

## RÉSUMÉ DIGEST

**ACT 456 (HB 208)**

**2018 Regular Session**

**Falconer**

Prior law prohibited the construction management at risk (CMAR) project from being used for any project that is estimated to cost less than \$25 million dollars. Prior law provided an exception to this rule if the project is in the CMAR pilot program.

New law decreases the cost threshold of a CMAR project from \$25 million to \$5 million. New law also repeals the CMAR pilot program.

Existing law requires a public entity to submit a proposed CMAR pilot project, by name together with the reason to use CMAR, to the House and Senate transportation, highways, and public works committees for review and approval prior to proceeding to use CMAR.

New law modifies existing law by requiring the public entity deliver written notification by name and description at least 60 days prior to proceeding to use CMAR of any proposed CMAR project estimated to cost less than \$15 million.

New law prohibits a CMAR contractor who was previously awarded a contract through the CMAR method from bidding on a project that is readvertised and publicly bid utilizing the design-bid-build delivery method after award and execution of a prior contract between an owner and the CMAR contractor if the owner and the CMAR contractor are not able to agree upon constructability, construction phasing and sequencing, the GMP for the project, the maximum number of contract days to complete the project, and to reach a negotiated agreement.

Effective August 1, 2018.

(Amends R.S. 38:2225.2.4(A)(3) and (G)(6))