

BILL ANALYSIS

H.B. 769
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Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Last session, Texas ports were authorized in the Water Code to use alternative procurement procedures for purchasing contracts, including competitive sealed proposals (CSP). A CSP allows the port to consider other qualifications for a contract other than lowest bid. In the prescribed process, the port must complete their review of the proposals within 45 days after the CSP is opened. For the majority of proposals, 45 days is enough time to consider the CSPs. However, ports do have some projects that are so large or complicated that 45 days does not give the port enough time to consider all qualifications and value to the port.

HB 769 amends the Water Code to allow ports 120 days to evaluate and rank each proposal submitted in relation to the published selection criteria.

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 60.463 (e), Water Code by requiring the district to rank and evaluate all competitive sealed proposals based on published selection criteria within 120 days instead of 45 days of opening the proposals in public

SECTION 2. Makes the changes in SECTION 1 apply only to competitive sealed proposals that are requested after the effective date.

SECTION 3. Effective Date.

EFFECTIVE DATE

September 1, 2005.