H.B. No. 2830

AN ACT

relating to certain requirements for and limitations on design-build contracts for highway projects of the Texas Department of Transportation.

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

SECTION 1.  Section 223.242(d-1), Transportation Code, is amended to read as follows:

(d-1)  The department may not enter into more than six [~~three~~] contracts under this section in each state fiscal biennium [~~year~~].

SECTION 2.  Section 223.246(a), Transportation Code, is amended to read as follows:

(a)  The department shall issue a request for proposals to proposers short-listed under Section 223.245. A request for proposals must include:

(1)  information on the overall project goals;

(2)  publicly available cost estimates for the design-build portion of the project;

(3)  materials specifications;

(4)  special material requirements;

(5)  a [~~schematic~~] design approximately 30 percent complete;

(6)  known utilities, provided that the department is not required to undertake an effort to locate utilities;

(7)  quality assurance and quality control requirements;

(8)  the location of relevant structures;

(9)  notice of any rules or goals adopted by the department relating to awarding contracts to disadvantaged business enterprises or small business enterprises;

(10)  available geotechnical or other information related to the project;

(11)  the status of any environmental review of the project;

(12)  detailed instructions for preparing the technical proposal required under Subsection (d), including a description of the form and level of completeness of drawings expected;

(13)  the relative weighting of the technical and cost proposals required under Subsection (d) and the formula by which the proposals will be evaluated and ranked; and

(14)  the criteria to be used in evaluating the technical proposals, and the relative weighting of those criteria.

SECTION 3.  Section 223.246(a), Transportation Code, as amended by this Act, applies only to a highway project for which a request for qualifications is issued on or after the effective date of this Act. A highway project for which a request for qualifications is issued before the effective date of this Act is governed by the law in effect on the date the request for qualifications was issued, and that law is continued in effect for that purpose.

SECTION 4.  This Act takes effect September 1, 2019.

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    President of the Senate Speaker of the House

I certify that H.B. No. 2830 was passed by the House on April 25, 2019, by the following vote:  Yeas 128, Nays 7, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2830 was passed by the Senate on May 21, 2019, by the following vote:  Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                    Date

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                  Governor