



**Testimony of Jerry Stump
Executive Vice President and Chief Operating Officer
Wilbur Smith Associates
On Behalf of the American Council of Engineering Companies
Before the House Transportation & Infrastructure Committee
Subcommittee on Highways and Transit
March 30, 2011**

Chairman Duncan, Ranking Member DeFazio, and Members of the Subcommittee –

Thank you for the opportunity to testify today. My name is Jerry Stump. I am the Chief Operating Officer for Wilbur Smith Associates, a full-service transportation and infrastructure consulting firm headquartered in Columbia, South Carolina that provides planning, design, toll, economic and construction-related services to clients around the world. Completely employee owned, Wilbur Smith Associates has more than 1,000 employees in 56 offices in 8 countries. Since its founding in 1952, the firm has completed projects in all 50 states and 117 countries.

Mr. Chairman, as you know, I am personally based in our firm's office in Franklin in your home state of Tennessee. Chairman Mica, you will be interested to know that we have six offices in Florida; and Mr. Rahall, we have an office in Charleston, West Virginia.

I am testifying today on behalf of the American Council of Engineering Companies (ACEC), where I have had the privilege of serving as National Chairman. As we speak, hundreds of senior executives of ACEC member firms are here on Capitol Hill to underscore to you and your colleagues that infrastructure investment is essential to economic recovery and national competitiveness.

This morning I am going to present the views of the engineering industry on how federal surface transportation programs should be modified in order to deliver projects to the public more efficiently. Many of these concepts and recommendations were highlighted in testimony presented by ACEC members during the series of field hearings and listening sessions the Committee has already held over the past few weeks.

Utilizing the Private Sector

First and foremost, we encourage you to protect and strengthen the public procurement of engineering services from the private sector and oppose government in-sourcing efforts. America's engineering firms bring the innovation and expertise needed to help departments of transportation (DOTs) deliver projects to the public faster, better and with savings to the taxpayer. Agencies that effectively harness the private sector are able to manage a wider array of projects at one time and adapt quickly to changing economic conditions and fluctuating workloads, ramping up their programs when funds are available and ramping down when

funding cycles are constrained. This provides maximum efficiency and savings for the taxpayer. In contrast, policies that mandate the use of government in-house engineering workforces stifle innovation and competition, limit access to experienced service providers, and dampen economic growth.

In a January 2008 report, the Government Accountability Office (GAO) reported from a 50-state survey that DOTs view contracting out as a “valuable strategy for managing short-term workload fluctuations.”¹ A separate February 2008 assessment of 10 states with growing capital programs also concluded that contracting out allows state officials to respond quickly to spikes in funding and avoid laying off in-house employees when the workload diminishes.² It’s a pretty straightforward premise: if a project is contracted to the private sector, the engineering firm is paid for that contract and the cost is contained, rather than hiring additional permanent agency employees who need to be compensated even during lean times with a smaller workload.

Surveys of state DOTs show that staffing resource constraints and the need for specialized skills or resources are the top reasons for turning to the private sector.³ Contracting out provides expediency and efficiency when in-house employees are not available or able to take on a project. Contracting out also helps departments meet strict deadlines, accommodate specific technical expertise requirements, and spur innovative solutions, all of which lower the total project life-cycle costs.⁴

We have seen the realities of these benefits in specific projects:

- On the SmartFIX 40 Interstate improvements in downtown Knoxville, Tennessee – the biggest project ever undertaken in the state – Wilbur Smith Associates provided comprehensive planning and design services that reduced an approximately 4-year construction schedule down to 14 months, saving more than \$20 million in costs. By engaging a private firm, the Tennessee DOT also avoided hiring additional staff necessary for the extensive design work and gained access to innovative, context-sensitive solutions that converted the project from vehement community opposition to broad public support.
- The design and construction of a replacement bridge over the St. Johns River and Lake Jesup in an environmentally sensitive area in Volusia County, Florida, involved several engineering firms, including Wilbur Smith, that delivered the project \$13 million below the original FDOT budget and 364 days ahead of schedule.
- For a road re-alignment and bridge construction project in Asheville, North Carolina near the historic Biltmore Property, our firm’s innovative designs saved the project \$3 million from the engineer’s construction cost estimate and finished 7 months ahead of schedule.
- A light-rail transit extension project between West Valley City and downtown Salt Lake City, Utah required significant environmental and engineering specialties for which the

¹ Government Accountability Office, Increased Reliance on Contractors Can Pose Oversight Challenges for Federal and State Officials, GAO-08-198, January 2008; p. 25.

