

1-1 By: Ellis S.B. No. 717
1-2 (In the Senate - Filed February 16, 2007; March 6, 2007,
1-3 read first time and referred to Committee on Government
1-4 Organization; March 13, 2007, reported favorably by the following
1-5 vote: Yeas 6, Nays 0; March 13, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the selection by certain governmental entities of
1-9 providers of landscape architectural services.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 2254.004, Government Code, is amended to
1-12 read as follows:

1-13 Sec. 2254.004. CONTRACT FOR PROFESSIONAL SERVICES OF
1-14 ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER, OR SURVEYOR. (a) In
1-15 procuring architectural, landscape architectural, engineering, or
1-16 land surveying services, a governmental entity shall:

1-17 (1) first select the most highly qualified provider of
1-18 those services on the basis of demonstrated competence and
1-19 qualifications; and

1-20 (2) then attempt to negotiate with that provider a
1-21 contract at a fair and reasonable price.

1-22 (b) If a satisfactory contract cannot be negotiated with the
1-23 most highly qualified provider of architectural, landscape
1-24 architectural, engineering, or land surveying services, the entity
1-25 shall:

1-26 (1) formally end negotiations with that provider;

1-27 (2) select the next most highly qualified provider;

1-28 and

1-29 (3) attempt to negotiate a contract with that provider
1-30 at a fair and reasonable price.

1-31 (c) The entity shall continue the process described in
1-32 Subsection (b) to select and negotiate with providers until a
1-33 contract is entered into.

1-34 SECTION 2. (a) This Act applies only to a contract or a
1-35 construction or other public works project for which a governmental
1-36 entity first advertises or otherwise requests bids, proposals,
1-37 offers, or qualifications, or makes a similar solicitation, on or
1-38 after the effective date of this Act.

1-39 (b) A contract or a construction or other public works
1-40 project for which a governmental entity first advertises or
1-41 otherwise requests bids, proposals, offers, or qualifications, or
1-42 makes a similar solicitation, before the effective date of this Act
1-43 is governed by the law as it existed immediately before the
1-44 effective date of this Act, and that law is continued in effect for
1-45 that purpose.

1-46 SECTION 3. This Act takes effect September 1, 2007.

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