

By: Miles

S.B. No. 300

A BILL TO BE ENTITLED

AN ACT

relating to indefinite quantity contracts for the provision of certain services to declared disaster areas following a natural disaster.

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

SECTION 1. Subchapter C, Chapter 31, Natural Resources Code, is amended by adding Section 31.069 to read as follows:

Sec. 31.069. INDEFINITE QUANTITY CONTRACTS FOR SERVICES AFTER DECLARED NATURAL DISASTER. (a) The land office shall enter into indefinite quantity contracts with vendors to provide information management services, construction services, including engineering construction services, and other services the land office determines may be necessary to construct, repair, or rebuild property or infrastructure in the event of a natural disaster.

(b) A contract entered into under Subsection (a) may not expire after May 1 of a calendar year. The terms of a contract under Subsection (a) must:

(1) provide that the contract is contingent on:

(A) the availability of funds;

(B) the occurrence of a natural disaster not later than 48 months after the effective date of the contract; and

(C) delivery of the services to an area of this state declared by the governor or president of the United States under law to be a disaster area as a result of the natural disaster;

1 and

2 (2) have a term of four years.

3 (c) The land office shall ensure that it has contracts in
4 place under this section with vendors to provide the services
5 described by Subsection (a) that take effect immediately on the
6 expiration of a contract under this section.

7 (d) A contract under this section may be funded by multiple
8 sources including local, state, and federal agencies and the
9 disaster contingency fund established under Section 418.073,
10 Government Code.

11 (e) If the land office determines that federal funds may be
12 used for a contract under Subsection (a), the land office shall
13 ensure that the contract complies with the requirements of the
14 Federal Acquisition Regulation (48 C.F.R. Chapter 1), or a
15 successor regulation.

16 (f) In awarding a contract under this section, the land
17 office shall consider and apply any applicable state law and rules
18 of the land office relating to contracting with historically
19 underutilized businesses.

20 (g) If on September 1, 2019, the land office has indefinite
21 quantity contracts with vendors for the provision of the types of
22 services specified by Subsection (a), the land office is not
23 required to enter into new indefinite quantity contracts that meet
24 the requirements of this section until those existing contracts
25 expire. This subsection expires September 1, 2023.

26 (h) The department shall follow the procedures provided by
27 Section 2254.004, Government Code, in contracting for engineering

1 services under this section.

2 SECTION 2. Except as provided by Section 31.069(g), Natural
3 Resources Code, as added by this Act, the General Land Office shall
4 enter into indefinite quantity contracts required by Section
5 31.069, Natural Resources Code, as added by this Act, not later than
6 May 1, 2020.

7 SECTION 3. This Act takes effect September 1, 2019.