S.B. No. 1181 1-1 By: Miles (In the Senate - Filed February 24, 2023; March 9, 2023, read first time and referred to Committee on Local Government; April 17, 2023, reported adversely, with favorable Committee 1-2 1-3 1-4 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 17, 2023, sent to printer.) 1-6

COMMITTEE VOTE 1-7

1-8		Yea	Nay	Absent	PNV
1-9	Bettencourt	X			
1-10	Springer	X			
1-11	Eckhardt	X			
1-12	Gutierrez	X			
1-13	Hall	X			
1-14	Nichols	Х			
1-15	Parker			X	
1-16	Paxton	X			
1-17	West	X			

COMMITTEE SUBSTITUTE FOR S.B. No. 1181 1-18

By: Springer

1-19 A BILL TO BE ENTITLED 1-20 AN ACT

> relating to certain indefinite quantity contracts entered into by the General Land Office in the event of a natural disaster.

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

SECTION 1. Section 31.069, Natural Resources Code, amended by amending Subsections (a), (b), (c), and (h) and adding

- Subsections (i), (j), (k), and (l) to read as follows:

 (a) The land office shall enter into indefinite quantity contracts with vendors to provide [information management vendors to provide services, construction services, including engineering services, and other] services the land office determines may be necessary to construct, repair, or rebuild property or infrastructure in the event of a natural disaster.
- (b) [A contract entered into under Subsection (a) may not expire after May 1 of a calendar year.] The terms of a contract under Subsection (a) must[÷
 - provide that the contract is contingent on: $[\frac{(1)}{1}]$

- $\frac{(1)}{(2)} \left[\frac{(A)}{(B)}\right]$ the availability of funds; $\frac{(2)}{(2)} \left[\frac{(B)}{(B)}\right]$ the occurrence of a natural disaster within than 48 months after the effective date] of the the term [not later contract; and
- (3) [(C)] delivery of the services to an area of this state declared by the governor or president of the United States under law to be a disaster area as a result of the natural disaster[; and

[(2) have a term of four years].

- The land office shall ensure that it has contracts in place under this section with vendors to provide [the] services [described by Subsection (a)] that take effect immediately on the expiration of a contract under this section.
- (h) Notwithstanding any other provision of this section, the [The] land office shall follow the procedures provided by Section 2254.004, Government Code, in contracting for engineering services under this section.
- The land office may award a contract under this section (i) to one or more vendors:
- basis of demonstrated (1) on the competence qualifications to perform the services for which the land office issues a request for qualifications; or
 - (2) using any other applicable state procurement method.

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(j) A contract under this section may include:

(1) a unit price book;

(2) a list of pre-priced work items; or

(3) another schedule identifying agreed prices for

<u>services.</u>

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(k) A contract under this section that does not include the items listed in Subsection (j) must require a vendor to submit a price proposal for services on request by the land office.

(1) The land office shall issue task, work, or purchase orders for services under a contract entered into under this section to the vendor that provides the best value to the land office using the standard provided by Section 2155.074, Government Code.

SECTION 2. The change in law made by this Act applies only to a contract for which the General Land Office first advertises or otherwise solicits bids, proposals, offers, or qualifications or makes a similar solicitation on or after the effective date of this Act. A contract for which the General Land Office first advertises or otherwise solicits bids, proposals, offers, or qualifications or makes a similar solicitation before the effective date of this Act is governed by the law in effect on the date the advertisement or solicitation is made, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2023.

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