

By: Curry

H.B. No. 4748

Substitute the following for H.B. No. 4748:

By: Capriglione

C.S.H.B. No. 4748

A BILL TO BE ENTITLED

AN ACT

relating to state agency purchasing methods and procedures,
including a state agency multiple award contract purchasing
procedure.

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

SECTION 1. Subchapter A, Chapter 2156, Government Code, is
amended by adding Section 2156.0013 to read as follows:

Sec. 2156.0013. PROFESSIONAL SERVICES. This chapter does
not apply to a contract for professional services, as that term is
defined by Section 2254.002.

SECTION 2. Chapter 2156, Government Code, is amended by
adding Subchapter E to read as follows:

SUBCHAPTER E. MULTIPLE AWARD PURCHASING PROCEDURE

Sec. 2156.201. DEFINITIONS. In this subchapter:

(1) "Multiple award" means the award of a multiple
award contract to more than one vendor by the comptroller or a state
agency with the intent to order from the vendors who are awarded the
contract all of the solicited goods or services necessary to
satisfy the actual solicitation requirements for the contract.

(2) "Multiple award contract" has the meaning assigned
by Section 2155.501.

Sec. 2156.202. USE OF MULTIPLE AWARD PURCHASING PROCEDURE.

(a) The comptroller or a state agency may use the multiple award
purchasing procedure described by this subchapter to award a

1 contract to more than one vendor for the purchase of similar goods
2 or services as necessary to ensure adequate delivery, service, or
3 product compatibility.

4 (b) The comptroller or a state agency shall prepare a
5 written determination stating the comptroller's or agency's reasons
6 for using the multiple award purchasing procedure to purchase the
7 goods or services under a multiple award contract and retain the
8 determination in the multiple award contract file.

9 Sec. 2156.203. REQUIRED DISCLOSURE OF INTENT AND CRITERIA
10 IN MULTIPLE AWARD SOLICITATION. The comptroller or a state agency
11 shall disclose in the solicitation for a multiple award contract
12 the comptroller's or agency's:

13 (1) intent to use the multiple award purchasing
14 procedure; and

15 (2) criteria for an award under that procedure.

16 Sec. 2156.204. SOLICITATION, EVALUATION, AND AWARD. (a)
17 The comptroller or a state agency shall solicit, evaluate, and
18 award a multiple award contract in accordance with:

19 (1) Subchapter A;

20 (2) Subchapter C; or

21 (3) the request for offers method prescribed by
22 comptroller rules adopted under Section [2157.006](#).

23 (b) Each contractor must provide, or be capable of
24 providing, the best value to the state.

25 Sec. 2156.205. ORDERING. (a) The comptroller or a state
26 agency shall place each order under a multiple award contract in a
27 manner that provides the best value to the state in accordance with

1 standards provided in Chapters 2155, 2156, 2157, and 2158. If
2 necessary to determine the best value to the state, the comptroller
3 or agency may conduct a secondary solicitation competition among
4 the vendors awarded a multiple award contract before placing the
5 order.

6 (b) The comptroller or a state agency shall document the
7 method used for determining the best value to the state under a
8 multiple award contract and retain the documentation in the
9 contract file.

10 SECTION 3. This Act takes effect September 1, 2025.