

# P3 Legislative Snapshot

## TEXAS

**State P3 Legislative Status:** Broadly-enabled P3 authority.

### 1. Does this state have broadly-enabling P3 legislation?

Government entities are authorized to conduct P3 procurements for a wide range of eligible infrastructure.

### 2. Does this state allow for Unsolicited Proposals?

Yes.

### 3. What is this state's P3 Review Process (i.e., multi-step: RFI, RFQ, RFP – even for unsolicited proposals)?

Competitive, multi-phase review and bidding for public works infrastructure projects.

### 4. Does this state have a Centralized Agency dedicated to P3?

TxDOT is the centralized resource for eligible transportation projects. The Texas Center for Alternative Finance and Procurement (CAP™) is a statewide resource for pre-solicitation advisory services in support of procurement at the state agency level, as well as in support of regional authorities, counties and municipalities.

### 5. Is this a Home Rule state, with limitations or opportunities for P3?

Yes.

### 6. What Projects or Asset classes are eligible for P3 in this state?

Any ferry, mass transit facility, vehicle parking facility, port facility, power generation facility, fuel supply facility, oil or gas pipeline, water supply facility, public work, waste treatment facility, hospital, school, medical or nursing care facility, recreational facility, public building, technology facility, or other similar facility currently available or to be made available to a governmental entity for public use, including any structure, parking area, appurtenance, and other property required to operate the structure or facility and any technology infrastructure installed in the structure or facility that is essential to the project's purpose.

### 7. Are there Projects where the P3 procurement method has been applied?

TxDOT: North Tarrant Express; LBJ Freeway; SH-288.  
Texas A & M University: campus living, student housing, medical academic buildings and energy-related projects.  
University of Texas, Dallas: student housing.

### 8. What is the legislative foundation for P3s in this state?

[TX Code 2267 & TX Code 2268](#) (public facilities; non-TxDoT roads).

[TX Code 222](#) (TxDOT Funding and Financing)

[TX Code 91.054](#) (Comprehensive Development Agreement – Rail)

[TX Code 366.401 to 409](#) (Comprehensive Development Agreement – Regional Tolling Authority)

[TX Code 371](#) (Comprehensive Development Agreement for Highway Toll Projects).

