



AGC-Texas Building Branch

Legislative Position Paper

Creating uniform general conditions (UGCs) for ISD building contracts

HB 1416 by Chairman Lucio III

AGC Supports

Background

Building construction contracts contain (1) **general** conditions (common across all projects) and (2) **special** conditions (unique to that particular project).

For **general** conditions, State building construction contracts use uniform general conditions (UGCs), which are collaboratively developed every five years by a statutory workgroup and then adopted by the Texas Facilities Commission. [Govt Code Ch. 2166, Subchapter G]. The statutory workgroup represents a variety of interests: engineers, architects, general contractors, subcontractors, state agencies, higher ed, HUBs, the AG's office, etc. The most recent UGCs were adopted in 2015.

Proposed legislation

HB 1416 would take advantage of this collaborative process and finished product by taking the UGCs adopted by the Texas Facilities Commission and using them as a starting point for the Texas Education Agency (TEA) to collaboratively develop (thru rulemaking) a set of UGCs that ISDs could incorporate into public school construction project contracts.

HB 1416 is based on 2017's HB 3434 (which died on the House General State Calendar due to deadline) and Govt Code §2166, Subchapter G. That bill passed House Public Ed on an 11-0 vote and was issued a "zero impact" fiscal note by the LBB.

Supported by:

Texas Society of Architects • AGC-Texas Building Branch • American Council of Engineering Companies of Texas • Associated Builders and Contractors of Texas • Texas Construction Association • Texas Surety Foundation

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