

By: Madla S.B. No. 719
(In the Senate - Filed February 26, 2003; March 3, 2003,
read first time and referred to Committee on Veteran Affairs and
Military Installations; April 7, 2003, reported favorably by the
following vote: Yeas 4, Nays 0; April 7, 2003, sent to printer.)

A BILL TO BE ENTITLED
AN ACT

relating to authorizing a defense base development authority to use
alternative methods for contracting for public improvement
projects.

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

SECTION 1. Subdivision (10), Section 271.111, Local
Government Code, is amended to read as follows:

(10) "Governmental entity" means a municipality,
county, ~~or~~ river authority, or defense base development authority
established under Chapter 378 as added by Chapter 1221, Acts of the
76th Legislature, Regular Session, 1999.

SECTION 2. Subsections (a) and (d), Section 271.112, Local
Government Code, are amended to read as follows:

(a) Any provision in the charter of a home-rule municipality
or ~~any~~ regulation, if any, of a county, ~~or~~ river authority, or
defense base development authority that requires the use of
competitive bidding or competitive sealed proposals or that
prescribes procurement procedures and that is in conflict with this
subchapter controls over this subchapter unless the governing body
of the governmental entity elects to have this subchapter supersede
the charter or regulation.

(d) For a contract entered into by a municipality, ~~or~~
river authority, or defense base development authority under any of
the methods provided by this subchapter, the municipality, ~~or~~
river authority, or defense base development authority shall
publish notice of the time and place the bids or proposals, or the
responses to a request for qualifications, will be received and
opened. The notice must be published in a newspaper of general
circulation in the county in which the defense base development
authority's or municipality's central administrative office is
located or the county in which the greatest amount of the river
authority's territory is located once each week for at least two
weeks before the deadline for receiving bids, proposals, or
responses. If there is not a newspaper of general circulation in
that county, the notice shall be published in a newspaper of general
circulation in the county nearest the county seat of the county in
which the defense base development authority's or municipality's
central administrative office is located or the county in which the
greatest amount of the river authority's territory is located. In a
two-step procurement process, the time and place the second step
bids, proposals, or responses will be received are not required to
be published separately.

SECTION 3. (a) This Act takes effect September 1, 2003.

(b) The changes in law made by this Act apply only to a
contract for which requests for bids, requests for proposals, or
requests for qualifications are published or distributed on or
after September 1, 2003.

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