

**J00 – MDOT – Fiscal 2020 Budget Overview**

**MDOT RESPONSE TO DLS ANALYSIS**

***DLS Budget Analysis Issues***

---

**1. Report on February 2018 Baltimore Metro Shutdown Not Yet Submitted (Page 26)**

*A recommendation will be included in the budget analysis for the Secretary's Office to withhold funding pending receipt of the requested reports.*

**MDOT Response:**

The report on the February 2018 Baltimore Metro Shutdown was submitted on January 30, 2019.

**J00 – MDOT – Fiscal 2020 Budget Overview**

**MDOT RESPONSE TO DLS ANALYSIS**

***DLS Budget Analysis Issues (Continued)***

---

**2. Fiscal 2020 Budget as Introduced Does Not Include the Required Appropriation for the Mandated Capital Funding for WMATA (Page 26)**

*This omission should be corrected in a supplemental budget.*

**MDOT Response:**

The Governor’s fiscal year 2020 budget as introduced includes \$167 million in dedicated capital funding for WMATA. This includes \$125 million in general funds and \$42 million in Transportation Trust Funds. Following enactment of the budget and as per established procedure, the Department of Budget and Management will request approval from the Legislative Policy Committee for a transfer of the \$125 million in general funds from the Dedicated Purpose Account to the Transportation Trust Fund to fully fund the fiscal year 2020 obligation to WMATA.

MDOT RESPONSE TO DLS ANALYSIS

***Operating Budget Recommended Actions***

---

1. Add the following language:

Provided that it is the intent of the General Assembly that projects and funding levels appropriated for capital projects, as well as total estimated project costs within the Consolidated Transportation Program, shall be expended in accordance with the plan approved during the legislative session. The department shall prepare a report to notify the budget committees of the proposed changes in the event that the department modifies the program to:

- (1) add a new project to the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that was not previously contained within a plan reviewed in a prior year by the General Assembly and will result in the need to expend funds in the current budget year; or
- (2) change the scope of a project in the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that will result in an increase of more than 10% or \$1,000,000, whichever is greater, in the total project costs as reviewed by the General Assembly during a prior session.

For each change, the report shall identify the project title, justification for adding the new project or modifying the scope of the existing project, current year funding levels, and the total project cost as approved by the General Assembly during the prior session compared with the proposed current year funding and total project cost estimate resulting from the project addition or change in scope.

Further provided that notification of project additions, as outlined in paragraph (1) above; changes in the scope of a project, as outlined in paragraph (2) above; or moving projects from the development and evaluation program to the construction program, shall be made to the General Assembly 45 days prior to the expenditure of funds or the submission of any contract for approval to the Board of Public Works.

**MDOT Response:**

The Department concurs with the recommended language.

MDOT RESPONSE TO DLS ANALYSIS

***Operating Budget Recommended Actions (Continued)***

---

2. Add the following language:

The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of X,XXX.X positions and XXX.X contractual full-time equivalent (FTE) positions paid through special payments payroll (defined as the quotient of the sum of the hours worked by all such employees in the fiscal year divided by 2,080 hours) of the total authorized amount established in the budget for MDOT at any one time during fiscal 2020. The level of contractual FTE positions may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

(1) business growth at the Helen Delich Bentley Port of Baltimore or Baltimore/Washington International Thurgood Marshall Airport, which demands additional personnel; or

(2) emergency needs that must be met, such as transit security or highway maintenance.

The Secretary shall use the authority under Sections 2-101 and 2-102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the regular position ceiling approved by the Board of Public Works shall count against the Rule of XXX imposed by the General Assembly. The establishment of new jobs or positions of employment not authorized in the fiscal 2020 budget shall be subject to Section 7-236 of the State Finance and Procurement Article and the Rule of XXX.

**MDOT Response:**

The Department concurs with the recommended language.