² Tom Warne and Associates, A National Assessment of Transportation Strategies and Practices: Lessons for California, February 12, 2008; pp. 12-13.

³ Thomas R. Warne, NCHRP Synthesis of Highway Practice 313: State DOT Outsourcing and Private-Sector Utilization, Transportation Research Board, National Research Council, 2003; pp. 14-15.

⁴ F. H. Griffis, NYSDOT Engineering Design Costs: In-House Versus Outsourced Design, October 30, 2008; pp. 6-10.

Utah Transit Authority was un-equipped. Only by engaging a private firm and its subcontractors could the transit authority manage the complexity and scope of this and four other light-rail projects concurrently.

These are just a small sample of our projects. Thousands of engineering firms are providing benefits like these to their public agency clients every day.

As a result, at a minimum, the Committee should reject any call for limitations on the ability of agencies to utilize the experience and expertise of these engineers to deliver quality services and products in a timely and cost-effective manner. This includes proposals such as H.R. 328, which mandates that public employees perform any bridge inspections that utilize federal funds. This legislation would interfere with the ability of state officials to deliver successful transportation programs by restricting access to specialized skills and technical resources, unnecessarily diverting limited resources to additional staff, and ultimately delaying projects.

We are also concerned with reports that some state departments of transportation are actively marketing their services to local governments in direct competition with the private sector. It is not uncommon in these instances for DOT representatives to contact county and city officials and thereby undermine private sector firms who are offering to provide engineering services for local projects.

Beyond the core principle that government should not actively compete with its own citizens, we are concerned that this practice may also present a fundamental conflict of interest. On the one hand, the DOT has the power to approve, disapprove, speed up or delay plans submitted by local agencies for local transportation projects. On the other hand, that same DOT is urging that same local agency to pay the DOT to provide design services.

In such situations, there is enormous potential for abuse. In fact, there are instances of DOT officials offering "funding options," if local agencies agree to use the DOT's engineering and design staff. In other situations, local officials are promised easier project approvals if the local agency "hires" the DOT to design the project.

No system of procurement would tolerate, nor should it tolerate, private firms having conflicts of interest such as these. Public agencies, such as state DOTs, should be held to that same high ethical standard. Procurement of design services for public projects should be accomplished pursuant to a fair, open and competitive process. An organization with a fundamental conflict of interest, such as a state DOT with plan approval power, should not be allowed to participate.

At the same time, I want to highlight and emphasize the fact that there are numerous examples of state DOTs that do a very good job of partnering with and harnessing the private sector to more efficiently and effectively deliver projects to the public. In fact, Chairman Mica's home state of Florida represents one of those good examples, as well as the DOT in our home state of Tennessee. In addition, the current head of the Federal Highway Administration, Victor Mendez, fostered this sense of partnership between the agency and engineering firms in Arizona during his tenure as DOT Administrator. The common theme in all of these states, and the many

others that put engineering firms to work, is their effectiveness in moving projects from concept to completion.

I would ask that the Committee look at how state DOTs effectively manage and utilize the project delivery capabilities that are unique to America's engineering firms, and to include language in the new program that encourages all state DOTs to maximize the use of these capabilities. In other words, task and challenge America's engineering industry to do what we do best, which is to design innovative solutions that help our DOT clients to deliver needed transportation improvements faster and more efficiently, providing greater long-term value to the taxpayer.

Facilitating Project Planning and Review

While effectively engaging private engineering firms to speed project delivery will help, numerous regulatory reforms are also needed to enhance the project planning and review process – reforms that many others in the stakeholder community have also identified. A great deal of time savings results when planning and environmental reviews are done concurrently rather than sequentially. ACEC recommends revising those planning and environmental process requirements of SAFETEA-LU (such as in Section 6002) and other surface transportation legislation which are redundant or add no substantive value. ACEC encourages logical and prudent project development processes that are concurrent or overlap in their time frames as opposed to linear and sequential processes that needlessly waste time and increase costs. The next authorization bill should eliminate, wherever possible, duplicative processes required by separate levels of government (such as federal and state) and by separate project development phases (such as planning and NEPA).

