

PREPARED BY: Samuel Malson
 DATE PREPARED: April 04, 2022
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LB 1016

Revision: 01

Updated to reflect adoption of AM2128.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2022-23		FY 2023-24	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

As amended, LB1016 would amend the Transportation Innovation Act to allow the Department of Transportation (DOT) to enter into an agreement for a public-private partnership delivery method for construction or financing of capital projects or procurement of services and authorization to utilize progressive design-build as a project-delivery process. The provisions of the bill provide definitions, detail process and agreement requirements, require the DOT to adopt and promulgate regulations (on or before July 1, 2023) with stakeholder input, define responsibilities, and establish reporting requirements.

The DOT provided a fiscal note that indicates the agency will be able to carry out the requirements of the bill within existing resources. It is being assumed the DOT can adopt and promulgate regulations for the new project delivery method without an appropriation increase. Any future fiscal impact related to entering into and monitoring a public-private partnership delivery agreement will be dependent on various factors, including but not limited to the size, duration, and location of a project. If a need for additional funding is necessary, it will be handled through the budget request process.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 1016	AM: 2128	AGENCY/POLT. SUB: Department of Transportation	
REVIEWED BY: Patrick Redmond	DATE: 3/29/2022	PHONE: (402) 471-4181	
COMMENTS: No basis to disagree with the Department of Transportation assessment of no fiscal impact from LB 1016 as amended by AM2128.			

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2022

LB⁽¹⁾ 1016 AM2128

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Transportation

Prepared by: ⁽³⁾ Jenessa Boynton Date Prepared: ⁽⁴⁾ 3/28/2022 Phone: ⁽⁵⁾ 402-479-4691

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2022-23</u>		<u>FY 2023-24</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB 1016 as amended by AM2128 would add progressive design-build as a project-delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualification-based selection process at the earliest feasible stage of the process. The process for selecting a progressive design-builder and entering into a progressive design-build contract shall be in accordance with sections 39-2813 to 39-2816.

AM2128 continues to authorize the Nebraska Dept. of Transportation (NDOT) to use a public-private partnership delivery method for projects under the Transportation Innovation Act. On or before July 1, 2023, NDOT is required to consult with design-builders, construction managers, other contractors and design professionals to promulgate rules and regulations for determining project selection for utilizing a public-private partnership. A request for proposal for a project utilizing a public-private partnership shall at minimum meet the criteria set forth in the bill.

Annually, NDOT is required to electronically report to the Appropriations Committee of the Legislature and the Transportation and Telecommunications Committee of the Legislature the private-public partnerships which have been considered or approved.

NDOT will be able to administer the new project delivery process and method within existing resources.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2022-23 EXPENDITURES</u>	<u>2023-24 EXPENDITURES</u>
	<u>22-23</u>	<u>23-24</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____