

2022 Regular Session

HOUSE BILL NO. 710

BY REPRESENTATIVE STEFANSKI

CONTRACTORS/CONSTRUCTION: Provides relative to the provisions of construction management at risk (CMAR)

1 AN ACT

2 To amend and reenact R.S. 38:2225.2.4(B)(5)(introductory paragraph), (E), and (F)(4) and

3 to enact R.S. 38:2225.2.4(B)(7) and (F)(2)(f), relative to the provisions of

4 construction management at risk project delivery method; to provide for the

5 "selection review committee" definition to include ranking proposers; to provide for

6 the requirements of the selection review committee members; to provide for the

7 procedures of the selection review committee; to provide for the requirements of the

8 request for qualifications; to exempt the selection review committee meetings from

9 the Open Meetings Law; to provide for the procedure of a nonresponsive

10 construction management at risk bid winner; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 38:2225.2.4(B)(5)(introductory paragraph), (E), and (F)(4) are

13 hereby amended and reenacted and R.S. 38:2225.2.4(B)(7) and (F)(2)(f) are hereby enacted

14 to read as follows:

15 §2225.2.4. Construction management at risk; public entity

16 * * *

17 B.

18 * * *

Proposed law retains present law and specifies that the selection review committee meetings where individual proposers will be interviewed will not be subject to the Open Meetings Law.

Proposed law specifies if the public entity is unable to negotiate a contract with the highest ranked CMAR proposer, the public entity may award the contract to the next highest ranked CMAR proposer.

(Amends R.S. 38:2225.2.4(B)(5)(intro. para.), (E), and (F)(4); Adds R.S. 38:2225.2.4(B)(7) and (F)(2)(f))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make technical changes.
2. Add a provision that specifies if the public entity is unable to negotiate a contract with the highest ranked CMAR proposer, the public entity may award the contract to the next highest ranked CMAR proposer.
3. Remove a provision that specified if the construction management at risk winner of the proposer bid is found to be nonresponsive, the contract must be awarded to the next highest scored and ranked CMAR proposer.