

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Transportation  
For HB 1787

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Hearing Date: April 26, 2023 10:30 AM - or upon final adjourn./recess or bill referral if permission granted

Richard Smith  
Cypress Creek Flood Control Coalition  
Cypress, TX

Dear Members of the Environmental Regulation Committee: ?HB 3210 is a win/win for our Texas economy and our environment. Recycling in Texas already accounts for nearly \$5 billion annually. Meanwhile, the cost to taxpayers of addressing litter and illegal dumping is around \$125 million per year. Other states have been able to reduce litter by up to 50% through recycling programs, just like the one proposed in HB 3210. By passing it, we could potentially grow our economy by billions while also protecting our lakes, rivers, roadways, waterways, fish, livestock, and wildlife. Please report this bill favorably and send it to the House floor!

J. W. Bass, Mr.

Self

Brownsboro, TX

I am retired from almost 50 years in the construction industry, employed by both Owners and Contractors. Over my career I managed more than \$7B in major projects, both domestically and internationally. With this experience I have many lessons-learned in the tendering, evaluation and contracting process and I wish to offer a comment that will facilitate implementation of this HB.

I commend Rep Thompson on the text in HB 1787. This bill as written accurately, and pragmatically, addresses topics related to 'Engineer' and 'Construction Manager', bid evaluation, pre-qualification of bidders, etc. However, I do wish to offer thoughts specifically related to Sec. 223.306 (c), Evaluation Team. Subsection (c) stipulates the Evaluation Team "must include at least one person who is a senior management employee of a general contractor that.....". The intent of this clause is to incorporate real-world experience and perspective from the contracting community into the Evaluation Team. However, when working for an owner-company I have tried this same approach through the years, and while the goal makes perfect sense, the end-result typically falls well short of the original intent.

The simple fact is the contracting community does not wish to have their senior management acting as consultants when their real value to the contractor is executing work for the contractor. These words are somewhat blunt, but one needs to consider how does the 'senior management of a general contractor' create the most value for his/her employer, the general contractor. Clearly the answer is NOT acting as a consultant.

To avoid downstream implementation problems with Sec. 223.306 (c) as written, I recommend revising the text to eliminate the requirement of the Evaluation Team member being a senior management employee of a general contractor. I offer the following for your consideration:

(c) The team must include at least one person who HAS PRIOR EMPLOYMENT IN A SENIOR POSITION WITH A GENERAL CONTRACTOR and (1) HAS/HAD APPROPRIATE LICENSURE IN THE STATE OF TEXAS RELEVANT TO THE TENDER TO BE EVALUATED, (2) is not involved in the project for which the request is prepared under Section 223.307 and (3) has no other conflict of interest as determined by the department.

Thank you for the opportunity to comment on this matter!

J. W. Bass

Brownsboro, TX