

## **OBLIGATION LIMIT REPORT**

### **Description**

This report communicates the actual contract amounts impacting the FY 2013 obligation limit through the first quarter ended November 30, 2012. It also provides an update on motor fuel tax receipts through the same period with a comparison to receipts from the previous year.

### **Background**

This report was created to inform the commission, throughout the year, of the obligations that have been incurred and are scheduled against the obligation limit of \$4,416.60 million for FY 2013. This obligation limit applies to the costs of new state highway improvement projects that are let to contract, change orders on projects that have previously let to contract, toll equity commitments, additional commitments on pass-through funded projects, and costs of overruns on existing projects. The limit includes amounts derived from both state and federal revenues deposited to the State Highway Fund, but excludes sources such as bond proceeds, economic stimulus funds, SH 121 toll project revenue, SH 161 toll project revenue, SH 130 concession funds and local bonds as these inherently have their own constraints and are tracked separately.

This report also provides information on motor fuel tax receipts, any variance from estimates and any potential impact on letting volume.

### **Criteria**

None.

### **Problem/Condition**

None.

### **Other Comments**

The actual statewide let contracts in the first quarter totaled \$1,490.56 million. The impact to the State Highway Fund Obligation Limit was \$1,208.56 million which brings the year to date total to \$1,208.56 million. The estimated amount for remaining projects scheduled or planned to let in FY 2013 is \$2336.74 million.

Through November, motor fuel tax receipts are up 1.96% when compared to the same fiscal year-to-date totals from last year.

### **Alternate Solutions/Actions**

None.

**Analysis of Remaining State Highway Fund Letting Obligations By District/Division**  
**Fiscal Year 2013 1st Quarterly Report as of November 26, 2012 (in millions)**

