

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2927**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

5           **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is appropriated out of any money in the State Treasury  
7 to the credit of the Office of State Aid Road Construction Fund,  
8 for the purpose of defraying the expenses of the Office of State  
9 Aid Road Construction of the Mississippi Department of  
10 Transportation for the fiscal year beginning July 1, 2021, and  
11 ending June 30, 2022 ..... \$ 195,410,848.00.

12           **SECTION 2.** Of the funds appropriated under the provisions of  
13 this act, the following positions are authorized:

14           AUTHORIZED POSITIONS:



15	Permanent:	Full Time .....	52
16		Part Time .....	0
17	Time-Limited:	Full Time .....	0
18		Part Time .....	0

19 With the funds herein appropriated, it shall be the agency's  
20 responsibility to make certain that funds required to be  
21 appropriated for "Personal Services" for Fiscal Year 2023 do not  
22 exceed Fiscal Year 2022 funds appropriated for that purpose unless  
23 programs or positions are added to the agency's Fiscal Year 2022  
24 budget by the Mississippi Legislature. Based on data provided by  
25 the Legislative Budget Office, the State Personnel Board shall  
26 determine and publish the projected annual cost to fully fund all  
27 appropriated positions in compliance with the provisions of this  
28 act. Absent a special situation or circumstance approved by the  
29 State Personnel Board, or unless otherwise authorized by this act,  
30 no state agency shall take any action to promote or otherwise  
31 award salary increases through reallocation or realignment. If  
32 the State Personnel Board determines a special situation or  
33 circumstance exists and approves an action, then the agency and  
34 the State Personnel Board shall provide a monthly report of each  
35 action approved by the State Personnel Board to the chairmen of  
36 the Accountability, Efficiency and Transparency Committees of the  
37 Senate and House of Representatives and the chairmen of the  
38 Appropriations Committees of the Senate and House of  
39 Representatives. It shall be the responsibility of the agency



40 head to ensure that no single personnel action increases this  
41 projected annual cost and/or the Fiscal Year 2022 appropriations  
42 for "Personal Services" when annualized, with the exception of  
43 escalated funds and the award of benchmarks. If, at the time the  
44 agency takes any action to change "Personal Services," the State  
45 Personnel Board determines that the agency has taken an action  
46 which would cause the agency to exceed this projected annual cost  
47 or the Fiscal Year 2022 "Personal Services" appropriated level,  
48 when annualized, then only those actions which reduce the  
49 projected annual cost and/or the appropriation requirement will be  
50 processed by the State Personnel Board until such time as the  
51 requirements of this provision are met.

52 Any transfers or escalations shall be made in accordance with  
53 the terms, conditions and procedures established by law or  
54 allowable under the terms set forth within this act. The State  
55 Personnel Board shall not escalate positions without written  
56 approval from the Department of Finance and Administration. The  
57 Department of Finance and Administration shall not provide written  
58 approval to escalate any funds for salaries and/or positions  
59 without proof of availability of new or additional funds above the  
60 appropriated level.

61 No general funds authorized to be expended herein shall be  
62 used to replace federal funds and/or other special funds which are  
63 being used for salaries authorized under the provisions of this  
64 act and which are withdrawn and no longer available.



65 None of the funds herein appropriated shall be used in  
66 violation of Internal Revenue Service's Publication 15-A relating  
67 to the reporting of income paid to contract employees, as  
68 interpreted by the Office of the State Auditor.

69 **SECTION 3.** Of the funds appropriated in Section 1, it is the  
70 intention of the Legislature that an amount not to exceed Five  
71 Hundred Thousand Dollars (\$500,000.00) is authorized to be  
72 expended from funds received from the Mississippi Development  
73 Authority as reimbursements for actual expenses incurred by the  
74 Office of State Aid Road Construction for administering and  
75 providing engineering services to political subdivisions as  
76 authorized under Section 65-4-15, Mississippi Code of 1972. Any  
77 such funds shall be deposited into the Office of State Aid Roads  
78 Administrative Fund for the fiscal year beginning July 1, 2021,  
79 and ending June 30, 2022.

80 **SECTION 4.** Of the funds appropriated in Section 1, it is the  
81 intention of the Legislature that an amount not to exceed Thirty  
82 Million Dollars (\$30,000,000.00) is authorized to be expended for  
83 the purpose of replacement of structurally deficient bridges on  
84 the Local System Bridge Program (LSBP).

85 **SECTION 5.** It is the intention of the Legislature that the  
86 Office of State Aid Road Construction shall maintain complete  
87 accounting and personnel records related to the expenditure of all  
88 funds appropriated under this act and that such records shall be  
89 in the same format and level of detail as maintained for Fiscal



90 Year 2021. It is further the intention of the Legislature that  
 91 the agency's budget request for Fiscal Year 2023 shall be  
 92 submitted to the Joint Legislative Budget Committee in a format  
 93 and level of detail comparable to the format and level of detail  
 94 provided during the Fiscal Year 2022 budget request process.

