

BILL ANALYSIS

Senate Research Center

S.B. 626
By: Sibley
State Affairs
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As Filed

DIGEST

Currently, the Texas Professional Services Procurement Act prohibits a governmental entity from selecting a provider of professional services on the basis of competitive bids. It first requires the governmental entity to make the selection on the basis of demonstrated competence and qualifications to perform the services, and then attempt to negotiate for a fair and reasonable price. However, when selecting providers of professional land surveying services, some governmental entities still require the submission of certain pricing information as a part of any request for proposal for land surveying services. This information is then utilized by the governmental entity in awarding the contract and, as a result, violates the requirements of the Texas Professional Services Procurement Act. The goal of S.B. 626 is to prohibit the use of competitive price information by a governmental entity in the initial selection of providers of professional land surveying services by making the selection process applicable to land surveying services as well as architectural and engineering services.

PURPOSE

As proposed, S.B. 626 outlines provisions regarding selection by a governmental entity of a provider of professional services.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2254.004, Government Code, as follows:

Sec. 2254.004. New heading: CONTRACT FOR PROFESSIONAL SERVICES OF ARCHITECT, ENGINEER, OR SURVEYOR. Sets forth requirements for a governmental entity in procuring architectural, engineering, or land surveying services. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.