By: Murphy   H.B. No. 932

A BILL TO BE ENTITLED

1   AN ACT

2   relating to the evaluation and ranking of similar offers submitted

3   to   a   governmental   entity   for   certain   construction-related

4   contracts.

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

6   SECTION 1.   Subchapter B, Chapter 2269, Government Code, is

7   amended by adding Section 2269.0565 to read as follows:

8   Sec. 2269.0565.   EXPLANATION OF EVALUATION AND RANKING. (a)

9   An   offeror   who   submits   a   bid,   proposal,   or   request   for

10   qualification   under   this   chapter   may   request   the   governmental

11   entity to explain the evaluation and ranking of a submission that

12   was not selected and that:

13   (1)   is ranked differently than a similar submission of

14   a bid, proposal, or request for qualification by the offeror to the

15   governmental entity during the preceding year;

16   (2)   uses the same data that was used to develop the

17   previous submission; and

18   (3)   is based on the same selection criteria that was

19   used to evaluate and rank the previous submission.

20   (b)   A request made under this section must be in writing.

21   (c)   Not later than the 30th day after the date a request is

22   made under this section, the governmental entity shall deliver to

23   the offeror a written explanation of the basis of the evaluation and

24   ranking   of   the   submission,   including   an   explanation   of   why   the

1 submission was ranked differently than the previous submission.

2   SECTION 2. The change in law made by Section 2269.0565,

3 Government Code, as added by this Act, applies only to the

4 evaluation and ranking of a bid, proposal, or request for

5 qualification submitted by an offeror to a governmental entity on

6 or after the effective date of this Act.

7   SECTION 3. This Act takes effect immediately if it receives

8 a vote of two-thirds of all the members elected to each house, as

9 provided by Section 39, Article III, Texas Constitution. If this

10 Act does not receive the vote necessary for immediate effect, this

11 Act takes effect September 1, 2015.