SLS 22RS-889 ORIGINAL

2022 Regular Session

SENATE BILL NO. 423

BY SENATOR FOIL

CONTRACTS. Provides relative to public contracts, works, and improvements. (8/1/22)

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To amend and reenact R.S. 38:2295(C)(1), relative to plans and specifications for public works; to provide for clarification of requirements for prior approval; to provide for adjusting the time response period for particular products; to provide for technical corrections; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2295(C)(1) is hereby amended and reenacted to read as follows: §2295. Plans and specifications; required provisions

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C.(1) <u>Prior approval of products shall not be required.</u> If a <u>A</u> potential supplier <u>wishes to may</u> submit <u>a particular product</u> for prior approval <u>a particular product</u> other than a product specified in the contract documents, no later than seven working days prior to the opening of bids. Within three days, exclusive of holidays and weekends, after <u>such</u> submission, the prime design professional shall furnish to both the public entity and the potential supplier written approval or denial of the product submitted. <u>If the prime design professional fails to respond within the time period provided for in this Paragraph, the submitted product shall be</u>

considered approved.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Archana Cadge.

DIGEST 2022 Regular Session

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<u>Present law</u> provides that a supplier of particular products for public works may seek prior approval for brand products other than those specified in the contract document within seven working days, prior to bid opening.

<u>Proposed law</u> retains <u>present law</u> and clarifies that prior approval is not required.

<u>Present law</u> provides the prime design professional shall furnish written approval or denial of the product submitted within three days, exclusive of holidays and weekends, after submission.

<u>Proposed law</u> retains <u>present law</u> and further provides if the prime design professional does not respond within the allotted time period, the submitted product shall be considered approved.

Proposed law provides for technical corrections.

Effective August 1, 2022.

SB 423 Original

(Amends R.S. 38:2295(C)(1))