Specifically, when transportation and planning agencies determine that the planning process will address issues required under NEPA, and where NEPA requirements can be met in the planning process, environmental resource agencies should be required to participate. Environmental decisions properly made in the planning process (such as defining purpose and need and screening alternatives) should apply to and have standing with environmental resource agencies in the NEPA process. Environmental decisions properly made in the NEPA process should not be duplicated or revisited during the subsequent permitting process. Finally, where a full EIS is required, and a preferred alternative is identified in the draft, the preparation of separate draft and final EIS documents can be combined into a single effort.

To further integrate planning and environmental reviews and to improve the efficiency and timeliness of project delivery, we have also identified the following recommended changes:

- Where multi-modal projects fall under the jurisdiction of more than one entity of the U.S. DOT, require the designation of a single DOT lead agency based upon the characteristics of the project and the issues to be addressed and resolved.
- Facilitate the delegation of U.S. DOT authority to qualifying states for NEPA processes by addressing and removing obstacles, such as the need to waive sovereign immunity and the ability of states to acquire and protect rights-of-way.

- Permit state and local governments to utilize corridor preservation when completed through a transparent and publicly inclusive land use and transportation planning process without having to revisit corridor decisions in the NEPA and permitting phases.
- Permit the use of federal funds for advanced acquisition of rights-of-way for transportation improvements that are included in adopted long range transportation plans and which have been coordinated with land use and environmental resource planning.
- Under certain circumstances, where there is general consensus about a preferred alternative, permit the use of federal funds on final design in advance of completing NEPA requirements.
- Adjust the requirements for fiscally constrained plans to facilitate corridor planning and NEPA studies where right-of-way preservation is the immediate objective, as well as where transportation proposals may exceed projected available resources but would be financially feasible under reasonable and potentially innovative funding scenarios.

Thank you for your attention and consideration. We look forward to working with you to get a long-term transportation bill signed into law this year.

Gerald (Jerry) Stump

Executive VP and COO

EDUCATION

BS Civil Engineering
University of Tennessee, TN, USA
1982

ME Management
University of Louisville, KY, USA 1992

REGISTRATIONS/CERTIFICATIONS

PE TN 019629

PE KY 16331

YEARS OF EXPERIENCE

With WSA: 9.0
Total: 28.0

PROFESSIONAL AFFILIATIONS

American Council of Engineering
Companies, National Chairman,
Transportation Committee, Planning
Cabinet, AASHTO/ACEC Joint
Committee, State Board, Nashville
Chapter President; Leadership
Franklin, member; Franklin
Tomorrow, member

SPECIALTIES

Client coordination, project and
program management, roadway
design, transportation planning,
aviation planning and design, site
master planning and engineering,
parking studies and design, context
sensitive solutions/design

TRAINING

Context Sensitive Design Certificate,
University of Kentucky Transportation
Center, 2004; AASHTO/ACEC
Environmental Documents Quality
Improvements

Mr. Stump currently serves as Executive Vice President and Chief Operations Officer for WSA's US Operations. In addition to overall management of all U.S. operations, his responsibilities include project and program management, client management, public and community involvement, and office and practice development. He has successfully managed projects for municipalities and departments of transportation throughout the southeast. His 28 years of project experience includes involvement with many types of clients including the State Departments of Transportation, Metropolitan Governments, Development & Housing Agencies, Airport Authorities, Departments of Public Works, Metro Parks & Recreation Departments, Metro Water Services, Metropolitan Planning Organizations, Universities, and other local, state, and federal clients.

WSA WORK EXPERIENCE

Mack Hatcher Parkway Context Sensitive Design

Project Location: Franklin, TN US; Client: Tennessee Department of Transportation

Context Sensitive Design solutions, public education and involvement program, preliminary and final design, and alternative financing analysis.

