

By: Troxclair

H.B. No. 5582

A BILL TO BE ENTITLED

AN ACT

relating to the design-build method for certain government construction projects.

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

SECTION 1. Subchapter G, Chapter 2269, Government Code, is amended by adding Section 2269.3035 to read as follows:

Sec. 2269.3035. ALTERNATIVE DESIGN-BUILD METHODS FOR WATER AND WASTEWATER INFRASTRUCTURE. (a) A governmental entity may use the following methods for the construction, rehabilitation, alteration, or repair of water or wastewater infrastructure:

(1) a method in which a single fixed price for both design and construction is established at the time the contract with the design-build firm is signed by the parties, commonly known as "fixed price design-build"; or

(2) a method in which the design-build firm is involved early in the process of developing the design and the contract includes a stepped payment scheme for design and construction services, commonly known as "progressive design-build."

(b) The requirements of this subchapter apply to a method described by Subsection (a) to the extent practicable.

SECTION 2. Section 2269.352, Government Code, is amended to read as follows:

Sec. 2269.352. APPLICABILITY. This subchapter applies to a

1 governmental entity, including ~~[that:~~

2 ~~[(1) has a population of more than 100,000 within the~~  
3 ~~entity's geographic boundary or service area; or~~

4 ~~[(2) is]~~ a board of trustees governed by Chapter 54,  
5 Transportation Code.

6 SECTION 3. Section 2269.353(b), Government Code, is amended  
7 to read as follows:

8 (b) A contract for a project under this subchapter may cover  
9 only a single integrated project. A governmental entity may not  
10 enter into a contract for aggregated projects at multiple  
11 locations. For purposes of this subsection:

12 (1) if a metropolitan transit authority created under  
13 Chapter 451, Transportation Code, enters into a contract for a  
14 project involving a linear transit project with multiple stops  
15 along the project route for boarding passengers, created under  
16 Chapter 451, Transportation Code, the linear transit project is a  
17 single integrated project; and

18 (2) a water or wastewater infrastructure project  
19 ~~[treatment plant]~~, including a desalination plant, that includes  
20 treatment facilities, well fields, pump stations, water storage,  
21 and pipelines, is a single integrated project.

22 SECTION 4. Subchapter H, Chapter 2269, Government Code, is  
23 amended by adding Section 2269.3535 to read as follows:

24 Sec. 2269.3535. ALTERNATIVE DESIGN-BUILD PROCEDURES FOR  
25 WATER AND WASTEWATER INFRASTRUCTURE. (a) A governmental entity  
26 may use a design-build method described by Section 2269.3035(a) for  
27 the construction, rehabilitation, alteration, or repair of water or

1 wastewater infrastructure.

2 (b) The requirements of this subchapter apply to a method  
3 described by Subsection (a) to the extent practicable.

4 SECTION 5. This Act takes effect September 1, 2025.