| District/Division                  | Revised<br>Obligation<br>Limit | Amount<br>Utilized<br>(Sep-Nov) | Percent<br>Utilized | Proposed<br>Remaining FY<br>2013 Schedule | Percent<br>Utilized | Remaining<br>Total | Remaining<br>Percent |
|------------------------------------|--------------------------------|---------------------------------|---------------------|---|---------------------|--------------------|----------------------|
| Abilene                            | \$34.46                        | \$3.74                          | 10.85%              | \$27.05                                   | 78.50%              | \$3.67             | 10.65%               |
| Amarillo                           | \$45.11                        | \$33.31                         | 73.84%              | \$12.35                                   | 27.38%              | (\$0.55)           | -1.22%               |
| Atlanta                            | \$23.81                        | \$8.98                          | 37.72%              | \$13.32                                   | 55.94%              | \$1.51             | 6.34%                |
| Austin                             | \$136.33                       | \$18.54                         | 13.60%              | \$119.38                                  | 87.57%              | (\$1.59)           | -1.17%               |
| Beaumont                           | \$36.36                        | \$6.41                          | 17.63%              | \$28.77                                   | 79.13%              | \$1.18             | 3.25%                |
| Brownwood                          | \$18.15                        | \$6.49                          | 35.76%              | \$11.46                                   | 63.14%              | \$0.20             | 1.10%                |
| Bryan                              | \$38.24                        | \$13.84                         | 36.19%              | \$24.36                                   | 63.70%              | \$0.04             | 0.10%                |
| Childress                          | \$23.27                        | \$10.87                         | 46.71%              | \$11.82                                   | 50.80%              | \$0.58             | 2.49%                |
| Corpus Christi                     | \$101.98                       | \$18.78                         | 18.42%              | \$85.47                                   | 83.81%              | (\$2.27)           | -2.23%               |
| Dallas                             | \$270.61                       | \$28.40                         | 10.49%              | \$204.27                                  | 75.49%              | \$37.94            | 14.02%               |
| El Paso                            | \$49.39                        | \$9.99                          | 20.23%              | \$39.80                                   | 80.58%              | (\$0.40)           | -0.81%               |
| Ft. Worth                          | \$136.70                       | \$18.32                         | 13.40%              | \$102.03                                  | 74.64%              | \$16.35            | 11.96%               |
| Houston                            | \$186.42                       | \$104.93                        | 56.29%              | \$78.83                                   | 42.29%              | \$2.66             | 1.43%                |
| Laredo                             | \$60.58                        | \$11.42                         | 18.85%              | \$41.10                                   | 67.84%              | \$8.06             | 13.30%               |
| Lubbock                            | \$40.36                        | \$9.43                          | 23.36%              | \$30.04                                   | 74.43%              | \$0.89             | 2.21%                |
| Lufkin                             | \$36.08                        | \$18.26                         | 50.61%              | \$18.60                                   | 51.55%              | (\$0.78)           | -2.16%               |
| Odessa                             | \$30.12                        | \$15.34                         | 50.93%              | \$14.83                                   | 49.24%              | (\$0.05)           | -0.17%               |
| Paris                              | \$45.43                        | \$13.76                         | 30.29%              | \$34.86                                   | 76.73%              | (\$3.19)           | -7.02%               |
| Pharr                              | \$51.83                        | \$34.99                         | 67.51%              | \$18.88                                   | 36.43%              | (\$2.04)           | -3.94%               |
| San Angelo                         | \$18.10                        | \$14.03                         | 77.51%              | \$2.79                                    | 15.41%              | \$1.28             | 7.07%                |
| San Antonio                        | \$71.02                        | \$21.47                         | 30.23%              | \$56.96                                   | 80.20%              | (\$7.41)           | -10.43%              |
| Tyler                              | \$62.26                        | \$45.68                         | 73.37%              | \$14.45                                   | 23.21%              | \$2.13             | 3.42%                |
| Waco                               | \$43.39                        | \$24.52                         | 56.51%              | \$20.21                                   | 46.58%              | (\$1.34)           | -3.09%               |
| Wichita Falls                      | \$27.33                        | \$7.82                          | 28.61%              | \$19.56                                   | 71.57%              | (\$0.05)           | -0.18%               |
| Yoakum                             | \$34.76                        | \$14.49                         | 41.69%              | \$21.36                                   | 61.45%              | (\$1.09)           | -3.14%               |
| (ABL) Abilene MPO                  | \$0.00                         | \$0.00                          | n/a                 | \$0.00                                    | n/a                 | \$0.00             | n/a                  |
| (AMA) Amarillo MPO                 | \$1.66                         | \$1.12                          | 67.47%              | \$0.00                                    | 0.00%               | \$0.54             | 32.53%               |
| (ATL) Texarkana MPO                | \$3.22                         | \$2.75                          | 85.40%              | \$0.00                                    | 0.00%               | \$0.47             | 14.60%               |
| (AUS) CAMPO TMA                    | \$135.84                       | \$1.90                          | 1.40%               | \$83.12                                   | 61.19%              | \$50.82            | 37.41%               |
| (BMT & HOU) HGAC TMA               | \$436.20                       | \$214.57                        | 49.19%              | \$148.25                                  | 33.99%              | \$73.38            | 16.82%               |
| (BMT) JHORTS MPO                   | \$19.18                        | \$0.00                          | 0.00%               | \$3.64                                    | 18.98%              | \$15.54            | 81.02%               |
| (BRY) Bryan-College Station MPO    | \$7.11                         | \$0.00                          | 0.00%               | \$3.38                                    | 47.54%              | \$3.73             | 52.46%               |
| (CRP) Corpus Christi TMA           | \$52.53                        | \$0.00                          | 0.00%               | \$33.62                                   | 64.00%              | \$18.91            | 36.00%               |
| (DAL, FTW & PAR) NCTCOG TMA        | \$493.53                       | \$9.54                          | 1.93%               | \$383.16                                  | 77.64%              | \$100.83           | 20.43%               |
| (ELP) El Paso TMA                  | \$82.38                        | \$12.03                         | 14.60%              | \$39.43                                   | 47.86%              | \$30.92            | 37.53%               |
| (LRD) Laredo TMA                   | \$4.23                         | \$0.00                          | 0.00%               | \$4.19                                    | 99.05%              | \$0.04             | 0.95%                |
| (LBB) Lubbock TMA                  | \$25.93                        | \$0.00                          | 0.00%               | \$20.30                                   | 78.29%              | \$5.63             | 21.71%               |
| (ODA) Midland-Odessa MPO           | \$0.00                         | \$0.00                          | n/a                 | \$0.00                                    | n/a                 | \$0.00             | n/a                  |
| (PAR) Sherman-Denison MPO          | \$2.59                         | \$0.01                          | 0.39%               | \$0.94                                    | 36.29%              | \$1.64             | 63.32%               |
| (PHR) Harlingen-San Benito MPO     | \$0.00                         | \$0.00                          | n/a                 | \$0.00                                    | n/a                 | \$0.00             | n/a                  |
| (PHR) Hidalgo County TMA           | \$36.29                        | \$2.57                          | 7.08%               | \$23.55                                   | 64.89%              | \$10.17            | 28.02%               |
| (PHR) Brownsville TMA              | \$0.08                         | (\$0.24)                        | -300.00%            | \$0.00                                    | 0.00%               | \$0.32             | 400.00%              |
| (SJT) San Angelo MPO               | \$3.68                         | (\$0.22)                        | -5.98%              | \$0.00                                    | 0.00%               | \$3.90             | 105.98%              |
| (SAT) San Antonio-Bexar County TMA | \$57.71                        | \$0.53                          | 0.92%               | \$50.17                                   | 86.93%              | \$7.01             | 12.15%               |
| (TYL) Tyler MPO                    | \$0.00                         | \$0.00                          | n/a                 | \$0.00                                    | n/a                 | \$0.00             | n/a                  |
| (TYL) Longview MPO                 | \$2.31                         | \$0.00                          | 0.00%               | \$2.86                                    | 123.81%             | (\$0.55)           | -23.81%              |
| (WAC) Killeen-Temple TMA           | \$0.00                         | \$0.00                          | n/a                 | \$0.00                                    | n/a                 | \$0.00             | n/a                  |
| (WAC) Waco MPO                     | \$3.89                         | \$0.00                          | 0.00%               | \$0.00                                    | 0.00%               | \$3.89             | 100.00%              |
| (WFS) Wichita Falls MPO            | \$2.25                         | \$0.00                          | 0.00%               | \$2.25                                    | 100.00%             | \$0.00             | 0.00%                |
| (YKM) Victoria MPO                 | \$0.00                         | \$0.00                          | n/a                 | \$0.00                                    | n/a                 | \$0.00             | n/a                  |

