

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;

1 (7) quality assurance and quality control
2 requirements;

3 (8) the location of relevant structures;

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

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

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

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

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

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

20 SECTION 3. Section [223.246\(a\)](#), Transportation Code, as
21 amended by this Act, applies only to a highway project for which a
22 request for qualifications is issued on or after the effective date
23 of this Act. A highway project for which a request for
24 qualifications is issued before the effective date of this Act is
25 governed by the law in effect on the date the request for
26 qualifications was issued, and that law is continued in effect for
27 that purpose.

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

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.

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.

Secretary of the Senate

APPROVED: _____

Date

Governor