
DIGEST

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HB 129 Reengrossed

2018 Regular Session

Reynolds

Abstract: Exempts certain projects on land owned or managed by the Dept. of Wildlife and Fisheries (DW&F) from the capital outlay process.

Present law provides for the authority and procedures for state construction projects, also known as capital outlay.

Present law provides for certain exemptions from the capital outlay process, including the following:

- (1) Facilities that house the legislature or an agency within the legislative branch.
- (2) Repairs, renovation, or construction less than or equal to \$1 million on the campus of a state college, university, or higher education facility, subject to approval by the Board of Regents and the appropriate management board. Further exempts such projects that are \$500,000 or less from requirements related to professional service contracts in Public Bid Law.
- (3) Repairs, renovation, or construction by any agency, except on the campus of a state college, university, or higher education facility, when the expenditures for a project for a fiscal year do not exceed \$150,000 cumulatively per agency and the expenditures are approved by the commissioner of administration and the Joint Legislative Committee on the Budget.
- (4) Certain construction of buildings by the Dept. of Public Safety and Corrections, division of prison enterprises, with a cost of \$500,000 or less, on the grounds of a correctional facility. Requires prior approval of the projects by the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means.

Proposed law further exempts repairs, renovations, or construction projects valued at less than or equal to \$500,000, inclusive of the aggregate of all change orders for the project, on land owned or managed by the DW&F, subject to approval by the commissioner of administration and the House Committee on Ways and Means and Senate Committee on Revenue and Fiscal Affairs.

Proposed law prohibits the DW&F from artificially dividing a project's total construction cost or total purchase price in order for the project or the purchase to be eligible for the capital outlay exemption provided for in proposed law.

(Adds R.S. 39:128(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Remove from proposed law the exemption from Public Bid Law for professional service contracts related to repairs, renovations, or construction projects valued at less than or equal to \$500,000 on land owned or managed by the DW&F.
2. Add requirement for the House Committee on Ways and Means and Senate Committee on Revenue and Fiscal Affairs to also approve the exemption for the DW&F in addition to the commissioner of administration.

The House Floor Amendments to the engrossed bill:

1. Remove authorization for the amount of the contract to be adjusted annually in accordance with the U.S. Bureau of Labor Statistics consumer price index.
2. Add limitation that the total construction cost or total purchase price of the project shall include the aggregate of any change orders.
3. Add prohibition that the DW&F cannot artificially divide a project's total cost or total purchase price in order to qualify for the exemption from the capital outlay process as provided for in proposed law.