

By: Veasey

H.B. No. 3071

A BILL TO BE ENTITLED

AN ACT

relating to contract award considerations by certain conservation and reclamation districts.

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

SECTION 1. Section 49.273, Water Code, is amended by adding Subsections (n) and (o) to read as follows:

(n) If the competitive sealed bidding requirement applies to a contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides the goods or services at the best value for the district.

(o) In determining the best value for the district, the board may consider:

(1) the purchase price;

(2) the reputation of the bidder and of the bidder's goods and services;

(3) the quality of the bidder's goods or services;

(4) the extent to which the goods or services meet the board's needs;

(5) the bidder's past relationship with the board;

(6) the impact on the ability of the board to comply with laws, rules, and policies of the board relating to historically underutilized or minority businesses, the board's small business development program, or another contracting program approved by the board, if any;

1 (7) the total long-term cost to the board to acquire
2 the bidder's goods or services;

3 (8) the bidder's principal place of business, if, in
4 the board's exclusive judgment, the bid offers the most advantage
5 and would result in the best and most economical completion of the
6 board's proposed plants, works, facilities, or improvements; and

7 (9) any other relevant factor listed in the request
8 for bids or proposals.

9 SECTION 2. This Act takes effect September 1, 2011.