

January 5, 2021

Honorable Joseph R. Biden
President Elect
1401 Constitution Ave., NW
Washington, DC 20230

Dear President Elect Biden:

On behalf of the National Association of State Highway and Transportation Unions (NASHTU), congratulations on your successful election to become President of the United States. We look forward to working with you and your Administration on issues of mutual concern. As such, we respectfully offer our suggestions to the Biden-Harris Department of Transportation (DOT) Agency Review Team to ensure that Federal surface transportation funds are invested in projects that best advance the public interest.

NASHTU is comprised of 38 unions and associations representing hundreds of thousands of state and locally employed transportation engineers, construction managers and inspectors, technical workers and related public servants dedicated to ensuring that taxpayers receive safe, high quality transportation services at the best possible price.

We look forward to working to assist the Biden-Harris Administration in significantly increasing much needed investments in the nation's infrastructure, while ensuring that Federal resources are invested in the most cost-effective manner possible.

In addition to increasing infrastructure investment, there are several important policies that we urge the U.S. DOT Agency Review Team to consider that provide greater transparency, accountability, and public value in Federal infrastructure investments.

- **Cost Comparison for Contracting Out Architectural, Engineering, and Related Services on Surface Transportation Projects Constructed with Federal Funds** – NASHTU urges you to support policies to require government agencies utilizing federal funds to perform a cost-comparison analysis prior to outsourcing architectural, engineering, and related services on surface transportation projects using federal funds.

State departments of transportation spend hundreds of millions of federal dollars on private contracts for engineering and related transportation services without competitive bidding and without determining whether these contracts are cost-effective and best protect the public interest.

The cost-comparison analysis should include an estimate of the cost of procuring the services under a private contract and an estimate of having the services performed by employees of a government agency. This common-sense procedure would provide taxpayers with greater transparency in the procurement process while ensuring greater cost-effectiveness in the use of Federal surface transportation funding.

The U.S. Government Accountability Office (GAO) has found that outsourcing is “more expensive than performing the work in-house, particularly for engineering services.” This finding is consistent with studies and comparative analyses of the cost of contracting out engineering and design activities conducted in numerous states. In recent years, **studies in California, Idaho, Louisiana, Ohio, Tennessee, and Utah have found that outsourcing these engineering and design services can cost**

two to three times as much as using in-house staff. Looking to find ways to bring these activities back in-house will increase the amount of resources available to build transportation projects, which should be the primary focus of any infrastructure investment policy.

- **Require Public Sector Construction Inspection on Federally-funded Surface Transportation Projects** – NASHTU also urges your support for policies requiring public employees to perform the construction inspection on all transportation projects. Construction inspection is one area where it is critical to maintain appropriate public sector oversight. On surface transportation projects, construction inspectors are the eyes, ears and voice of the public, ensuring that construction standards and safety requirements are met.

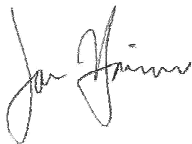
The tragic March 2018 collapse of the pedestrian bridge under construction at Florida International University (FIU), which killed one construction worker and five motorists, highlights the need for independent public sector construction inspectors on federally funded projects. Reports issued on the collapse by the Occupational Safety and Health Administration’s (OSHA) and the National Transportation Safety Board (NTSB) found **the lack of any public sector engineers in decision making related to the construction inspection of this bridge meant that protecting the public interest and public safety was not the primary focus of that oversight.**

Based on these findings, the lack of strong public sector inspection and oversight on the construction of the FIU bridge contributed to the conditions that led to this tragic collapse and the failure to ensure a safe construction work zone. This is but one of many examples in recent years where the **failure to provide for public inspection of infrastructure threatened public safety and wasted limited funding.**

Thank you for your consideration of these policies that recognize the important role public employees play in the planning, design and construction of the nation’s surface transportation network. If implemented, these policies would advance the public interest and safety, while encouraging a focus on cost-effectiveness, transparency, and accountability in the development and construction of surface transportation projects.

If you have any questions or would like additional information, please contact Nadine Westcott at 916-799-7110 or via e-mail at nwestcott@nashtu.us.

Sincerely,




Jon Haines
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cc: Mr. Phillip Washington, Team Lead, Biden-Harris Department of Transportation (DOT) Agency Review Team

Attachments