| District/Division              | Revised<br>Obligation<br>Limit | Amount<br>Utilized<br>(Sep-Nov) | Percent<br>Utilized | Proposed<br>Remaining FY<br>2013 Schedule | Percent<br>Utilized | Remaining<br>Total | Remaining<br>Percent |
|--------------------------------|--------------------------------|---------------------------------|---------------------|---|---------------------|--------------------|----------------------|
| Statewide Rehab (MNT Division) | \$27.32                        | \$7.35                          | 26.90%              | \$19.55                                   | 71.56%              | \$0.42             | 1.54%                |
| Bridge                         | \$271.30                       | \$30.14                         | 11.11%              | \$252.33                                  | 93.01%              | (\$11.17)          | -4.12%               |
| Traffic (HRR,HES,SRS)          | \$111.78                       | \$50.64                         | 45.30%              | \$75.17                                   | 67.25%              | (\$14.03)          | -12.55%              |
| Design                         | \$87.92                        | \$28.02                         | 31.87%              | \$45.25                                   | 51.47%              | \$14.65            | 16.66%               |
| Railroad (FRS)                 | \$26.45                        | \$0.00                          | 0.00%               | \$0.42                                    | 1.59%               | \$26.03            | 98.41%               |
| Railroad (RGC)                 | \$0.51                         | \$0.00                          | 0.00%               | \$0.00                                    | 0.00%               | \$0.51             | 100.00%              |
| Railroad (RSM)                 | \$2.40                         | \$0.00                          | 0.00%               | \$0.00                                    | 0.00%               | \$2.40             | 100.00%              |
| Statewide Prog. (TPW)          | \$10.00                        | \$0.52                          | 5.20%               | \$5.98                                    | 59.80%              | \$3.50             | 35.00%               |
| Statewide Prog. (LIA)          | \$2.00                         | (\$0.10)                        | -5.00%              | \$1.85                                    | 92.50%              | \$0.25             | 12.50%               |
| Statewide Prog. (Green Ribbon) | \$11.22                        | \$0.63                          | 5.61%               | \$5.24                                    | 46.70%              | \$5.35             | 47.68%               |
| Statewide Prog. (ADA)          | \$13.71                        | \$5.80                          | 42.30%              | \$8.00                                    | 58.35%              | (\$0.09)           | -0.66%               |
| Statewide                      | \$414.52                       | \$328.07                        | 79.14%              | \$71.54                                   | 17.26%              | \$14.91            | 3.60%                |
| Statewide Unallocated          | \$0.00                         | (\$0.88)                        | n/a                 | \$0.00                                    | n/a                 | \$0.88             | n/a                  |
| MAP-21 (Federal)               | \$444.76                       | \$0.00                          | 0.00%               | \$0.00                                    | 0.00%               | \$444.76           | 100.00%              |
| <b>Grand Total</b>             | <b>\$4,416.60</b>              | <b>\$1,208.56</b>               | <b>27.36%</b>       | <b>\$2,336.74</b>                         | <b>52.91%</b>       | <b>\$871.30</b>    | <b>19.73%</b>        |

