

BILL ANALYSIS

Senate Research Center
78R9807 JRJ-D

H.B. 2899
By: Phillips (Estes)
Infrastructure Development and Security
5/15/2003
Engrossed

DIGEST AND PURPOSE

The logo sign program was created in 1991 to provide motorists with information regarding food, fuel, and lodging along certain state highways. Major shopping area and major agricultural interest signs were added later. Contracts for the erection and maintenance of these signs are subject to competitive bidding requirements. H.B. 2899 authorizes the Texas Department of Transportation to use any method to obtain contractors for the erection and maintenance of these signs, and requires the agency to award contracts in the manner that would provide the best value for the state.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 2 (Section 201.112, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 391.091, Transportation Code, as follows:

- (a) Designated from existing text. Requires the Texas Department of Transportation (TxDOT), rather than the Texas Transportation Commission (TTC), to contract with an individual firm, group, or association in this state to erect and maintain specific information logo signs, major shopping area guide signs and major agricultural interest signs at appropriate locations along an eligible highway.
- (b) Authorizes TxDOT to enter into a contract under this section by the method that TxDOT determines is the most practical or most advantageous for the state, including competitive bids, competitive sealed proposals, and open market contracts.
- (c) Requires TxDOT to make a written award of a contract to the offeror whose proposal offers the best value for the state. Sets forth considerations for determining the best value for the state.
- (d) Provides that, to the extent of any conflict, this section prevails over any other law relating to the method of the purchasing of goods and services by TxDOT.
- (e) Provides that Subtitle D, Title 10, Government Code, and Chapter 223 do not apply to purchases of goods and services under this section.

SECTION 2. Amends Section 201.112(a), Transportation Code, to authorize TTC by rule to establish procedures for the informal resolution of a claim arising out of a contract described by Section 391.091.

SECTION 3. Repealers: Sections 391.097(b) and (c) (regarding contracts for agricultural interest signs), Transportation Code.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: upon passage or September 1, 2003.