

1-1 By: Davis of Dallas (Senate Sponsor - Carona) H.B. No. 2223  
1-2 (In the Senate - Received from the House April 27, 2011;  
1-3 May 3, 2011, read first time and referred to Committee on  
1-4 Transportation and Homeland Security; May 17, 2011, reported  
1-5 favorably by the following vote: Yeas 6, Nays 0; May 17, 2011,  
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the contracts of certain regional transportation  
1-10 authorities that are required to be competitively bid.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 452.107(c), Transportation Code, is  
1-13 amended to read as follows:

1-14 (c) The executive committee may authorize the negotiation  
1-15 of a contract without competitive sealed bids or proposals if:

1-16 (1) the aggregate amount involved in the contract is  
1-17 \$50,000 [~~\$25,000~~] or less;

1-18 (2) the contract is for construction for which not  
1-19 more than one bid or proposal is received;

1-20 (3) the contract is for services or property for which  
1-21 there is only one source or for which it is otherwise impracticable  
1-22 to obtain competition;

1-23 (4) the contract is to respond to an emergency for  
1-24 which the public exigency does not permit the delay incident to the  
1-25 competitive process;

1-26 (5) the contract is for personal or professional  
1-27 services or services for which competitive bidding is precluded by  
1-28 law; or

1-29 (6) the contract, without regard to form and which may  
1-30 include bonds, notes, loan agreements, or other obligations, is for  
1-31 the purpose of borrowing money or is a part of a transaction  
1-32 relating to the borrowing of money, including:

1-33 (A) a credit support agreement, such as a line or  
1-34 letter of credit or other debt guaranty;

1-35 (B) a bond, note, debt sale or purchase, trustee,  
1-36 paying agent, remarketing agent, indexing agent, or similar  
1-37 agreement;

1-38 (C) an agreement with a securities dealer or  
1-39 investment adviser, broker, or underwriter; and

1-40 (D) any other contract or agreement considered by  
1-41 the executive committee to be appropriate or necessary in support  
1-42 of the authority's financing activities.

1-43 SECTION 2. The change in law made by this Act applies only  
1-44 to a contract for which a regional transportation authority first  
1-45 advertises or otherwise solicits bids or proposals on or after the  
1-46 effective date of this Act.

1-47 SECTION 3. This Act takes effect September 1, 2011.

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