

BILL ANALYSIS

Senate Research Center

S.B. 573
By: Brimer
Transportation & Homeland Security
7/6/2005
Enrolled

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law allows the Texas Department of Transportation to award a maintenance contract to the second lowest bidder in the event of withdrawal of the lowest bidder. However, the contracts are limited to amounts of \$100,000 or less. S.B. 573 increases the amounts of the contracts from \$100,000 to \$300,000. It also allows all or portion of an economically disadvantaged county to qualify for adjustment if it meets certain comptroller specifications.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 223.0041(c), Transportation Code, to authorize the director of the Texas Department of Transportation, for a maintenance contract involving an amount less than \$300,000, rather than \$100,000, if the lowest bidder withdraws its bid prior to contract award or fails to execute the contract, to recommend to the Texas Transportation Commission (commission) that the contract be awarded to the second lowest bidder.

SECTION 2. Amends Section 222.053, Transportation code, by adding Subsections (f), (g), and (h), as follows:

(f) Requires the commission to certify a county as an economically disadvantaged county on an annual basis as soon as possible after the comptroller of public accounts reports on the economic indicators listed under Subsection (a). Provides that county certified under this section is eligible for an adjustment under Subsection (c)(2).

(g) Requires the commission to determine whether to make an adjustment under Subsection (c)(2) at the time a political subdivision that consists of all or portion of an economically disadvantaged county submits a proposal to construct, maintain, or extend a highway or for another type of highway project.

(h) Authorizes the commission to delegate any of its duties or powers under this section to the director or the director's designee.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2005.