

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 710

2022 Regular Session

Stefanski

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

Synopsis of Senate Amendments

1. Makes technical changes.
2. Removes a provision in proposed law that required the inclusion of the anticipated construction budget for the project in the RFQ process and instead requires an estimate of the probable construction costs for the project.
3. Removes a provision in proposed law that specified 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.
4. Adds a provision that specifies if the owner deems the highest scored or ranked proposer to be non-responsive or non-responsible, then the public entity may award the project to the next highest scored or ranked proposer.

Digest of Bill as Finally Passed by Senate

Present law creates an alternative project delivery method known as construction management at risk (CMAR) for use by a public entity to award a contract to construct public works when deemed in the public interest, beneficial to the owner, and in accordance with the procedures of present law.

Present law defines the terms relative to the CMAR project.

Present law defines the term "selection review committee" as the committee appointed by the owner to review the request for qualification, score or rank of the proposers, and recommend award to a CMAR contractor.

Proposed law retains present law and adds to the "selection review committee" definition the committee appointed by the owner to review the rank of the proposers.

Proposed law requires the selection review committee members to sign an ethics statement prior to commencement of any committee meeting.

Proposed law requires the selection committee be informed prior to conducting the request for qualifications (RFQ), the project, the scoring and ranking procedure, the conduct of the committee's responsibility and any particulars of the project by the owner, or the owner's representative, or an assigned RFQ coordinator.

Present law requires the RFQ include certain pertinent information on the qualifications of the proposer that the owner determines a proposer may need to submit in a response to an RFQ.

Proposed law retains present law and adds to the requirements of the RFQ to include the estimate of the probable construction costs for the project.

Present law specifies that within 90 days after the deadline for responses to the RFQ, a selection review committee chosen by the owner and identified in the RFQ make a written recommendation to the owner as to which proposer should be awarded the contract. Present

law further specifies the results of the selection review committee, inclusive of its findings, grading, score sheets, and recommendations, be available for review by all proposers and will be deemed public records.

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 owner deems the highest scored or ranked proposer to be non-responsive or non-responsible, then the public entity may award the project to the next highest scored or ranked 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) and (6))