## Deposits to the State Highway Fund

### Motor Fuel Taxes

|           | <u>FY 2009</u>     | <u>FY 2010</u>     | <u>FY 2011</u>     | <u>FY 2012</u>     | <u>FY 2013</u> | <u>FY 2010 vs 2009</u> | <u>FY 2011 vs 2010</u> | <u>FY 2012 vs 2011</u> | <u>FY 2013 vs 2012</u> |
|-----------|--------------------|--------------------|--------------------|--------------------|----------------|------------------------|------------------------|------------------------|------------------------|
| September | 190,760,322        | 190,588,865        | 193,667,472        | 190,308,250        | 197,597,417    | -0.09%                 | 1.62%                  | -1.73%                 | 3.83%                  |
| October   | 180,315,655        | 181,647,935        | 188,958,102        | 191,070,561        | 196,914,092    | 0.74%                  | 4.02%                  | 1.12%                  | 3.06%                  |
| November  | 177,054,232        | 178,798,435        | 189,906,992        | 189,272,685        | 187,330,407    | 0.99%                  | 6.21%                  | -0.33%                 | -1.03%                 |
| December  | 196,136,748        | 184,055,952        | 194,787,652        | 194,579,134        |                | -6.16%                 | 5.83%                  | -0.11%                 |                        |
| January   | 179,379,435        | 176,966,053        | 194,682,156        | 188,160,373        |                | -1.35%                 | 10.01%                 | -3.35%                 |                        |
| February  | 189,785,411        | 184,220,577        | 183,718,437        | 192,969,266        |                | -2.93%                 | -0.27%                 | 5.04%                  |                        |
| March     | 187,878,775        | 177,584,445        | 182,484,598        | 185,053,912        |                | -5.48%                 | 2.76%                  | 1.41%                  |                        |
| April     | 172,414,186        | 175,837,394        | 167,924,913        | 182,765,874        |                | 1.99%                  | -4.50%                 | 8.84%                  |                        |
| May       | 190,735,911        | 195,857,008        | 199,975,042        | 201,366,395        |                | 2.68%                  | 2.10%                  | 0.70%                  |                        |
| June      | 184,194,460        | 189,741,149        | 191,014,481        | 193,894,056        |                | 3.01%                  | 0.67%                  | 1.51%                  |                        |
| July      | 189,800,412        | 197,765,397        | 194,151,707        | 203,419,254        |                | 4.20%                  | -1.83%                 | 4.77%                  |                        |
| August    | <u>188,140,249</u> | <u>193,930,037</u> | <u>194,072,402</u> | <u>198,053,738</u> |                | 3.08%                  | 0.07%                  | 2.05%                  |                        |
| <br>      |                    |                    |                    |                    |                |                        |                        |                        |                        |
| FY Total  | 2,226,595,797      | 2,226,993,247      | 2,275,343,954      | 2,310,913,498      | 2,339,856,654  | 0.02%                  | 2.17%                  | 1.56%                  |                        |
| % Change  | -2.17%             | 0.02%              | 2.17%              | 1.56%              | 1.96%          |                        |                        |                        |                        |