State Route 840 Program Management, Context Sensitive Design, Toll Feasibility, Traffic, and Revenue Study

Project Location: Franklin, TN US; Client: Tennessee Department of Transportation

Context Sensitive Design services, environmental review/permitting, public involvement, and toll feasibility study.

Northwest Extension of Mack Hatcher Parkway

Project Location: Franklin, TN US; Client: City of Franklin

Design the new Northwest quadrant of Mack Hatcher Parkway including 3.6 miles of 4-lane divided roadway, two roundabout intersections, and twin 2,800 foot bridges.

Mississippi River Bridge Toll Study

Project Location: Memphis, TN US; Client: Tennessee Department of Transportation

This analysis determined suitability of the use of toll facilities for five alternative corridors and bridge crossing locations.

Miscellaneous Tennessee Toll Studies

Project Location: TN US; Client: Tennessee Department of Transportation

As part of the Tennessee Tollway Act, WSA was retained by TDOT to evaluate the feasibility of various roadway and bridge projects for the pilot program. WSA also served as the state's advisor for legislation development.

Carothers Parkway - Thoroughfare

Project Location: Franklin TN, US; Client: City of Franklin

WSA provided planning, preliminary engineering, right of way plans, final design, and construction administration services for all sections of this important new corridor.

McGhee Tyson Airport Master Plan Update

Project Location: Alcoa, TN US; Client: Metropolitan Knoxville Airport Authority
Professional services for the update involved planning for all phases of the airport and its operations including airside and landside facilities, terminal improvements, financial planning, security review, and off-airport property land use planning.

Mississippi River Bridge Crossing Feasibility and Location Study

Project Location: Memphis, TN US; Client: Tennessee Department of Transportation

This feasibility and location study, which included three counties in three states, identified and evaluated potential river crossing sites. WSA conducted extensive public and community outreach as part of a context sensitive solutions program.

Carothers Parkway Nissan Improvements Design

Project Location: TN US; Client: City of Franklin

WSA provided design alternatives, environmental mitigation, multi-use path design, landscaping, drainage improvements, stream crossings, and utility coordination for this section of highway serving the new Nissan North America Headquarters.

LAIP Parallel Runways & Kentucky Air National Guard Facilities, Standiford Field

Project Location: Louisville, KY; Client: Regional Airport Authority of Louisville & Jefferson County

Project manager for the planning, site preparation and relocation of the Kentucky Air National Guard facilities at Louisville International Airport, and as project engineer for new parallel runways 17R-35L and 17L-35R.

Urban Planning

- **Goose Creek Area Small Area Plan; Franklin, TN**
- **Lebanon Land Use Plan Update; Lebanon, TN**
- **Roadway Enhancement Master Plan; Franklin, TN**

Roadway Design

- **Carothers Parkway; Franklin, TN**
- **SR 840/Nashville Superspeedway Interchange; Wilson County**
- **I-640/Broadway Interchange; Knoxville, TN**

Other Roadway Design Projects

- **Gateway Boulevard Arch Bridge; Nashville, TN**
- **SR 15 Highway Design; Hardeman County**
- **SR 96/SR 1 SPUI Interchange; Murfreesboro, TN**
- **Nashville International Airport Access Roads**
- **SR 452; Wilson County**
- **Lafayette Road; Clarksville, TN**
- **SR 6 Highway Design; Lawrence County**
- **SR 99 Highway Design; Lewis County**
- **State Routes throughout Tennessee while a TDOT employee**

Aviation Planning & Design

- **State of Tennessee Airport System Plan; Tennessee**
- **Terminal Area Development Master Planning, McGhee Tyson Airport; Knoxville, TN**
- **Terminal Renovation and Expansion, McGhee Tyson Airport; Knoxville, TN**
- **Airport Master Plan and Environmental Assessment for the Owensboro-Daviess County Regional Airport; Owensboro, KY**
- **Airport Master Plan, Barkley Regional Airport; Paducah, KY**
- **Expansion of Parking Facilities and Improvements to Airport Access Roads, Nashville International Airport; Nashville, TN**
- **North Ramp Expansion, Nashville International Airport; Nashville, TN**
- **Northwest Ramp Expansion, Nashville International Airport; Nashville, TN**
- **Outer Connector Taxiway, Nashville International Airport; Nashville, TN**
- **Orlando International Airport Improvements; Orlando, FL**
- **State of Tennessee Aircraft Hangar, Nashville International Airport; Nashville, TN**
- **Airfield Signing and Lighting Upgrade, Nashville International Airport; Nashville, TN**
- **18 unit T-Hangar Addition, Downtown Island Airport; Knoxville, TN**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Truth in Testimony Disclosure

