

BILL ANALYSIS

H.B. 667
By: Callegari
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 2007, the 80th Legislature, Regular Session, enacted H.B. 1886 allowing certain local governmental entities to use the design-build procurement method for the construction, rehabilitation, alteration, or repair of civil works projects. These types of projects include but are not limited to roads, bridges, utilities, water and wastewater plants, and transit projects. Design-build is a procurement method where a local governmental entity may contract with a design-build team consisting of an engineer and a contractor for the design and construction of a civil works project. Design-build is a departure from the traditional public sector procurement method of design-bid-build where the design and construction services are performed by separate contractors.

As approved by the 80th Legislature, H.B. 1886 authorized local governmental entities with a population of 500,000 or more to use design-build before September 1, 2009, and, for entities with a population of 100,000 or more, the bill authorized the use of design-build between September 1, 2009, and September 1, 2011. H.B. 1886 did not make any provision for the use of design-build after September 1, 2011.

H.B. 667 allows local governmental entities to use the design-build procurement method for procuring civil works projects after September 1, 2009.

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

H.B. 667 amends the Local Government Code to remove provisions relating to the applicability, before September 1, 2009, of the design-build method of procuring contracts for certain civil works projects to a local governmental entity with a population of 500,000 or more within its geographic boundaries or service area. The bill removes the date range beginning on or after September 1, 2009, and ending before September 1, 2011, between which the design-build method for such projects is applicable to a local governmental entity with a population of more than 100,000 within its geographic boundaries or service area.

EFFECTIVE DATE

September 1, 2009.