

By: Ellis

S.B. No. 717

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the selection by certain governmental entities of
3 providers of landscape architectural services.

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

5 SECTION 1. Section 2254.004, Government Code, is amended to
6 read as follows:

7 Sec. 2254.004. CONTRACT FOR PROFESSIONAL SERVICES OF
8 ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER, OR SURVEYOR. (a) In
9 procuring architectural, landscape architectural, engineering, or
10 land surveying services, a governmental entity shall:

11 (1) first select the most highly qualified provider of
12 those services on the basis of demonstrated competence and
13 qualifications; and

14 (2) then attempt to negotiate with that provider a
15 contract at a fair and reasonable price.

16 (b) If a satisfactory contract cannot be negotiated with the
17 most highly qualified provider of architectural, landscape
18 architectural, engineering, or land surveying services, the entity
19 shall:

20 (1) formally end negotiations with that provider;

21 (2) select the next most highly qualified provider;

22 and

23 (3) attempt to negotiate a contract with that provider
24 at a fair and reasonable price.

1 (c) The entity shall continue the process described in
2 Subsection (b) to select and negotiate with providers until a
3 contract is entered into.

4 SECTION 2. (a) This Act applies only to a contract or a
5 construction or other public works project for which a governmental
6 entity first advertises or otherwise requests bids, proposals,
7 offers, or qualifications, or makes a similar solicitation, on or
8 after the effective date of this Act.

9 (b) A contract or a construction or other public works
10 project for which a governmental entity first advertises or
11 otherwise requests bids, proposals, offers, or qualifications, or
12 makes a similar solicitation, before the effective date of this Act
13 is governed by the law as it existed immediately before the
14 effective date of this Act, and that law is continued in effect for
15 that purpose.

16 SECTION 3. This Act takes effect September 1, 2007.