95 **SECTION 6.** In compliance with the "Mississippi Performance  
 96 Budget and Strategic Planning Act of 1994," it is the intent of  
 97 the Legislature that the funds provided herein shall be utilized  
 98 in the most efficient and effective manner possible to achieve the  
 99 intended mission of this agency. Based on the funding authorized,  
 100 this agency shall make every effort to attain the targeted  
 101 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
104 Administrative	
105     Administrative Costs as Compared to	
106         Construction Costs (%)	4.00
107     State Aid Construction Funds Allocated	
108         to Counties (%)	95.00
109     Number of Projects Let to Contract	175
110     Personnel Devoted to Construction	
111         Programs (%)	81.00
112     Federal Percentage of Total Project Fund	
113         Obligations (%)	35.00
114 Construction	



115	Reduction of Structurally Deficient	
116	Bridges (%)	0.00
117	Increase in Total Miles Paved (%)	1.00
118	Total State Aid Funds Available	
119	Programmed or Obligated to Projects (%)	75.00
120	Number of State Aid Projects Let to Contract	75
121	Number of Federal Projects Let to Contract	50
122	Number of State Aid Projects Completed	30
123	Number of Federal Projects Completed	20
124	Average Time from Initiation to	
125	Completion of a Federal Project (Days)	450
126	Number of Bridges Replaced or Repaired	85
127	Number of Structurally Deficient Bridges	
128	on the State Aid System	750
129	Average Cost of a State Aid/Federal	
130	Bridge Project	1,550,000
131	Local System Bridge	
132	Change in Deficient LSBP Bridges (%)	3.00
133	Average Number of Active LSBP Projects	
134	Per County	1
135	LSBP Funds Available Programmed or	
136	Obligated to Projects (%)	85.00
137	Number of LSBP Projects Let to Contract	55
138	Number of LSBP Projects Completed	70
139	Number of LSBP Bridges Replaced or Repaired	70



140	Number of Eligible Deficient LSBP Bridges	4,080
141	Average Time From Initiation to	
142	Completion of a LSBP Project (Days)	450
143	Counties Utilizing All of Their	
144	Available LSBP Funds (%)	30.00
145	Bridges Eligible for LSBP Funds (%)	10.00

146 A reporting of the degree to which the performance targets  
147 set above have been or are being achieved shall be provided in the  
148 agency's budget request submitted to the Joint Legislative Budget  
149 Committee for Fiscal Year 2023.

150 **SECTION 7.** With the funds appropriated in this act, the  
151 Office of State Aid Road Construction shall notify members of the  
152 Mississippi Senate and House of Representatives upon the award of  
153 projects within their respective districts and at least five (5)  
154 days prior to a public ceremony announcing the award of any grant  
155 in their district or any public announcement or ceremony regarding  
156 the groundbreaking or opening of a facility, roadway or bridge for  
157 which the Legislature has made funds available. Any signage  
158 regarding any public event or any new facility, roadway or bridge  
159 shall include the following language: "Funds were made available  
160 for this project by the Mississippi State Legislature." The  
161 signage shall further state the four-year legislative term in  
162 which the project was funded.

163 **SECTION 8.** It is the intention of the Legislature to  
164 authorize the State Aid Engineer to utilize funds available to the



165 Office of State Aid Road Construction, from any source herein  
166 appropriated or made available by the counties or any other  
167 source, to pay for costs necessary to comply with the National  
168 Bridge Inspection Standards and the Federal Highway  
169 Administration's requirements for bridge inspections and/or  
170 special studies necessary to comply with federal laws. The State  
171 Aid Engineer shall follow the same procedures as have heretofore  
172 been established by Sections 65-9-9, 65-9-15 and 65-9-17,  
173 Mississippi Code of 1972, for payment of such costs. The Office  
174 of State Aid Road Construction may accept, budget and expend these  
175 funds subject to and in accordance with rules and regulations of  
176 the Department of Finance and Administration in a manner  
177 consistent with the escalation of federal or state funds.

178       **SECTION 9.** It is the intention of the Legislature that in  
179 the letting of contracts for which the Office of State Aid Road  
180 Construction administers and provides engineering services to  
181 political subdivisions under the Economic Development Highway Act,  
182 bids may be made from the lowest and best bidder after advertising  
183 for competitive sealed bids once in a newspaper published or  
184 having a circulation in the county or municipality where the  
185 contract will be performed, and the date published for the bid  
186 opening may be not less than seven (7) working days after the  
187 advertisement is published.

188       **SECTION 10.** It is the intention of the Legislature that  
189 whenever two (2) or more bids are received by this agency for the





190 purchase of commodities or equipment, and whenever all things  
191 stated in such received bids are equal with respect to price,  
192 quality and service, the Mississippi Industries for the Blind  
193 shall be given preference. A similar preference shall be given to  
194 the Mississippi Industries for the Blind whenever purchases are  
195 made without competitive bids.

196 **SECTION 11.** It is the intention of the Legislature that the  
197 funds herein appropriated shall be expended in compliance with  
198 Section 27-104-25, Mississippi Code of 1972, that no state agency  
199 shall incur obligations or indebtedness in excess of their  
200 appropriation and that the responsible officers, either personally  
201 or upon their official bonds, shall be held responsible for  
202 actions contrary to this provision.

203 **SECTION 12.** The money herein appropriated shall be paid by  
204 the State Treasurer out of any money in the State Treasury to the  
205 credit of the proper fund or funds as set forth in this act, upon  
206 warrants issued by the State Fiscal Officer; and the State Fiscal  
207 Officer shall issue his warrants upon requisitions signed by the  
208 proper person, officer or officers, in the manner provided by law.

209 **SECTION 13.** This act shall take effect and be in force from  
210 and after July 1, 2021, and shall stand repealed from and after  
211 June 29, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**



1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE  
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2022.

