
Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

“Competitive sealed proposals” is a procurement method by which a district requests proposals, ranks the offerors, negotiates as prescribed, and then contracts with a general contractor for the construction, rehabilitation, alteration, or repair of a facility. In selecting a contractor through competitive sealed proposals, a district shall follow the procedures provided by Government Code 2269, Subchapter D. *Gov’t Code 2269.151*

Request for Proposals

The district shall prepare a request for competitive sealed proposals that includes construction documents, selection criteria and the weighted value for each criterion, estimated budget, project scope, estimated project completion date, and other information that a contractor may require to respond to the request. *Gov’t Code 2269.153(b)* [For information on the weighted value assigned to price, see Government Code 2269.153(c), (d).]

Architect/Engineer

The district shall select or designate an architect or engineer to prepare construction documents for the project. *Gov’t Code 2269.152* [See CV]

Opening Proposals

The district shall receive, publicly open, and read aloud the names of the offerors and any monetary proposals made by the offerors. Not later than the 45th day after the date on which the proposals are opened, the district shall evaluate and rank each proposal submitted in relation to the published selection criteria. *Gov’t Code 2269.154*

Selection

The district shall select the offeror that submits the proposal that offers the best value for the district based on:

1. The selection criteria in the request for proposal and the weighted value for those criteria in the request for proposal; and
2. Its ranking evaluation.

The district shall first attempt to negotiate a contract with the selected offeror. The district and its architect or engineer may discuss with the selected offeror options for a scope or time modification and any price change associated with the modification. If the district is unable to negotiate a satisfactory contract with the selected offeror, the district shall, formally and in writing, end negotiations with that offeror and proceed to the next offeror in the order of the

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selection ranking until a contract is reached or all proposals are rejected.

Gov't Code 2269.155(a)–(c)

**Make Evaluations
Public**

Not later than the seventh business day after the date the contract is awarded, the governmental entity shall make the evaluations, including any scores, public and provide them to all offerors. *Gov't Code 2269.155(d)*