONTINUED)

Project Name	PUBLIC FUNDING [4]							
	Traditional State Highway Funding (Federal, State, STP)							
	Category 1	Category 6	Category 10	Category 11	Category 12	Surface Transportation Program (STP)	State Funds	Federal Funds
Design-Build Projects in Design/Construction (5 projects) DB Statute: Chapter 223 Subchapter F								
SH 71 Express					$61,000,000		$8,705,000	$20,000,000
Horseshoe Project		$75,000,000	$106,375,987					
US 77 Upgrade (Kingsville to Driscoll)					$32,000,000	$37,597,459	$5,355,000	$10,402,541
Loop 1604 Western Extension	$1,500,000			$500,000	$18,000,000			
Energy Sector Project	$40,615,295			$9,293			$150,000,000	
Design-Build Projects in Procurement (3 projects) 3 DB Statute: Chapter 223 Subchapter F								
SH 360								
SH 99 (Grand Parkway) Segment H, I-1, and I-2								
SH 249 (Grimes and Montgomery Counties)					$193,000,000		$137,000,000	
Projects Totals	$42,115,295	$75,000,000	$106,375,987	$509,293	$304,000,000	$37,597,459	$301,060,000	$30,402,541

(CONTINUED)

	PUBLIC FUNDING [4] (CONTINUED)									
	Traditional State Highway Funding (MPO)			Non-Traditional Sources				Local Funding		To be Determined
	Category 2	Category 5	Category 7	Category 3	Prop 12	Prop 14	Texas Mobility Fund (TMF)	Local Funds	Regional Toll Revenue	
Design-Build Projects in Design/Construction (5 projects) DB Statute: Chapter 223 Subchapter F										
SH 71 Express										
Horseshoe Project			$4,450,000		$604,658,000	$7,000,000			$21,450,000	
US 77 Upgrade (Kingsville to Driscoll)										
Loop 1604 Western Extension				$27,200,000	$4,000,000	$74,800,000				
Energy Sector Project										
Design-Build Projects in Procurement (3 projects) 3 DB Statute: Chapter 223 Subchapter F										
SH 360				$300,000,000					$35,696,758	
SH 99 (Grand Parkway) Segment H, I-1, and I-2										
SH 249 (Grimes and Montgomery Counties)								$80,000,000		
Projects Totals			$4,450,000	$327,200,000	$608,658,000	$81,800,000		$80,000,000	$57,146,758	

TxDOT Innovative Project Delivery - Cost & Funding Summary
(FY 2005 - FY 2016)

(CONTINUED)

Project Name	PRIVATE FUNDING									
	State Toll Revenue Bonds	Transportation Infrastructure Finance and Innovation Act (TIFIA)	Developer Debt and Equity					Tolling ITS	Project Development Loans	Total Funding
			Developer Bonds/PABs	Developer Equity	Project Specific Toll Revenue	Capitalized Interest and Interest Income	Developer TIFIA			
Design-Build Projects in Design/Construction (5 projects) DB Statute: Chapter 223 Subchapter F										
SH 71 Express									$59,000,000	$148,705,000
Horseshoe Project										$818,933,987
US 77 Upgrade (Kingsville to Driscoll)										$85,355,000
Loop 1604 Western Extension										$126,000,000
Energy Sector Project										$190,624,588
Design-Build Projects in Procurement (3 projects) 3 DB Statute: Chapter 223 Subchapter F										
SH 360									$293,000,000	$628,696,758
SH 99 (Grand Parkway) Segment H, I-1, and I-2	$300,000,000									$300,000,000
SH 249 (Grimes and Montgomery Counties)										$410,000,000
Projects Totals	**$300,000,000**								**$352,000,000**	**$2,708,315,333**

Notes:
1. Total Capital Cost include ROW, Utilities, Design, Construction, Tolling/ITS, Change Orders and Contingencies when applicable.
2. Capital Costs for projects in Operations and Maintenance reflect costs of Design/Construction.
3. Projects in procurement show projected Capital Costs estimates.
4. Public funding includes traditional state highway funding (MPO, Federal,State,STP), non traditional sources and local funding.
5. SH 288 developer funding breakdown will not be finalize until financial close.
6. Table does not include projects in planning since is too early to determine an actual scope, estimate costs and funding sources.
7. SH 99 (Grand Parkway) Segment F1, F2, and G capital costs of $2.932B include Segment F-G capital costs of $1.452B and Segment D&E Construction, Financing, other reimbursement & soft costs of $1.480B

Funding Notes:
- 'Traditional State Highway Funding (Federal, State, STP)' includes Category 1, 6, 10, 11, 12 and STP funds.
- 'Traditional State Highway Funding (MPO)' includes Category 2, 5 and 7 funds.
- 'Non-traditional Sources' include Category 3, Prop 12, Prop 14, and Texas Mobility Funds.
- State Toll Revenue and TIFIA includes Grand Parkway Transportation Corporation (GPTC) bonds and TIFIA loan received by the State.
- 'Developer Debt and Equity' includes Developer Equity, Developer acquired TIFIA/PABs, and other debt issued by the Developer.
- 'Local Funding' includes funds provided by the local entities.

