

By: Hall

S.B. No. 379

A BILL TO BE ENTITLED

AN ACT

relating to competitive bidding procurements by a school district for certain goods or services, including professional services.

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

SECTION 1. Sections 44.031(a) and (f), Education Code, are amended to read as follows:

(a) Except as provided by this subchapter, all school district contracts for the purchase of goods and services, except contracts for the purchase of produce or vehicle fuel, valued at \$25,000 [~~\$50,000~~] or more in the aggregate for each 12-month period shall be made by the method, of the following methods, that provides the best value for the district:

(1) competitive bidding for goods or services other than construction services;

(2) competitive sealed proposals for goods or services other than construction services;

(3) a request for proposals, for goods or services other than construction services;

(4) an interlocal contract;

(5) a method provided by Chapter 2269, Government Code, for construction services;

(6) the reverse auction procedure as defined by Section 2155.062(d), Government Code; or

(7) the formation of a political subdivision

1 corporation under Section 304.001, Local Government Code.

2 (f) This section does not apply to a contract for  
3 professional services described by Section 2254.002, Government  
4 Code [~~rendered, including services of an architect, attorney,~~  
5 ~~certified public accountant, engineer, or fiscal agent~~]. A school  
6 district shall [~~may, at its option,~~] contract for professional  
7 services described by Section 2254.002, Government Code, and  
8 professional services rendered by a financial consultant or a  
9 technology consultant in the manner provided by Section 2254.003,  
10 Government Code [~~, in lieu of the methods provided by this section~~].

11 SECTION 2. The changes in law made by this Act affecting  
12 contract requirements apply only to a contract for which a school  
13 district first advertises or otherwise solicits bids, proposals,  
14 offers, or qualifications or makes a similar solicitation on or  
15 after the effective date of this Act. A contract for which a school  
16 district first advertises or otherwise solicits bids, proposals,  
17 offers, or qualifications or makes a similar solicitation before  
18 the effective date of this Act is governed by the law in effect on  
19 the date the advertisement or solicitation is made, and that law is  
20 continued in effect for that purpose.

21 SECTION 3. This Act takes effect September 1, 2019.