

BILL ANALYSIS

H.B. 5603
By: Phelan
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that there is currently a lack of transparency regarding service contracts awarded by the Texas Department of Transportation for highway construction projects, including inadequate public access to information regarding the substance of the contracts and the statuses of contracts, payments made, and changes to the project timelines or deliverables. H.B. 5603 seeks to enhance oversight and accountability in how public funds are used for these projects and transparency in the awarding and execution of public contracts.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 5603 amends the Transportation Code to require the Texas Department of Transportation (TxDOT), not later than the 30th day after the date the Texas Transportation Commission awards an engineering-related services contract, to make information related to the contract available on TxDOT's website, including the following:

- the contract number;
- the primary firm involved in the contract;
- the total contract amount, in dollars;
- the date of the contract's execution;
- the termination date of the contract;
- the type of contract;
- whether the contract is a specific-deliverable or indefinite-deliverable contract;
- a general description of the scope of services;
- work authorizations, supplemental work authorizations, and supplemental agreements issued to date;
- the total amount paid, in dollars, under the contract to date;
- a list of the geographic areas covered by the contract; and
- any notifications or notices relating to the contract issued under the bill's provisions.

The bill requires TxDOT to update TxDOT's website regarding this required information at least weekly.

H.B. 5603 requires TxDOT, if a work authorization has been issued by TxDOT for an engineering-related services contract, to notify the contractor in writing if TxDOT determines that the schedule or table of deliverables identified in a contract or work authorization must be slowed, stopped, paused, or otherwise altered for any reason. The bill requires this notification to be given to the contractor at least 90 days before the effective date of any change to the contract's schedule or table of deliverables. The bill requires, if TxDOT makes such a notification, the district, area-office, division, or other office within TxDOT that issued the notice to report the notice in writing to the executive director, the deputy executive director of TxDOT, and the chief engineer of TxDOT not later than three days after the date the notice was issued. The bill requires TxDOT, not later than 10 days after the date the notice was issued, to post the notice on TxDOT's website in the same location the contract information required under the bill's provisions is posted for the corresponding engineering-related services contract.

EFFECTIVE DATE

September 1, 2025.