

BILL ANALYSIS

C.S.H.B. 3089
By: Dukes
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In the last session, Harris County was given sole authority to use the procurement tool known as mandatory pre-bid conference. Prior to last session, all counties used mandatory pre-bid meetings on a limited basis to ensure that contractors fully understood the project requirements/specifications prior to bidding. Contractors were required to attend the meeting if they wanted to submit a bid. If they did not attend the meeting, they could not submit a bid.

These mandatory pre-bid meetings are essential in a limited number of county projects. For example, a boiler replacement at a jail: The contractors need to look at the actual job site and all its limitations, etc. If not, often the contractor claims he didn't know the space was so small, etc. and your chances of contract disputes increase. This is just another procurement tool to protect the county's best interest and control cost.

If specifications are easily defined, then a bid is the best way to go. However, in certain solicitations (i.e., drug testing) it would be to the county's advantage to be able to negotiate the deal (mainly the price).

The purpose of this committee substitute is to provide counties with the option of using a pre-bid conference. This tool enhances a county's ability to effectively conduct its purchasing activities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Section 1. Amends Section 262.0256(a), Local Government Code, to lower the population bracket from 2.8 million to 800,000 or more in order to provide other large counties the option to conduct a mandatory pre-bid conference.

Section 2. Amends Section 262.030(d), Local Government Code, to lower the population bracket from 2.4 million to 800,000 or more in order to provide other large counties the option to use the competitive proposal purchasing method authorized by this section for insurance and high technology items, and other items with commissioners court approval.

Section 3. Amends Section 271.0565(a), Local Government Code, to lower the population bracket from 2.8 million to 800,000 or more in order to provide other large counties the option to conduct a mandatory pre-bid conference.

Section 4. Effective date is September 1, 2003

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

Section 1. Amends Section 262.0256(a), Local Government Code, to *remove the population bracket of 2.8 million in order to provide all counties* the option to conduct a mandatory pre-bid conference.

Section 2. Amends Section 271.0565(a), Local Government Code, to *remove the population bracket of 2.8 million in order to provide all counties* the option to conduct a mandatory pre-bid conference.

Section 3. Effective date is September 1, 2003