

By: Bettencourt

S.B. No. 1460

A BILL TO BE ENTITLED

AN ACT

1
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.