

ACT No. 346

2021 Regular Session

HOUSE BILL NO. 606

BY REPRESENTATIVE BRASS

1 AN ACT

2 To amend and reenact R.S. 48:250.2(A) and (B) and 250.3(C) through (E)(1)(a), relative to
3 the Department of Transportation and Development design-build contracts; to
4 provide for a pool of pre-qualified design-builders; to remove the requirement for
5 legislative approval for the department to use the design-build method; to expand the
6 qualification specific to the type of work experience of design component members;
7 to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 48:250.2(A) and (B) and 250.3(C) through (E)(1)(a) are hereby
10 amended and reenacted to read as follows:

11 §250.2. Design-build contracts; administration

12 A. Notwithstanding any law to the contrary or the requirements of this Part,
13 if the secretary determines it is in the best interest of the taxpayers, the Department
14 of Transportation and Development, ~~with approval of the House and Senate~~
15 ~~transportation, highways, and public works committees,~~ may formulate, develop, and
16 implement a program to combine the design and construction phases of a
17 transportation facility or facilities, including but not limited to highways,
18 interchanges, bridges, ferries on the Mississippi River, or tunnels into a single
19 contract.

20 B. This program shall allow use of the design-build method to construct the
21 new Mississippi River Bridge at St. Francisville, ~~(connection to U.S. Hwy. 61),~~
22 including approach structures and connecting roadways, which project is included
23 in the Transportation Infrastructure Model for Economic Development program.

1 The secretary may also select additional projects or combine a program of projects
 2 to utilize the design-build method. ~~The Department of Transportation and~~
 3 ~~Development shall submit any project selected for the design-build method to the~~
 4 ~~House and Senate transportation, highways, and public works committees for~~
 5 approval.

6 * * *

7 §250.3. Design-build contracts; qualifications of design-build entities; public
 8 announcement procedures; letters of interest; selection of short list; bid
 9 proposals by competitors; qualifications evaluation committee; proposal
 10 review committee; selection and process of award

11 * * *

12 C. A notice of intent to request letters of interest for a design-build project,
 13 or for a pool of pre-qualified design-builders that shall remain pre-qualified for up
 14 to two years, shall be distributed by the department through advertisement on the
 15 Department of Transportation and Development's Internet webpage. All notices of
 16 intent shall be advertised a minimum of ten days prior to the deadline for receipt of
 17 responses and shall contain a description of the project or type of work, and
 18 sufficient information for a design-builder to determine its interest and to enable it
 19 to submit a letter of interest. The department may readvertise the notice of intent
 20 using additional media or publications in an attempt to solicit additional responses
 21 if the number of responses received by the department is inadequate.

22 D. The department shall provide a "Request for Qualifications"(RFQ) to
 23 design-builders who submit a letter of interest. The department shall identify all
 24 required information in the request for qualifications and in the standard response
 25 forms provided by the department. The response to the request for qualifications
 26 shall include statements of qualification by credentials and experience of design
 27 component members for the areas of expertise specific to the project or type of work
 28 and statements of qualification by experience and resources of the construction team
 29 component. The completed response form and any other required information shall
 30 be transmitted to the department by the responding design-builder by the deadline

1 to submit such forms and information as provided in the request for qualifications.
 2 Any response failing to meet all of the requirements contained in the request for
 3 qualifications shall not be considered by the department. False or misrepresented
 4 information furnished in response to a request for qualifications shall be grounds for
 5 rejection by the department.

6 E.(1) The chief engineer, with concurrence of the secretary, shall establish
 7 a design-build qualifications evaluation committee for evaluation of the responses
 8 to the request for qualifications received by the department. The following general
 9 criteria used by the qualifications evaluation committee in evaluating responses to
 10 the request for qualifications for design-build services shall apply to both the design
 11 and construction components of any responding entity:

12 (a) Experience of both the design and construction entity components and
 13 of key personnel as related to the project or type of work under consideration.

14 * * *

15 Section 2. This Act shall become effective upon signature by the governor or, if not
 16 signed by the governor, upon expiration of the time for bills to become law without signature
 17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 19 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____