AN ACT

To amend and reenact R.S. 48:205(A) and (B), relative to certain advertising requirements for small purchase bids; to provide for technical corrections; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:205(A) and (B) are hereby amended and reenacted to read as follows:

§205. Bids

A. When Except as otherwise provided in this Chapter, when the purchase exceeds twenty-five thousand dollars; or exceeds a higher dollar amount established by the governor’s most recent and effective executive order relative to small purchase procedures, the department, except as otherwise provided in this Chapter, shall give reasonable notice through the chief purchasing agent by advertising and by either of the following:

(1) by written Written notice mailed to persons who furnish the class of commodities involved; or,

(2) by notice Notice sent through an electronic interactive environment to...
persons which furnish the class of commodities involved.

B. Such purchases shall, except as otherwise provided in this Chapter, be made only on award to the lowest responsible bidder in response to requests for bids published in the state. Requests for bids shall be published not less than ten days prior to the date set for opening the bids. The published advertisement and the specifications shall fix the exact place and time for presenting and opening of the bids. The presenting and opening of the bids shall be publicly performed on that day. Bids will be publicly read whenever interested parties are present. The practice of dividing proposed or needed purchases into separate installments of less than twenty-five thousand dollars each or the higher effective amount determined by the governor's executive order, for the purpose of evading this provision is expressly prohibited.

* * *

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

The original instrument was prepared by Archana Cadge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGEST
SB 127 Reengrossed 2022 Regular Session Carter

Present law requires DOTD to give reasonable notice when a purchase exceeds $25,000 through the chief purchasing agent by advertising and by written notice mailed to persons who furnish the class of commodities involved or give notice sent through an electronic interactive environment to persons who furnish the class of commodities involved.

Proposed law specifies that DOTD gives reasonable notice when a purchase exceeds $25,000 through the chief purchasing agent, to persons who furnish the class of commodities involved, by either of the following ways: (1) A written notice mailed to the persons. (2) A notice sent through an electronic interactive environment to the persons.

Proposed law retains present law and adds the option for the department to allow small purchase bids when the amount exceeds $25,000 or a higher dollar amount listed as determined by the governor's most current and effective executive order, with the option of whichever dollar amount is higher.
Present law provides requests for bids shall be published not less than ten days prior to the
date set for opening the bids.

Present law prohibits the practice of dividing proposed or needed purchases into separate
installments of less than twenty-five thousand dollars each.

Proposed law retains present law and creates a prohibition of dividing proposed or needed
purchases into separate installments of the dollar amount set by the governor's most recent
and effective executive order.

Proposed law provides for technical corrections.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 48:205 (A) and (B))

Summary of Amendments Adopted by Senate

   Senate Floor Amendments to engrossed bill

   1. Makes technical changes.