Appendix C – Table 20, Exhibit 15 Evaluation of Agency Reporting Requirements

Texas Department of Transportation
Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Gulf Intracoastal Waterway Report	§51.007, Transportation Code	Present to Trans. Commission in Dec. of each even-numbered year and then to Lege	Transportation Commission, Legislature	Evaluation of Impact of Gulf Intracoastal Waterway on state, recommending legislative action if necessary	Yes
Port Capital Program	§55.008, Transportation Code	Dec. 1 of even numbered years	Governor, Lt. Gov, Speaker, Transportation Commission	Define the goals and objectives of the Port Authority Advisory Committee concerning the development at port facilities and an intermodal transportation system	Yes
Independent Audit	§201.109(b)(5) and §201.2041, Transportation Code	Beginning in 2007 & every 12 years following (August 2019)	Sunset Commission	Audit of management of business operation submitted in conjunction with department's report to Sunset Commission.	Yes: Independent audits of management of business operations and detailed financial audits provide assurance and transparency to key stakeholders, including compliance with bond covenants.
EEO Status Report	§201.402, Transportation Code	December 31, annually	Governor, TX Commission on Human Rights (Gov. will present to Lege as part of biennial reporting)	Report to ensure department is adhering to EEO policies and procedures	Yes

Appendix C – Table 20, Exhibit 15 Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Certain Employees Whose Performances Were Unsatisfactory	§201.404(b-2), Transportation Code	March 31st on an annual basis.	Transportation Commission	Report regarding employees below level of District Engineer whose performances were unsatisfactory but who were not terminated.	The need to have a statutory requirement for this report has been significantly diminished, due to several reasons: • The agency is experiencing increased familiarity with the ERP system capabilities (Human Capital Management module), since its implementation in 2014. • HR has become true business partners with the DDOs, supervisors/managers and employees by performing performance management job duties more proactively. o Performance Management issues are being addressed at the occurrence, as opposed to after-the-fact when annual reporting is due. o Performance Management reports and data is available on demand and/or as needed enabling faster response time and data analysis. o HR staff has the ability to request report information by DDO, specific work unit, by supervisor or employee. • Continuous improvement efforts by HRD by offering proactive training and better tools to help managers/supervisors manage job performance.
Statewide Transportation Plan	§201.601, Transportation Code	Not specified	Not specified	"Statewide Long-Range Transportation Plan 2040" serves as state's 24-year "blueprint" for the planning process. Updated at least every four years; guides collaborative efforts between TxDOT, local and regional decision-makers, and other transportation stakeholders.	Yes

Appendix C – Table 20, Exhibit 15 Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Annual Analysis of Progress on SLRTP	§201.601e, Transportation Code	January 31, annually	Lt. Gov, Speaker, Chairs of House and Senate standing committees with primary jurisdiction over transportation issues, TxDOT internet website.	Analysis of department's progress in attaining goals under Sec. 201.601(a1)(1), Transportation Code (i.e. STLRP)	Yes
Transportation Program Expenditures report	§201.616, Transportation Code	Dec. 1, annually	Legislature	Provide expenditure information on UTP, turnpikes, bonds, RMAs, and certain rail facilities.	Yes, This report demonstrates how TxDOT is meeting its goals of maintaining a safe system, addressing congestion, connecting Texas communities and becoming a best-in-class state agency.
International Trade Corridor Plan	§201.6011(b), Transportation Code	Dec. 1 of even-numbered years	Speaker, Lt. Gov.	Report on implementation of International Trade Corridor Plan; Summary of information obtained in meeting between department staff and counterparts in United Mexican States.	The Border Corridors and Trade Report provides an update of Texas' trade, infrastructural projects, funding sources, studies, programs and other planning activities and initiatives in compliance with requirements set forth in sections 201.114 and 201.6011 of the Texas Transportation Code and Rider 14(a) of the General Appropriations Act (83rd session – HB 1). It also summarizes activities undertaken by the Border Trade Advisory Committee between 2013 and 2014.
Long-Term Plan for Statewide Passenger Rail System	§201.6013, Transportation Code	Statute states "annually"	Published via TxDOT website	Annual long-term plan for statewide passenger rail system. Includes description of existing and proposed passenger rail systems, status of such systems under construction, analysis of potential interconnectivity difficulties, ridership projections for proposed projects and statistics for existing systems.	This report is no longer needed. Federal funding for new passenger rail projects has stopped and no new funding is expected in the coming years. The FRA requires states update their rail plans every 5 years to be eligible for federal rail funding and an update of passenger rail is included. Without a guaranteed funding source for passenger rail projects a yearly update is not needed.

