

## **BILL ANALYSIS**

C.S.S.B. 229  
By: West  
County Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

In 2007 the Legislature passed HB 1886 to allow certain local government entities to use the design-build procurement method for the construction, rehabilitation, alteration, or repair of civil works projects, including roads, bridges, utilities, water and wastewater plants, and, among other works, transit projects. Design-build is a procurement method where a local government 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, HB 1886 authorized local government entities with a population of 500,000 or more to use design-build before 1 September 2009, and for entities with a population of 100,000 or more to use design-build between 1 September 2009 and 1 September 2011. The Act did not make any provision for the use of design-build after 1 September 2011. CSSB 229 allows local government entities to use the design-build procurement method for procuring civil works projects after 1 September 2009.

### **RULEMAKING AUTHORITY**

The bill does not expressly delegate rulemaking authority to any state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends §271.182, Local Government Code, to strike language authorizing local government entities with a population greater than 500,000 to use design-build before 1 September 2009, and entities with a population greater than 100,000 to use design-build between 1 September 2009 and 1 September 2011. This change allows local government entities with a population of 100,000 or more to use design-build after 1 September 2009.

SECTION 2. Effective immediately upon receipt of two-thirds vote from each house, or 1 September 2009.

### **EFFECTIVE DATE**

Immediately upon receipt of two-thirds vote from each house, or 1 September 2009

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The committee substitute changes the effective date of the act from 1 September 2009, to immediate effect upon receipt of two-thirds vote from each house or 1 September 2009.