

By: Davis of Dallas

H.B. No. 2223

A BILL TO BE ENTITLED

AN ACT

relating to the contracts of certain regional transportation authorities that are required to be competitively bid.

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

SECTION 1. Section 452.107(c), Transportation Code, is amended to read as follows:

(c) The executive committee may authorize the negotiation of a contract without competitive sealed bids or proposals if:

(1) the aggregate amount involved in the contract is \$50,000 [~~\$25,000~~] or less;

(2) the contract is for construction for which not more than one bid or proposal is received;

(3) the contract is for services or property for which there is only one source or for which it is otherwise impracticable to obtain competition;

(4) the contract is to respond to an emergency for which the public exigency does not permit the delay incident to the competitive process;

(5) the contract is for personal or professional services or services for which competitive bidding is precluded by law; or

(6) the contract, without regard to form and which may include bonds, notes, loan agreements, or other obligations, is for the purpose of borrowing money or is a part of a transaction

1 relating to the borrowing of money, including:

2 (A) a credit support agreement, such as a line or
3 letter of credit or other debt guaranty;

4 (B) a bond, note, debt sale or purchase, trustee,
5 paying agent, remarketing agent, indexing agent, or similar
6 agreement;

7 (C) an agreement with a securities dealer or
8 investment adviser, broker, or underwriter; and

9 (D) any other contract or agreement considered by
10 the executive committee to be appropriate or necessary in support
11 of the authority's financing activities.

12 SECTION 2. The change in law made by this Act applies only
13 to a contract for which a regional transportation authority first
14 advertises or otherwise solicits bids or proposals on or after the
15 effective date of this Act.

16 SECTION 3. This Act takes effect September 1, 2011.