

1-1 By: Miles S.B. No. 300  
1-2 (In the Senate - Filed January 4, 2019; February 7, 2019,  
1-3 read first time and referred to Committee on Intergovernmental  
1-4 Relations; April 1, 2019, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;  
1-6 April 1, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 300 By: Menéndez

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to indefinite quantity contracts for the provision of  
1-20 certain services to declared disaster areas following a natural  
1-21 disaster.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 2254.004(a), Government Code, is amended  
1-24 to read as follows:

1-25 (a) In procuring architectural, engineering, or land  
1-26 surveying services, including procuring those services under an  
1-27 indefinite quantity contract under Section 31.069, Natural  
1-28 Resources Code, a governmental entity shall:

1-29 (1) first select the most highly qualified provider of  
1-30 those services on the basis of demonstrated competence and  
1-31 qualifications; and

1-32 (2) then attempt to negotiate with that provider a  
1-33 contract at a fair and reasonable price.

1-34 SECTION 2. Subchapter C, Chapter 31, Natural Resources  
1-35 Code, is amended by adding Section 31.069 to read as follows:

1-36 Sec. 31.069. INDEFINITE QUANTITY CONTRACTS FOR SERVICES  
1-37 AFTER DECLARED NATURAL DISASTER. (a) The land office shall enter  
1-38 into indefinite quantity contracts with vendors to provide  
1-39 information management services, construction services, including  
1-40 engineering construction services, and other services the land  
1-41 office determines may be necessary to construct, repair, or rebuild  
1-42 property or infrastructure in the event of a natural disaster.

1-43 (b) A contract entered into under Subsection (a) may not  
1-44 expire after May 1 of a calendar year. The terms of a contract under  
1-45 Subsection (a) must:

1-46 (1) provide that the contract is contingent on:

1-47 (A) the availability of funds;

1-48 (B) the occurrence of a natural disaster not  
1-49 later than 48 months after the effective date of the contract; and

1-50 (C) delivery of the services to an area of this  
1-51 state declared by the governor or president of the United States  
1-52 under law to be a disaster area as a result of the natural disaster;  
1-53 and

1-54 (2) have a term of four years.

1-55 (c) The land office shall ensure that it has contracts in  
1-56 place under this section with vendors to provide the services  
1-57 described by Subsection (a) that take effect immediately on the  
1-58 expiration of a contract under this section.

1-59 (d) A contract under this section may be funded by multiple  
1-60 sources including local, state, and federal agencies and the

2-1 disaster contingency fund established under Section 418.073,  
2-2 Government Code.

2-3 (e) If the land office determines that federal funds may be  
2-4 used for a contract under Subsection (a), the land office shall  
2-5 ensure that the contract complies with the requirements of the  
2-6 Federal Acquisition Regulation (48 C.F.R. Chapter 1), or a  
2-7 successor regulation.

2-8 (f) In awarding a contract under this section, the land  
2-9 office shall consider and apply any applicable state law and rules  
2-10 of the land office relating to contracting with historically  
2-11 underutilized businesses.

2-12 (g) If on September 1, 2019, the land office has indefinite  
2-13 quantity contracts with vendors for the provision of the types of  
2-14 services specified by Subsection (a), the land office is not  
2-15 required to enter into new indefinite quantity contracts that meet  
2-16 the requirements of this section until those existing contracts  
2-17 expire. This subsection expires September 1, 2023.

2-18 SECTION 3. Except as provided by Section 31.069(g), Natural  
2-19 Resources Code, as added by this Act, the General Land Office shall  
2-20 enter into indefinite quantity contracts required by Section  
2-21 31.069, Natural Resources Code, as added by this Act, not later than  
2-22 May 1, 2020.

2-23 SECTION 4. This Act takes effect September 1, 2019.

2-24 \* \* \* \* \*