Formulaic projection based strictly on deposits to date and prior FYs

|         |             |       |       |        |       |
|---------|-------------|-------|-------|--------|-------|
| Sep-Nov | 581,841,916 | 0.53% | 3.90% | -0.33% | 1.96% |
|---------|-------------|-------|-------|--------|-------|

## Deposits to the State Highway Fund

### Diesel + LPG Collection to Fund 6

|              | FY 2009            | FY 2010            | FY 2011            | FY 2012            | FY 2013*           | FY 2010 vs 2009 | FY 2011 vs 2010 | FY 2012 vs 2011 | FY 2013 vs 2012 |
|--------------|--------------------|--------------------|--------------------|--------------------|--------------------|-----------------|-----------------|-----------------|-----------------|
| September    | 49,511,900         | 42,981,930         | 44,906,102         | 44,074,263         | 48,770,567         | -13.19%         | 4.48%           | -1.85%          | 10.66%          |
| October      | 35,834,067         | 42,064,921         | 44,686,113         | 49,208,855         | 51,167,486         | 17.39%          | 6.23%           | 10.12%          | 3.98%           |
| November     | 54,717,603         | 40,637,259         | 45,900,307         | 47,159,698         | 45,459,507         | -25.73%         | 12.95%          | 2.74%           | -3.61%          |
| December     | 49,685,556         | 41,571,344         | 46,416,756         | 48,156,112         |                    | -16.33%         | 11.66%          | 3.75%           |                 |
| January      | 40,901,356         | 38,512,142         | 44,454,069         | 45,905,963         |                    | -5.84%          | 15.43%          | 3.27%           |                 |
| February     | 42,580,877         | 41,477,322         | 45,384,858         | 46,360,244         |                    | -2.59%          | 9.42%           | 2.15%           |                 |
| March        | 43,815,594         | 41,731,673         | 43,806,798         | 46,373,778         |                    | -4.76%          | 4.97%           | 5.86%           |                 |
| April        | 40,721,293         | 40,745,366         | 40,983,902         | 45,287,983         |                    | 0.06%           | 0.59%           | 10.50%          |                 |
| May          | 44,139,016         | 47,282,172         | 49,011,506         | 50,174,958         |                    | 7.12%           | 3.66%           | 2.37%           |                 |
| June         | 41,825,451         | 45,541,068         | 46,286,703         | 47,364,546         |                    | 8.88%           | 1.64%           | 2.33%           |                 |
| July         | 42,146,765         | 45,191,125         | 46,471,002         | 50,101,150         |                    | 7.22%           | 2.83%           | 7.81%           |                 |
| August       | 42,322,971         | 46,016,724         | 48,346,894         | 48,743,878         |                    | 8.73%           | 5.06%           | 0.82%           |                 |
| <b>Total</b> | <b>528,202,450</b> | <b>513,753,046</b> | <b>546,655,010</b> | <b>568,911,427</b> | <b>145,397,561</b> | <b>-2.74%</b>   | <b>6.40%</b>    | <b>4.07%</b>    |                 |

