

By: Holland

H.B. No. 3437

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority to approve change orders for certain  
3 contracts for the construction, repair, and renovation of water  
4 district facilities.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 49.273(i), Water Code, is amended to  
7 read as follows:

8 (i) If changes in plans, specifications, or scope of work  
9 are necessary or beneficial to the district, as determined by the  
10 board, after the performance of the contract is begun, or if it is  
11 necessary or beneficial to the district, as determined by the  
12 board, to decrease or increase the quantity of the work to be  
13 performed or of the materials, equipment, or supplies to be  
14 furnished, the board may approve change orders making the changes.  
15 The board may grant authority to an official or employee  
16 responsible for purchasing or for administering a contract to  
17 approve a change order [~~that involves an increase or decrease of~~  
18 ~~\$50,000 or less~~]. The aggregate of the change orders that increase  
19 the original contract price by more than 25 percent may be issued  
20 only as a result of unanticipated conditions encountered during  
21 construction, repair, or renovation or changes in regulatory  
22 criteria or to facilitate project coordination with other political  
23 entities. A change order is not subject to the requirements of  
24 Subsection (d) or (e).

1           SECTION 2. The changes in law made by this Act apply only to  
2 a change order approved on or after the effective date of this Act.  
3 A change order approved before the effective date of this Act is  
4 governed by the law in effect on the date the change order was  
5 approved, and the former law is continued in effect for that  
6 purpose.

7           SECTION 3. This Act takes effect September 1, 2023.