

**SUBJECT:** Amending certain TxDOT design-build contract requirements

**COMMITTEE:** Transportation — favorable, without amendment

**VOTE:** 10 ayes — Canales, Landgraf, Bernal, Y. Davis, Hefner, Krause, Leman, Martinez, Ortega, E. Thompson

0 nays

3 absent — Goldman, Raney, Thierry

**WITNESSES:** For — (*Registered, but did not testify:* Karen Rove, AGC of Texas, Highway Heavy; Matthew Geske, Austin Chamber of Commerce; J. McCartt, Fluor; Ray Sullivan, HNTB; James Hines, Texas Association of Business)

Against — Terri Hall, Texas TURF, Texans for Toll-free Highways; Don Dixon; (*Registered, but did not testify:* Angela Smith, Fredericksburg Tea Party; Michael Belsick; Kelli Cook; Matt Long; Ken Olson)

On — James Bass, Texas Department of Transportation

**BACKGROUND:** Transportation Code sec. 223.242 allows the Texas Department of Transportation (TxDOT) to use the design-build method for the design, construction, expansion, capital maintenance, or repair of a highway project. TxDOT may not enter into more than three design-build contracts in a fiscal year.

Sec. 223.245 requires TxDOT to prepare and issue a request for qualifications for any highway project that will be delivered through design-build. A request for qualifications also must be sent to short-listed project proposers and must include certain information, including a schematic design that is about 30 percent complete.

Some have suggested giving TxDOT more flexibility in scheduling contracts for projects delivered through design-build, an alternative

method that allows design and construction to develop simultaneously, since design-build projects may take more than one year to develop.

DIGEST:

HB 2830 would allow the Texas Department of Transportation to enter into six design-build contracts in a fiscal biennium, rather than three in a fiscal year.

The bill would specify that a design submitted in a request for qualifications under Transportation Code sec. 223.245 would not have to be a schematic design.

The bill would take effect September 1, 2019, and apply only to a highway project for which a request for qualifications was issued on or after that date.