#### Formulaic projection based strictly on deposits to date and prior FYs

|            |             |             |             |             |             |         |       |       |       |
|------------|-------------|-------------|-------------|-------------|-------------|---------|-------|-------|-------|
| Sep-Nov    | 140,063,571 | 125,684,110 | 135,492,522 | 140,442,816 | 145,397,561 | -10.27% | 7.80% | 3.65% | 3.53% |
| % of Total | 26.52%      | 24.46%      | 24.79%      | 24.69%      | 100.00%     |         |       |       |       |

**3-Yr Avg thru Current Month 24.65%**

**Projected FY 2013 589,960,627**

### Gasoline Collection to Fund 6

|              | FY 2009              | FY 2010              | FY 2011              | FY 2012              | FY 2013*           | FY 2010 vs 2009 | FY 2011 vs 2010 | FY 2012 vs 2011 | FY 2013 vs 2012 |
|--------------|----------------------|----------------------|----------------------|----------------------|--------------------|-----------------|-----------------|-----------------|-----------------|
| September    | 141,248,422          | 147,606,935          | 148,761,370          | 146,233,987          | 148,826,850        | 4.50%           | 0.78%           | -1.70%          | 1.77%           |
| October      | 144,481,588          | 139,583,014          | 144,271,988          | 141,861,706          | 145,746,605        | -3.39%          | 3.36%           | -1.67%          | 2.74%           |
| November     | 122,336,628          | 138,161,175          | 144,006,685          | 142,112,987          | 141,870,900        | 12.94%          | 4.23%           | -1.32%          | -0.17%          |
| December     | 146,451,192          | 142,484,608          | 148,370,896          | 146,423,022          |                    | -2.71%          | 4.13%           | -1.31%          |                 |
| January      | 138,478,079          | 138,453,911          | 150,228,087          | 142,254,411          |                    | -0.02%          | 8.50%           | -5.31%          |                 |
| February     | 147,204,534          | 142,743,256          | 138,333,579          | 146,609,022          |                    | -3.03%          | -3.09%          | 5.98%           |                 |
| March        | 144,063,180          | 135,852,772          | 138,677,800          | 138,680,134          |                    | -5.70%          | 2.08%           | 0.00%           |                 |
| April        | 131,692,894          | 135,092,028          | 126,941,012          | 137,477,891          |                    | 2.58%           | -6.03%          | 8.30%           |                 |
| May          | 146,596,895          | 148,574,836          | 150,963,536          | 151,191,436          |                    | 1.35%           | 1.61%           | 0.15%           |                 |
| June         | 142,369,009          | 144,200,080          | 144,727,778          | 146,529,510          |                    | 1.29%           | 0.37%           | 1.24%           |                 |
| July         | 147,653,647          | 152,574,272          | 147,680,705          | 153,318,104          |                    | 3.33%           | -3.21%          | 3.82%           |                 |
| August       | 145,817,279          | 147,913,313          | 145,725,508          | 149,309,861          |                    | 1.44%           | -1.48%          | 2.46%           |                 |
| <b>Total</b> | <b>1,698,393,347</b> | <b>1,713,240,200</b> | <b>1,728,688,943</b> | <b>1,742,002,071</b> | <b>436,444,355</b> | <b>0.87%</b>    | <b>0.90%</b>    | <b>0.77%</b>    |                 |

