

By: Bonnen of Galveston

H.B. No. 2337

A BILL TO BE ENTITLED

AN ACT

relating to the development of a contract template and contracting guidance for debris removal and monitoring contracts of political subdivisions.

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

SECTION 1. Subchapter C, Chapter 418, Government Code, is amended by adding Section 418.054 to read as follows:

Sec. 418.054. DEBRIS CONTRACT GUIDANCE FOR POLITICAL SUBDIVISIONS. (a) In this section, "Hurricane Harvey" means the hurricane of that name that struck the southeastern region of this state in 2017.

(b) The division, in consultation with political subdivisions and the Federal Emergency Management Agency, shall identify common issues that occurred after Hurricane Harvey with debris removal and monitoring contracts.

(c) The division, in coordination with the comptroller, shall develop contracting standards and requirements for contracts used by political subdivisions when contracting for long-term and exigent debris removal and monitoring. The contracting standards and requirements must:

(1) address the contracting issues identified under Subsection (b);

(2) include provisions relating to the manner in which debris is removed, including requiring a contractor to make

1 multiple passes to remove debris;

2 (3) include provisions relating to requirements for
3 contractors providing debris removal and monitoring services, such
4 as requiring the contractor to:

5 (A) have certain expertise;

6 (B) be based in a certain location; and

7 (C) have a certain number of employees and
8 vehicles in the contractor's fleet;

9 (4) include provisions that enhance the ability of
10 political subdivisions to monitor contract compliance; and

11 (5) include bonding requirements and penalties for
12 failure to perform the contract.

13 (d) The division shall develop:

14 (1) a contract template incorporating the contracting
15 standards and requirements developed under Subsection (c); and

16 (2) contracting guidance that provides political
17 subdivisions with an overview of federal contracting standards and
18 requirements.

19 (e) The division shall annually:

20 (1) review federal statutory and regulatory changes to
21 procedures regarding contracting; and

22 (2) update the contract template and contracting
23 guidance developed under Subsection (d) to reflect any changes.

24 (f) The division shall distribute an updated contract
25 template or updated contracting guidance to political subdivisions
26 as soon as practicable.

27 SECTION 2. This Act takes effect September 1, 2019.