

Fiscal Estimate Narratives

DOT 5/22/2023

LRB Number 23-1867/1	Introduction Number SB-0270	Estimate Type Original
Description damages claims relating to delayed relocation of utilities in a highway right-of-way and modifying administrative rules promulgated by the Department of Transportation		

Assumptions Used in Arriving at Fiscal Estimate

This bill creates a process for a highway improvement contractor to seek damages from the Department for project delays that are the result of an uncompleted relocation or adjustment of a utility facility located in the right-of-way of the highway. The fiscal impact of this bill is dependent upon the number of utility conflicts on projects in a given year. Using the Department's calendar year 2022 data on utility conflicts, the Department estimates that there will be approximately 120 utility conflicts on highway projects in the State Highway Rehabilitation (SHR) program and Major Highway Development (Majors) program each year. The data includes all projects with identified utility conflicts and assumes all conflicts were compensable. Based on that data the average cost per utility change order on projects was approximately \$8,869. Using these numbers (120 x \$8,869), the estimated cost per year is \$1,064,280. The actual cost per year will vary based on the number of projects with compensable utility conflicts.

Long-Range Fiscal Implications

The above costs are expected to continue in future years, though actual costs will depend on the number of utility conflicts on projects in each year.