

2020 Regular Session

HOUSE BILL NO. 299

BY REPRESENTATIVE GREGORY MILLER

PUBLIC WORKS: Increases the "contract limit" for certain public work related drainage projects completed by regular maintenance employees of any governing authority

1 AN ACT

2 To amend and reenact R.S. 38:2212(C)(4), relative to public works drainage projects let by  
3 any governing authority; to raise the threshold dollar amount that requires a public  
4 bid for public work related to drainage projects completed by regular maintenance  
5 employees of any governing authority; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2212(C)(4) is hereby amended and reenacted to read as follows:

8 §2212. Advertisement and letting to lowest responsible and responsive bidder;  
9 public work; electronic bidding; participation in mentor-protégé program;  
10 exemptions

11 \* \* \*

12 C.

13 \* \* \*

14 (4) For public work related to drainage projects to be done by the regular  
15 maintenance employees of ~~the St. Charles Parish~~ any governing authority, the term  
16 "contract limit" shall be equal to the sum of two hundred fifty thousand dollars per  
17 project, including labor, materials, and equipment as per the rates in the latest edition  
18 of the Associated Equipment Dealers Rental Rate Book and administrative overhead  
19 not to exceed fifteen percent, provided that beginning February 1, 2021, and annually  
20 on February first of each subsequent year, the office of facility planning and control

1 within the division of administration shall adjust the "contract limit" by an amount  
 2 not to exceed the annual percentage increase in the Consumer Price Index in the  
 3 preceding year. The office of facility planning and control within the division of  
 4 administration shall publish the new contract limit for public works contracts let by  
 5 ~~the St. Charles Parish~~ any governing authority in the Louisiana Register in January  
 6 of each year beginning in January 2021. The provisions of this Paragraph shall  
 7 terminate on December 31, ~~2020~~ 2025.

\* \* \*

9 Section 2. The provisions of Section 1 of this Act shall supersede the provision of  
 10 Section 1 of Act 201 of the 2019 Regular Session of the Legislature which enacts R.S.  
 11 38:2212(C)(4).

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 299 Original	2020 Regular Session	Gregory Miller
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**Abstract:** Increases the "contract limit" that requires public bid for public work related to drainage projects completed by regular maintenance employees of any governing authority.

Present law provides an exception to the "contract limit" definition for public work related to drainage projects to be done by regular maintenance employees of St. Charles Parish governing authority.

Proposed law expands the exception to the "contract limit" definition for public work related to drainage projects to include public work done by regular maintenance employees of any governing authority.

Present law provides that the term "contract limit" is equal to the sum of \$150,000 per project, including labor, materials, and equipment as per the rates in the latest edition of the Assoc. Equipment Dealers Rental Rate Book and administrative overhead not to exceed 15%, provided that beginning Feb. 1, 2015, and annually on Feb. 1st of each subsequent year, the office of facility planning and control within the division of administration adjust the "contract limit" by an amount not to exceed the annual percentage increase in the Consumer Price Index in the preceding year.

Proposed law modifies the term "contract limit" to equal the sum of \$250,000 per public work related drainage project, including labor, materials, and equipment as per the rates in the latest edition of the Assoc. Equipment Dealers Rental Rate Book and administrative overhead not to exceed 15%, provided that beginning Feb. 1, 2021, and annually on Feb. 1st of each subsequent year, the office of facility planning and control within the division of administration adjust the "contract limit" by an amount not to exceed the annual percentage increase in the Consumer Price Index in the preceding year.

Present law requires the office of facility planning and control within the division of administration to publish the new contract limit for public works contracts in the La. Register in Jan. of each year, beginning Jan. 2021.

Proposed law retains present law.

Present law sunsets the "contract limit" exception for the St. Charles Parish governing authority on Dec. 31, 2020.

Proposed law extends the sunset for the "contract limit" exception to any governing authority to Dec. 31, 2025.

Proposed law supersedes the enactment of present law, R.S. 38:2212(C)(4), made by Section 1 of Act No. 201 of the 2019 Regular Session.

(Amends R.S. 38:2212(C)(4))