Appendix C – Table 20, Exhibit 15 Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Environmental Review Process Reports	§201.762(a), Transportation Code	Not later than June 30 (Commission) and December 31 (Commission & Lege) annually	Transportation Commission, legislators with affected projects in their districts, TxDOT Internet website.	Projects being processed under environmental review process (Subchapter I-1, Chapter 201, Trans. Code) and status of each project, including certain specific information.	No. Since 2014, TxDOT has achieved at least a 96% success rate on all required deadlines; however, developing and posting reports requires a substantial investment of staff time. The same information is tracked and reported in other performance measurement reporting. Consider removing the reporting requirement, reducing the frequency of reports, or permitting informal reporting through other existing mechanisms.
Environmental Review Process Reports	§201.762 (b), Transportation Code	Not later than December 1, annually	Members of standing legislative committees with primary jurisdiction over transportation, legislators with at least one project covered by the report in their district; TxDOT website	Implementation of environmental review process (Ch. 201, Subchapter I-1, Transportation Code), including status report for preceding 12-month period that contains the information described in Sec. 201.762(a)	No. Since 2014, TxDOT has achieved at least a 96% success rate on all required deadlines; however, developing and posting reports requires a substantial investment of staff time. The same information is tracked and reported in other performance measurement reporting. Consider removing the reporting requirement, reducing the frequency of reports, or permitting informal reporting through other existing mechanisms.
Complaint Analysis	§201.801(g), Transportation Code	Quarterly	Transportation Commission	Compile detailed statistics and analyze trends related to complaints	Yes
Statistical Comparison of Districts	§201.805(a), Transportation Code	By December 1st each year	Public, appropriate media, and department website	Info must be calculated on per-capita basis and listed for each county and the state, it also must include a long list of specific information	Yes
Status of Texas Mobility Fund	§201.805c, Transportation Code	Sep. 30th Annually	Public Appropriate media and department website	Provides 1) amount of money in Texas Mobility Fund by source 2) amount of money received by department itemized by source of funds vs. appropriated funds	Yes

Appendix C – Table 20, Exhibit 15 Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
TxDOT Purchase Orders with Firms for Public Awareness for Traffic Safety, Environmental Issues and Toll Operations	§201.805(d), Transportation Code	15-Jan	Appropriate media and department website	List of contacts with lobbyists, PR firms, and government consultants	Yes
Texas Motor Vehicle Crash Statistics	§201.806(a)(2), Transportation Code	August 31, annually	Public	Statistical information about the number, cause and location of crashes, including information about number of accidents involving injury to, death of, or property damage to bicyclists or pedestrians. Provides electronic access to data.	Yes. This is our annual publication of motor vehicle crash data. The data is on the TxDOT website and not only fulfills our legislative reporting requirement, but the data are used by the public to obtain crash data statistics.
Project Information Reporting System	201.807 (b), Transportation Code	As soon as information becomes available.	TxDOT's internet website	System shall contain information about each department project, including: project status; each source of funding; benchmarks for evaluating progress of project; timelines for completing project; a list of department employees responsible for project with contact information; and results of annual review required under §201.807(e).	Yes; important for transparency on project status; The report is still needed due to project reporting requirements to public stakeholders via Project Tracker.
Expenditure Priorities Reporting System	§201.808, Transportation Code	As information becomes available	TxDOT's internet website	Includes reports that evaluate effectiveness of TxDOT's expenditures on transportation projects to achieve the transportation goal, pavement condition for each highway under TxDOT's jurisdiction, including specific benchmarks.	May be affected by implementation of new requirements under HB 20, 84th Regular Session

Appendix C – Table 20, Exhibit 15 Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Statewide Transportation Report	§201.809, Transportation Code	January 31, annually	Each legislator, certain political subdivisions, including municipalities, counties, and local transportation entities.	Report must include information about progress of each long-term transportation goal identified by the statewide transportation plan; status of each project identified as a major priority; summary of the number of statewide project implementation benchmarks completed; and information about the accuracy of previous department financial forecasts. Information in report must be disaggregated by department district.	Yes: provides annual update on planning progress
State Highway Fund Cash Flow Shortfall Forecast	§201.962, Transportation Code	Before issuing notes	Cash Management Committee (Governor, Lt. Gov, Speaker, Comptroller)	Explain requests for issuance of tax and revenue anticipation notes	Yes
Unified Transportation Program	§201.991 and 201.992, Transportation Code	August 31, Annually	Public, appropriate media, and department website	Unified transportation program covering a period of 10 years to guide the development of and authorize construction of transportation projects. The program must annually identify target funding levels and list all projects all projects that the department intends to develop or begin construction of during the program period.	Yes: important for department programming and project development
Annual Funding and Cash Flow Forecast	§201.993, Transportation Code	Not later than Sept. 1, annually	Not specified	Forecast of all funds the department expects to receive, including funds from this state and the federal government used to guide planning for the unified transportation program. TxDOT must collaborate with local transportation entities to develop scenarios for forecast based on mutually acceptable funding assumptions; cash flow forecast must cover period of 20 years.	Yes

