

Amend CSSB 6 (House Committee Printing) as follows:

(1) On page 38, between lines 4 and 5, insert:

Sec. 45.151. PROHIBITION ON CERTAIN CONTRACTS. (a) The department may not accept a bid under this chapter from a person or award to a person a contract under this chapter that includes proposed financial participation by the person if:

(1) the person participated in preparing the bid specifications or request for proposals on which the bid or contract is based; and

(2) the bid specifications or request for proposals on which the bid or contract is based:

(A) requires a work plan, project design, or other criteria for participation in the contract that is specific to that person or likely to limit or exclude competitors who provide similar goods or services; or

(B) includes a scope of required goods or services that is so narrowly defined that it is specific to that person or likely to limit or exclude competitors who provide similar goods or services.

(b) The department may not accept a bid under this chapter from or award a contract under this chapter to an individual or business entity that is barred from participating in state contracts under Section 2155.077.

(c) The department may not accept a bid under this chapter from or award a contract under this chapter to an individual or business entity that was awarded a contract valued at \$1 billion dollars or more during the four year period immediately before the date of the issuance of relevant requests for proposals under Section 45.054, Human Resources Code.

(d) If the department determines that an individual or business entity holding a contract under this chapter was ineligible to have the contract accepted or awarded under Subsection (a), (b), or (c), the department may immediately terminate the contract without further obligation to the vendor.

Sec. 45.152. SUBCONTRACTOR PAYMENT. The existence of a dispute between the department and a contractor regarding a contract under this chapter does not justify nonpayment of a

subcontractor for work completed by the subcontractor under the contract if the subcontractor has completed the work in a satisfactory manner and the work has been approved by the department and the contractor.

(2) On page 38, line 5, strike "45.151" and substitute "45.153".