

By: Callegari

H.B. No. 2704

A BILL TO BE ENTITLED

AN ACT

relating to bids for construction contracts for certain conservation and reclamation districts.

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

SECTION 1. Section 49.273(i), Water Code, is amended to read as follows:

(i) If changes in plans or specifications are necessary after the performance of the contract is begun, or if it is necessary to decrease or increase the quantity of the work to be performed or of the materials, equipment, or supplies to be furnished, the board may approve change orders making the changes. 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. The aggregate of the change orders may not increase the original contract price by more than 25 [~~10~~] percent. Additional change orders may be issued only as a result of unanticipated conditions encountered during construction, repair, or renovation or changes in regulatory criteria or to facilitate project coordination with other political entities.

SECTION 2. Subchapter I, Chapter 49, Water Code, is amended by adding Section 49.2731 to read as follows:

Sec. 49.2731. PROCEDURES FOR ELECTRONIC BIDS. (a) A district may receive bids under Section 49.273 through electronic

1 transmission if the board of the district adopts rules to ensure the  
2 identification, security, and confidentiality of electronic bids  
3 and to ensure that the electronic bids remain effectively unopened  
4 until the proper time.

5 (b) Notwithstanding any other provision of this chapter, an  
6 electronic bid or proposal is required to be sealed. A provision of  
7 this chapter that applies to a sealed bid applies to a bid received  
8 through electronic transmission in accordance with the rules  
9 adopted under Subsection (a).

10 SECTION 3. The change in law made by this Act applies only  
11 to a contract entered into on or after the effective date of this  
12 Act. A contract entered into before the effective date of this Act  
13 is governed by the law in effect on the date the contract was  
14 entered into, and the former law is continued in effect for that  
15 purpose.

16 SECTION 4. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2013.