Appendix C – Table 20, Exhibit 15 Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Relief from Local Matching Funds Report (Economically Disadvantaged County Program)	§222.053e, Transportation Code	March 1, Annually	Governor, Lt. Gov., Speaker	Report on program that enables Transportation Commission to adjust minimum local matching funds requirement for certain transportation projects after evaluating local government's effort and ability to meet requirement.	Yes: important program for certain eligible counties
Toll Facility Cost Participation Notification	§222.103d, Transportation Code	At request of member of the legislature	At request of member of the legislature	On the request of a member of the legislature, the department shall provide the member a status report on all highway construction projects, by legislative district, that are under contract or awaiting funding. The report shall include projects that would be funded in any manner by state, federal, or toll funds.	This reporting requirement is very similar to Rider 14c. To our knowledge, this report has not been requested before. This reporting requirement falls under the statute specific to Toll Facilities, but asked for a report specific to "all construction projects." We believe this reporting requirement should be combined with the Rider 14c reporting requirement, which is filed prior to January 1, each fiscal year.
Highway Maintenance Contracting	§223.042(f), Transportation Code	Sept. 1	LBB	Detail of highway maintenance privatization contracts awarded during the previous FY.	The LBB has requested that TxDOT not submit an annual report. Instead, we provide a letter with a link to the website with all necessary information. On TxDOT's Reports Required by Statute website (http://www.txdot.gov/government/legislative/state-affairs/reports.html), we provide a link to the Construction Report site at http://www.dot.state.tx.us/insdtdot/orgchart/cmd/cserve/recap/recap.htm.
Regional Coordination Plans	§455.001 (4), Transportation Code	August 31, every 3-4 years	May be sent to the Governor, Lt. Gov., Lege as requested	Comprehensive master plan for public and mass transportation development.	Yes
Texas Transit Statistics	§456.008, Transportation Code	Jan. 1	Governor's Office (Budget and Planning Division), LBB	Report on performance during previous year of public transportation providers receiving any state or federal funding.	Yes
Red Light Cameras - Annual Report	§707.004, Transportation Code	Dec. 1 of each year, starting in 2008	Public	Annual compilation of reports from local authorities that operate camera systems. Includes number and type of traffic accidents at camera-monitored intersections.	Yes

Appendix C – Table 20, Exhibit 15 Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Annual Office Space Needs Assessment	Title 10, Ch. 2166, Subchapter C Planning and Reporting, Section 2166.101, 2166.102, and 2166.103, Transportation Code	Annually, Jan 31 (internal deadline)	TFC, Governor's office of Budget, Planning and Policy, LBB, Senate Finance Cmte, House Appropriations Cmte	Reports TxDOT space in state lease and state owned facilities managed and controlled by TBPC and TxDOT buildings and construction information for building projects completed, annually.	Yes
Internal Compliance Program Report	Session Law: SECTION 15(b), Acts 2011, 82nd R.S., ch. 1345, General and Special Laws of Texas	Monthly	Legislature	Effectiveness of the internal compliance program (Subchapter F-1, Chapter 201, Transportation Code) and any recommended changes in law to increase the effectiveness of the compliance program.	Not needed: Compliance Program has now been established, per Chapter 201, Transportation Code, including independently conducting and overseeing investigations involving criminal activity, allegations of wrongdoing, crimes committed on department property. This includes reports to the Texas Transportation Commission, cooperation with law enforcement and regular communication with the State Auditor's Office. No additional changes of law are recommended at this time.
Action Plan for Travel Division	§481.172 (b)(2)(B), Government Code	June 1, annually	Office of the Governor, Economic Development and Tourism	Planning document to outline planned tourism activities in order to coordinate the state's tourism activities.	Yes. The report is required as part of a Memorandum of Understanding directed by the Governor's Office that is used to coordinate and to direct tourism efforts within the state. TxDot is one of the five agencies that is a member of the MOU.
Gulf Intracoastal Waterway Report	§51.007, Transportation Code	Present to Trans. Commission in Dec. of each even-numbered year and then to Lege	Transportation Commission, Legislature	Evaluation of Impact of Gulf Intracoastal Waterway on state, recommending legislative action if necessary	Yes

Table 20 Exhibit 15 Agency Reporting Requirements