

By: Canales

H.B. No. 3889

Substitute the following for H.B. No. 3889:

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C.S.H.B. No. 3889

A BILL TO BE ENTITLED

AN ACT

relating to the handling of bids on certain construction contracts for highway projects and buildings.

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

SECTION 1. Subchapter C, Chapter 201, Transportation Code, is amended by adding Section 201.120 to read as follows:

Sec. 201.120. BIDS ON CONTRACTS FOR BUILDING CONSTRUCTION INVOLVING LESS THAN \$1 MILLION. (a) The commission by rule may allow bids on a contract for construction of a building estimated by the department to involve an amount less than \$1 million to be filed with the director of the division of the department that is responsible for the construction of the building and opened and read at a public meeting held by the division director or the division director's designee.

(b) The commission may delegate to the director or the director's designee the right to:

(1) accept or reject bids received, subject to Section 223.045; and

(2) award a contract to the lowest bidder.

SECTION 2. The heading to Section 223.005, Transportation Code, is amended to read as follows:

Sec. 223.005. BIDS ON CERTAIN CONTRACTS INVOLVING LESS THAN \$1 MILLION [~~\$300,000~~].

SECTION 3. Section 223.005(a), Transportation Code, is

1 amended to read as follows:

2 (a) The commission by rule may allow bids on a contract
3 estimated by the department to involve an amount less than \$1
4 million [~~\$300,000~~] to be filed with the district engineer at the
5 headquarters for the district in which the improvement is to be made
6 and opened and read at a public meeting held by the district
7 engineer or the district engineer's designee.

8 SECTION 4. The changes in law made by this Act apply only to
9 bids for which the notice of bid is given on or after the effective
10 date of this Act. A notice of bid given before the effective date of
11 this Act is governed by the law as it existed immediately before the
12 effective date of this Act, and that law is continued in effect for
13 that purpose.

14 SECTION 5. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2023.