#### Formulaic projection based strictly on deposits to date and prior FYs

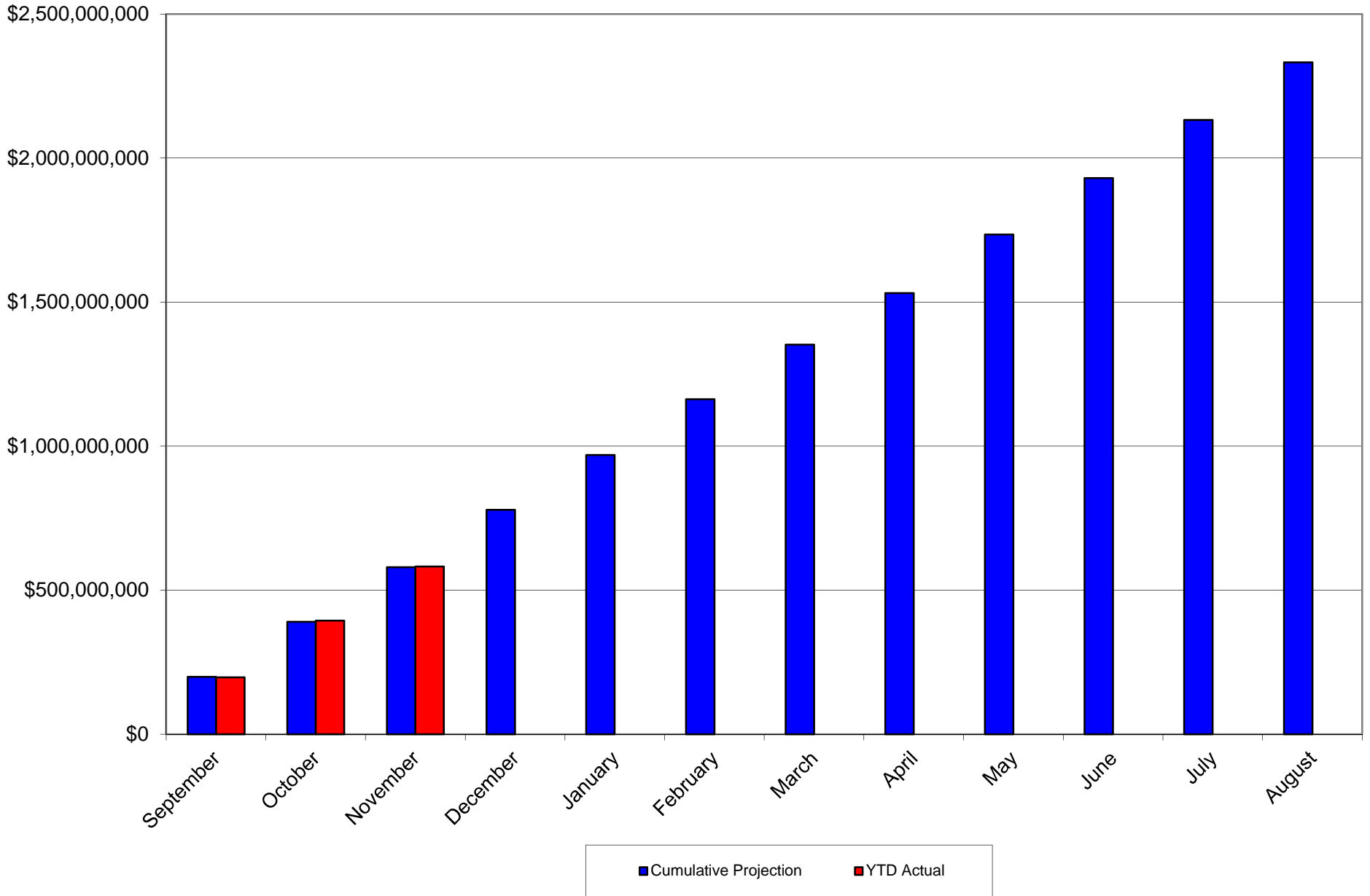
|            |             |             |             |             |             |       |       |        |       |
|------------|-------------|-------------|-------------|-------------|-------------|-------|-------|--------|-------|
| Sep-Nov    | 408,066,638 | 425,351,124 | 437,040,043 | 430,208,679 | 436,444,355 | 4.24% | 2.75% | -1.56% | 1.45% |
| % of Total | 24.03%      | 24.83%      | 25.28%      | 24.70%      | 100.00%     |       |       |        |       |

**3-Yr Avg thru Current Month 24.94%**

**Projected FY 2013 1,750,325,909**

\* Current statute delays the receipt of the July and August 2013 (FY 2013) state motor fuel tax deposits, projected to be around \$400M, until September 2013 (FY2014)

**Cumulative State MFT Deposits to SHF  
FY 2013**



Monthly State MFT Deposits to SHF  
FY 2013

