

SENATE RESOLUTION NO. 149

BY SENATOR CORTEZ

A RESOLUTION

To establish the Best Practices in Public Contracts Task Force to study best practices from other states to determine a fair method to evaluate bids on public works contracts based on best value instead of lowest cost, and determine best means to leverage public/private partnerships to deliver public works projects.

WHEREAS, in Louisiana, contracts for public work exceeding the defined contract limit, including labor and materials, to be done by a public entity shall be advertised and let by contract to the lowest responsible and responsive bidder who bids according to the bidding documents advertised, and no public work shall be done except as provided by law; and

WHEREAS, award of a public contract based on lowest cost may not provide the best value to deliver a public work project; and

WHEREAS, Louisiana law provides limited contract method alternatives to the design-bid-build method required by Louisiana's Public Bid Law, R.S. 38:2181 et seq.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby establish the Best Practices in Public Contracts Task Force to study best practices from other states to determine a fair method to evaluate bids on public works contracts based on best value instead of lowest cost, and determine best means to leverage public/private partnerships to deliver public works projects.

BE IT FURTHER RESOLVED that the Best Practices in Public Contracts Task Force shall be comprised of the following members:

(1) A representative employed by the Department of Transportation and Development, who is an engineer with knowledge and experience in the department's contract process, to be appointed by the secretary of the department.

(2) A representative employed by the division of administration, office of facility planning and control, who is an engineer with knowledge and experience in the division's contract process, to be appointed by the director of the office.

(3) A representative of the Louisiana Chapter of the American Institute of Architects.

(4) A representative of the Louisiana Chapter of the American Society of Civil Engineers.

(5) A representative of the Louisiana Chapter of the American Council of Engineering Companies.

(6) Two representatives of the Louisiana Chapter of the Association of General Contractors.

(7) Two representatives of the Louisiana Chapter of the Associated Builders and Contractors.

(8) A representative of the Louisiana School Facility Managers Association.

(9) A representative of the Louisiana Municipal Association.

(10) A representative of the Louisiana Police Jury Association.

(11) A representative of the Louisiana Ports Association.

(12) A representative of the Louisiana Airport Managers Association.

(13) A representative of the AFL-CIO.

(14) The chairman of the Senate Committee on Transportation, Highways and Public Works or his designee.

BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request that the members' organizations appoint representatives who are involved in practice and possess a working knowledge of the public contract process.

BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the director of the office of facility planning and control and the secretary of the Department of Transportation and Development to appoint representatives to the task force not later than July 15, 2017.

BE IT FURTHER RESOLVED that the representative of the division of administration, office of facility planning and control, shall act as chairman of the task force and the representative of the Department of Transportation and Development shall act as vice chairman.

BE IT FURTHER RESOLVED that the members of this task force shall serve without compensation, except per diem or expenses reimbursement to which they may be individually entitled as members of the organizations they represent.

BE IT FURTHER RESOLVED that a majority of the total membership shall constitute a quorum of the task force and any official action by the task force shall require an affirmative vote of a majority of the quorum present and voting.

BE IT FURTHER RESOLVED that the names of the members chosen or designated by the member organizations shall be submitted to the chairman of the task force not later than August 15, 2017, and that the chairman shall thereafter call the first meeting of the task force not later than September 15, 2017.

BE IT FURTHER RESOLVED that the task force shall meet as necessary and shall submit a report of its findings and recommendations to the chairman of the Senate Committee on Transportation, Highways and Public Works, not later than February 15, 2018.

BE IT FURTHER RESOLVED that the task force shall terminate not later than June 4, 2018.

BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted to the director of the division of administration, office of facility planning and control, the secretary of the Department of Transportation and Development, the Louisiana Chapter of the American Institute of Architects, the Louisiana Chapter of the American Society of Civil Engineers, the Louisiana Chapter of the American Council of Engineering Companies, the Louisiana Associated General Contractors, the Louisiana Chapter of the Associated Builders and Contractors, the Louisiana School Facility Managers Association, the Louisiana Municipal Association, the Louisiana Police Jury Association, the Louisiana Ports Association, and the Louisiana Airport Managers Association.

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PRESIDENT OF THE SENATE