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August 8, 2000

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OPINION COMMITTEE
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Honorable John Cornyn
Attorney General of Texas
Post Office Box 12548
Austin, Texas 78711-2548

Attention: Opinion Committee

FILE # ML-41559-00
I.D. # 41559

Via Certified Mail No. Z 143 836 991
Return Receipt Requested

Re: Mandatory attendance at pre-bid conference as a condition precedent to acceptance of bids for county public works projects. C.A. File No. 00GEN0566

Ladies and Gentlemen:

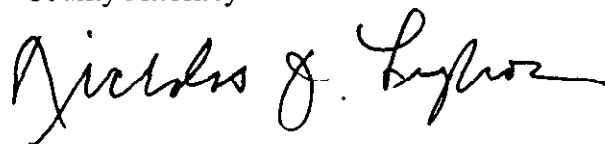
The County Engineer for Harris County desires to impose mandatory pre-bid conferences on selected public works projects in order to ensure that all bidders are aware of the intricacies of the project and to answer questions related to the scope of work. Therefore, we request advice regarding the following questions:

- (1) May a county commissioners court require mandatory attendance at the pre-bidders' conference as a condition precedent to acceptance of bid proposals for county public works projects?
- (2) May a bidder's proposal be returned unopened or not considered for award if the contractor fails to attend the conference as scheduled?

Our memorandum brief is attached. Thank you for your consideration of this request.

Sincerely,

MICHAEL P. FLEMING
County Attorney

A handwritten signature in black ink, appearing to read "Nicholas J. Lykos". The signature is written in a cursive style with a long horizontal flourish at the end.

By NICHOLAS J. LYKOS
Assistant County Attorney

Enclosure