

RÉSUMÉ DIGEST

ACT 882 (HB 1193)

2026 Regular Session

Sawyer

New law (R.S. 49:214.6.11(A)) declares that improving efficiency in readiness in performing integrated coastal protection is in the best interest of the public. Authorizes the Coastal Protection and Restoration Authority (CPRA) to award Indefinite Delivery, Indefinite Quantity (ID/IQ) construction phase contracts in relation to integrated coastal protection projects and related incidental work let or to be let by the authority.

New law (R.S. 49:214.6.11(B)) defines "best value", "ID/IQ construction phase contract", "low bid", "multiple award", "single award", and "work order" for purposes of new law.

New law (R.S. 49:214.6.11(C)) requires CPRA to comply with all applicable federal regulations for projects governed by federal law and provides that federal regulations control in the event of a conflict with state law or rules.

New law (R.S. 49:214.6.11(D)) authorizes CPRA procurement to include single award or multiple award ID/IQ construction phase contracts. Further authorizes CPRA to use low bid, best value, or qualification based contracts. Provides that materials separately acquired by the authority may be provided to contractors for the use and as a condition of any contractor for integrated coastal protection projects.

New law (R.S. 49:214.6.11(E)) requires procurement and award of ID/IQ construction phase contracts meet the following requirements:

- (1) Single award ID/IQ construction phase contracts awarded on a low bid basis shall follow either the advertisement for low bid contracts pursuant to existing law (R.S. 38:2212) or the requirements for advertisements pursuant to new law. Specifies that if a single-award, low-bid ID/IQ construction phase contract is advertised pursuant to existing law, the award may also be made pursuant to those provisions. Specifies that if award is made pursuant to existing law, the authority is not required to follow the provisions of new law. Single award ID/IQ construction phase contracts awarded on best value basis shall follow the requirements for advertisement and procedures in new law.
- (2) Multiple award ID/IQ construction phase contracts shall be awarded on a qualifications basis and shall follow the requirements for advertisement and procedures in new law.
- (3) Requires CPRA to issue a "notice of intent" (NOI) through advertisement on its designated webpage to request letters of interest (LOI) prior to awarding any multiple award or single award ID/IQ contracts not advertised. Requires all notices to be advertised at least 10 business days before receipt of responses and include a description of the ID/IQ services. Authorizes the CPRA to readvertise the NOI using additional media or publications if the number of responses received is deemed insufficient to encourage competition.

Requires the CPRA to issue a "request for qualifications" (RFQ) to contractors that submit an LOI for a multiple award ID/IQ construction phase contract. Further requires that the RFP include instructions for preparing and submitting proposals and evaluation criteria. Additionally, requires that the RFQ comply with new law.

Requires that bid security be specified in the CPRA's standard specifications or special provisions. Authorizes the CPRA to waive the requirement for bid security for procurement pursuant to new law.

- (4) Requires the executive director to establish an evaluation committee to review proposals for ID/IQ construction phase contracts. Provides for the evaluation committee to recommend an award to the executive director. The authority makes the final determination of the award.

The proposals, statements of qualification, and evaluation committee records shall not be available for public inspection until the contract is entered into or the procurement is cancelled. The meetings of the evaluation committee shall not be subject to the Open Meetings Law.

- (5) Requires bids to be solicited prior to issuing a work order under a multiple award ID/IQ construction phase contract. Further requires that the work order be issued to the lowest responsible bidder.

New law (R.S. 49:214.6.11(F)) authorizes CPRA to include the following items in its procurement documents or contracts:

- (1) Payment of mobilization or demobilization costs and the method for determining mobilization and demobilization reimbursement if the CPRA opts to award those costs separately from individual work orders.
- (2) The method for determining price escalation or de-escalation.
- (3) Special provisions specific to ID/IQ construction phase contracts.
- (4) Unit pricing or lists of work items specific to ID/IQ construction phase contracts.
- (5) A minimum dollar value of services that the CPRA is obligated to order.
- (6) Statement of procedures and selection criteria the authority will use in issuing work orders.
- (7) Any other information, terms, or requirements the authority deems necessary to include.

New law (R.S. 49:214.6.11(G)) limits the term of the initial ID/IQ construction phase contract to a maximum of five years, but the contract may authorize extensions up to an additional five years. However the total of the initial term and any optional contract extensions shall not exceed 10 years with the duration of the initial term and the terms of individual contract extensions to be determined by the CPRA. Prohibits execution of the ID/IQ construction phase contract from authorizing work or serving as a notice to proceed.

New law (R.S. 49:214.6.11(H)) requires performance bonds pursuant to existing law to apply to the value and completion of work pursuant to individual work orders rather than the value and completion of all work under the ID/IQ construction phase contract unless otherwise specified.

New law (R.S. 49:214.6.11(I)) prohibits new law from applying to architect and engineer service contracts or other consulting contracts of CPRA authorized by state law or projects governed by federal law, except that architect and engineer services may be included to support the construction phase of projects. Further provides that new law shall not apply to design-build contracting.

New law (R.S. 49:214.6.11(J)) specifies that except as otherwise provided in new law, the provisions in Titles 38 and 49 of existing law do apply to ID/IQ construction phase contracts. Further specifies that in the event of a conflict, the provisions of new law prevail and supersede any conflicting provision of state law.

New law (R.S. 49:214.6.11(K)) authorizes the CPRA to promulgate rules and regulations to implement and enforce the provisions of new law in accordance with the provisions of the Administrative Procedure Act.

New law (R.S. 44:4.1(B)(35)) adds the procurement of ID/IQ contracts to the list of exceptions to public records law.

Effective upon signature of governor (June 9, 2026).

(Amends R.S. 44:4.1(B)(35); Adds R.S. 49:214.6.11)

