

## **BILL ANALYSIS**

Senate Research Center

S.B. 35  
By: Nichols  
Transportation  
3/4/2025  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Design-build contracts are a type of public-private partnership in which the Texas Department of Transportation (TxDOT) can contract with a private entity to design and build a highway construction project. In these contracts, the design-build contractor is responsible for both the design and construction of the project. As they allow for the design and construction activities to occur in a more integrated (and somewhat concurrent) fashion as opposed to design-bid-build contracts. This expedites project delivery and can reduce the administrative burden for TxDOT.

Design-build contracts are used for highway projects with a construction cost estimate of \$150 million or more (Transportation Code Sec. 223.242). Currently, TxDOT may enter into no more than six design-build contracts per biennium.

S.B. 35 amends the Transportation Code to reduce the number of design-build projects from six to two design-build contracts that can be awarded per biennium. Doing so would result in TxDOT executing larger scale design-intensive projects, rather than awarding a higher number of smaller scale less design-intensive projects.

As proposed, S.B. 35 amends current law relating to design build contracts.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 223.242(d-1), Transportation Code to prohibit the Texas Department of Transportation from entering into more than two, rather than six, contracts under Section 223.242 (Scope of and Limitations on Contracts) in each state fiscal biennium.

SECTION 2. Effective date: upon passage or September 1, 2025.