

## **BILL ANALYSIS**

Senate Research Center  
77R10033 ATP-F

C.S.S.B. 874  
By: Lindsay  
Intergovernmental Relations  
3/21/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Current law prohibits counties from requiring pre-bid conferences as a precondition for having a bid accepted for goods and services. Pre-bid conferences are useful for establishing a clear project understanding for all bidders. They clarify basic requirements and procedures for bidding; highlight specific project issues that must be addressed to bid effectively; and provide a forum for questions and answers in the presence of other prospective bidders. C.S.S.B. 874 authorizes counties to require pre-bid conferences.

### **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 Chapter 262C, Local Government Code, by adding Section 262.0256, as follows:

Sec. 262.0256. PRE-BID CONFERENCE FOR COUNTY OR DISTRICT GOVERNED BY COUNTY. Authorizes the commissioners court of a county or the governing body of a district or authority created under Section 59, Article XVI (Conservation and Development of Natural Resources; Conservation and Reclamation Districts), Texas Constitution, if the governing body is the commissioners court of the county in which the district is located, to require a principal, officer, or employee of each prospective bidder to attend a mandatory pre-bid conference conducted for the purpose of discussing contract requirements and answering questions of prospective bidders.

SECTION 2. Amends Section 262.027, Local Government Code, by adding Subsection (f), to authorize the commissioners court to condition acceptance of a bid on compliance with a requirement for attendance at a mandatory pre-bid conference under Section 262.0256.

SECTION 3. Amends Chapter 271C, Local Government Code, by adding Section 271.0565, as follows:

Sec. 271.0565. PRE-BID CONFERENCE FOR COUNTY OR DISTRICT GOVERNED BY COUNTY. Makes conforming changes.

SECTION 4. Amends Section 271.057, Local Government Code, by providing an exception, and by adding Subsection (b), to make conforming changes.

SECTION 5. Effective date: upon passage or September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

Differs from the original by:

- amending the caption;
- adding Section 262.0256, rather than Subsection (e) to Section 262.025, Local Government Code;
- replacing proposed Section 262.027(f), Local Government Code, with new language;
- adding Section 271.0565, rather than Subsection (f) to Section 271.055, Local Government Code; and
- clarifying the language in all sections of the bill.