

**House Bill 2777**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 11.0171, Parks and Wildlife Code, is amended by adding Subsection (c) to read as follows:

(c) If the executive director or the executive director's designee does not receive any responsive bids on a competitive solicitation for goods or services, the executive director or the executive director's designee after making a written determination that competition is not available may negotiate with and award the contract to any qualified vendor who meets the requirements of the original solicitation.

SECTION 2. Section 11.0171(c), Parks and Wildlife Code, as added by this Act, applies only to a contract for which bids are first solicited on or after the effective date of this Act. A contract for which bids are first solicited before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives

SENATE VERSION (CS)

SECTION 1. Section 11.0171, Parks and Wildlife Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) The executive director may negotiate with and award a contract for goods or services to any qualified vendor if the executive director:

(1) solicits bids for the goods or services through a competitive process in compliance with all applicable laws, including Chapters 2155, 2254, and 2269, Government Code, that fails to result in competitive responsive bids;

(2) makes a written determination that resoliciting bids for the goods or services would:

(A) be unlikely to result in responsive bids;

(B) increase costs to the department; or

(C) delay the ability of the department to address a critical need; and

(3) determines that the vendor meets the requirements of the original solicitation.

(d) To the extent practicable, the executive director may combine the procurement of multiple goods or services into a single competitively bid contract to enhance the contract's attraction for potential vendors.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

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HOUSE VERSION

a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

SENATE VERSION (CS)

CONFERENCE