

By: Button

H.B. No. 679

A BILL TO BE ENTITLED

AN ACT

relating to change order approval requirements for certain political subdivisions of the state.

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

SECTION 1. Section 252.048(c), Local Government Code, is amended to read as follows:

(c) If a change order involves a decrease or an increase of \$50,000 [~~\$25,000~~] or less, the governing body may grant general authority to an administrative official of the municipality to approve the change orders.

SECTION 2. Section 271.060, Local Government Code, is amended by adding Subsection (c) to read as follows:

(c) A governing body may grant authority to an official or employee responsible for purchasing or for administering a contract to approve a change order that involves an increase or decrease of \$50,000 or less.

SECTION 3. Section 281.046, Local Government Code, is amended by adding Subsection (f) to read as follows:

(f) The board may grant authority to an official or employee responsible for purchasing or for administering a contract to approve a change order that involves an increase or decrease of \$50,000 or less.

SECTION 4. Section 325.040, Local Government Code, is amended to read as follows:

1           Sec. 325.040. CHANGE ORDERS. After a construction contract  
2 is awarded, if the district determines that additional work is  
3 needed or if the character or type of work, facilities, or  
4 improvements should be changed, the board may authorize change  
5 orders to the contract on terms the board approves. A change made  
6 under this section may not increase or decrease the total cost of  
7 the contract by more than 25 percent. The board may grant authority  
8 to an official or employee responsible for purchasing or for  
9 administering a contract to approve a change order that involves an  
10 increase or decrease of \$50,000 or less.

11           SECTION 5. Section 351.137(c), Local Government Code, is  
12 amended to read as follows:

13           (c) After a construction contract is awarded, if the  
14 district determines that additional work is needed or if the  
15 character or type of work, facilities, or improvements should be  
16 changed, the board may authorize change orders to the contract on  
17 terms the board approves. The board may grant authority to an  
18 official or employee responsible for purchasing or for  
19 administering a contract to approve a change order that involves an  
20 increase or decrease of \$50,000 or less. A change made under this  
21 subsection may not increase or decrease the total cost of the  
22 contract by more than 25 percent.

23           SECTION 6. Section 49.273(i), Water Code, is amended to  
24 read as follows:

25           (i) If changes in plans or specifications are necessary  
26 after the performance of the contract is begun, or if it is  
27 necessary to decrease or increase the quantity of the work to be

1 performed or of the materials, equipment, or supplies to be  
2 furnished, the board may approve change orders making the changes.  
3 The board may grant authority to an official or employee  
4 responsible for purchasing or for administering a contract to  
5 approve a change order that involves an increase or decrease of  
6 \$50,000 or less. The aggregate of the change orders may not  
7 increase the original contract price by more than 10 percent.  
8 Additional change orders may be issued only as a result of  
9 unanticipated conditions encountered during construction, repair,  
10 or renovation or changes in regulatory criteria or to facilitate  
11 project coordination with other political entities.

12 SECTION 7. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2011.