

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 808
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Business & Commerce
5/9/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 808 amends current law relating to the construction manager-at-risk method of contracting for governmental construction projects.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2269.255(a), Government Code, as follows:

(a) Requires a construction manager-at-risk, except as otherwise provided by this subchapter (Construction Manager-at-Risk Method), to use the competitive bidding method or competitive sealed proposal method to consider a contract with a trade contractor or subcontractor in the manner required by this chapter (Contracting and Delivery Procedures For Construction Projects) for a governmental entity to consider a contract with a contractor. Provides that if a construction manager-at-risk uses the competitive sealed proposal method to consider a contract with a trade contractor or subcontractor, price must be one of the selection criteria and the weighted value of price as a selection criterion must be 40 percent or more of the total weighted value of all of the selection criteria.

SECTION 2. Amends Section 2269.256(a), Government Code, as follows:

(a) Requires all bids or proposals to be made available to the governmental entity and to the public not later than the seventh day after the later of the award of the contract or the date of final selection of bids or proposals, rather than requiring all bids or proposals to be made available to the governmental entity on request and to the public after the later of the award of the contract or the seventh day after the date of final selection of bids or proposals.

SECTION 3. Makes application of Sections 2269.255(a) and 2269.256(a), Government Code, as amended by this Act, prospective.

SECTION 4. Effective date: September 1, 2019.