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(1) Name:

GERALD STUMP

(2) Other than yourself, name of entity you are representing:

WILBUR SMITH ASSOCIATES
AMERICAN COUNCIL OF ENGINEERING COMPANIES

(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?

YES

If yes, please provide the information requested below and attach your curriculum vitae.

NO

(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:

SEE ATTACHED

Signature

Gerald Stump

Date

3/25/11

Wilbur Smith Associates
US Government Contract Awards
1/1/2009 - 3/24/2011

Agency	Program	Wilbur Smith Associates Project Number	Wilbur Smith Associates Project Name	Contract Award	Subcontract	Agency Total
Millennium Challenge Corporation	MCA-El Salvador	103591	Construction Supervision Section 2	2,467,388.99		
Millennium Challenge Corporation	MCA-El Salvador	104026	El Salvador-Bid Assistance-Task4	196,991.15		
Millennium Challenge Corporation	MCA-El Salvador	104302	El Salvador-CEI Bridges-Task 5	1,902,654.87		
Millennium Challenge Corporation	MCA-El Salvador	104236	El Salvador-D&B Supervision-Task6	1,870,521.14		
Millennium Challenge Corporation	MCA-El Salvador	103589	NTH-PM	3,108,850.00		9,546,406.15
The National Academies	Transportation Research Board	103735	NCFHR-15A, Understanding Goods Movement	500,000.00		500,000.00
US DOI	National Park Service	104862	Erie Canalway Nat Her Cor Asmt	173,318.00		173,318.00
USAID	Afghanistan	103803	Afghanistan Road CB Survey	550,675.00	sub to IRD	
USAID	West Bank	104486	MWH Task Order - West Bank	98,788.80	sub to MWH	649,463.80
USDHS	FEMA	104456	Long Term Community Recovery F&C	57,704.55	sub to Fluor	57,704.55
USDOD	Defense Civil Tech Office	103434	Defense Civil Tech Off-Prof Svc	15,000.00		
USDOD	SC Air National Guard	104413	McEntire Displaced Threshold Survey	1,400.00		
USDOD	SC Air National Guard	103255	McEntire Emergency Repair of Ramp	9,843.40		
USDOD	SC Air National Guard	104425	Standing Seam metal Roof Bldg 251	20,628.72		
USDOD	SC Air National Guard	104396	Upgrade Taxiway Lighting	38,184.67		
USDOD	Shaw Air Force Base	103736	Construction Intersect @ Abelia&441	43,828.92		
USDOD	Shaw Air Force Base	104858	Shaw - construct Add Lane	155,949.54		
USDOD	Shaw Air Force Base	104805	Shaw Building 216	159,573.00		
USDOD	US Property and Fiscal Office - GA	103368	CE Parking Code & Criteria	3,200.00		
USDOD	US Property and Fiscal Office - GA	103370	Darque Rd Drainage Code & Criteria	3,500.00		
USDOD	US Property and Fiscal Office - GA	104471	Savannah IDP	197,828.12		
USDOD	US Property and Fiscal Office - SC	104584	McEntire Airfield C Services	595,038.22		
USDOD	US Property and Fiscal Office - SC	103924	Repair Aircraft Parking	183,476.74		
USDOD	US Property and Fiscal Office - SC	104807	Upgrade Lighting Control Base-Wide	30,701.47		1,458,152.80
USDOT	FHWA	103995	FHWA STEAMS Support	64,116.75		
USDOT	FHWA	104271	NATR 3H23, J10 Overlay Design	404,400.00		
USDOT	FHWA	103821	Utah FHWA Inspection Services	85,288.00		553,804.75
				12,938,850.05		12,938,850.05