

By: Alvarado

H.B. No. 3188

A BILL TO BE ENTITLED

AN ACT

relating to the number of civil works projects certain municipally owned water utilities may contract for in a fiscal year.

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

SECTION 1. Section 2269.354(a), Government Code, is amended to read as follows:

(a) After August 31, 2013:

(1) a governmental entity with a population of 500,000 or more within the entity's geographic boundary or service area may, under this subchapter, enter into contracts for not more than six projects in any fiscal year;

(2) a municipally owned water utility with a separate governing board appointed by the governing body of a municipality with a population of 500,000 or more may:

(A) independently enter into contracts for not more than four [~~two~~] civil works projects in any fiscal year; and

(B) enter into contracts for additional civil works projects in any fiscal year, but not more than the number of civil works projects prescribed by the limit in Subdivision (1) for the municipality, provided that:

(i) the additional contracts for the civil works projects entered into by the utility under this paragraph are allocated to the number of contracts the municipality that appoints the utility's governing board may enter under Subdivision (1); and

1 (ii) the governing body of the municipality
2 must approve the contracts; and

3 (3) a governmental entity that has a population of
4 100,000 or more but less than 500,000 or is a board of trustees
5 governed by Chapter 54, Transportation Code, may enter into
6 contracts under this subchapter for not more than four projects in
7 any fiscal year.

8 SECTION 2. Section 2269.361(a), Government Code, is amended
9 to read as follows:

10 (a) A governmental entity shall request proposals from
11 design-build firms identified under Section 2269.359(c). A
12 response to a request for detailed proposals must be submitted on or
13 before the earlier of the time for submission as requested by the
14 governmental entity or [A firm must submit a proposal not later
15 than] the 180th day after the date the governmental entity makes a
16 public request for the proposals from the selected firms. The
17 request for proposals must include:

18 (1) a design criteria package;

19 (2) if the project site is identified, a geotechnical
20 baseline report or other information that provides the design-build
21 firm minimum geotechnical design parameters to submit a proposal;

22 (3) detailed instructions for preparing the technical
23 proposal and the items to be included, including a description of
24 the form and level of completeness of drawings expected; and

25 (4) the relative weighting of the technical and price
26 proposals and the formula by which the proposals will be evaluated
27 and ranked.

1 SECTION 3. Section 2269.361(a), Government Code, as amended
2 by this Act, applies only to a contract awarded on or after the
3 effective date of this Act.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2017.