

BILL ANALYSIS

S.B. 1229
By: Wentworth
County Affairs
Committee Report (Unamended)

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, a contractor could claim they weren't aware that the necessary work space was so small, etc. thus increasing the chances of contract disputes. This is just another procurement tool to protect the county's best interest and control cost.

The purpose of SB 1229 is to provide all 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 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

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.