

Amend CSSB 1420 (senate committee printing) in SECTION 19 of the bill by striking added Section 223.017, Transportation Code (page 11, lines 33-52), and substituting the following:

Sec. 223.017. DESIGN-BUILD CONTRACTS FOR NONTOLLED HIGHWAY PROJECTS. (a) In this section, "design-build contract" means an agreement with a private entity for the design and construction, rehabilitation, expansion, or improvement of a highway project that may include the maintenance of the highway but does not include the financing or operation of the highway.

(b) Notwithstanding the requirements of this subchapter and Chapter 2254, Government Code, the department may enter into a design-build contract for a nontolled highway project.

(c) If the department enters into a design-build contract under this section, the department shall use a competitive procurement process that provides the best value for the department.

(d) The commission shall adopt rules to implement this section. Rules adopted under this subsection shall establish:

(1) criteria for selecting projects to be developed under a design-build contract, which must include consideration of:

(A) project size and complexity; and

(B) the timeliness of project completion under the proposed schedule;

(2) procedures for selecting a developer for a design-build contract, including criteria relating to the qualifications of participants and the award of a contract; and

(3) other criteria the commission considers appropriate.