

SB 1331 is amended by adding a new SECTION to read as follows, renumbering the existing SECTIONS as appropriate:

SECTION \_\_\_\_\_. Sec. 44.040, Education Code, is amended to read as follows:

Sec. 44.040. Selecting Contractor for Construction Services Through Competitive Bidding. (a) Except to the extent prohibited by other law and to the extent consistent with this subchapter, a school district may use competitive bidding to select a contractor to perform construction, rehabilitation, alteration, or repair services for a facility.

(b) Except as otherwise specifically provided by this subsection, Subchapter B, Chapter 271, Local Government Code, does not apply to a competitive bidding process under this subchapter. Sections 271.026 , 271.027(a), and 271.0275, Local Government Code, apply to a competitive bidding process under this subchapter.

(c) The district shall select or designate an engineer or architect to prepare construction documents for the project. The selected or designated engineer or architect has full responsibility for complying with Chapter 1001 and Chapter 1051, Occupations Code, as applicable.

(d) A school district shall award a competitively bid contract at the bid amount to the bidder offering the best value to the district according to the selection criteria that were established by the district. The selection criteria may include the factors listed in Section 44.031(b).