

2022 Regular Session

SENATE BILL NO. 457

BY SENATOR STINE

TRANSPORTATION/DEV DEPT. Provides relative to DOTD and types of building processes. (8/1/22)

1 AN ACT

2 To amend and reenact R.S. 48:250.4(A) relative to approval of the Department of

3 Transportation and Development contracts with public-private partnerships; provides

4 for the approval of contracts by the legislature; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 48:250.4(A) is hereby amended and reenacted to read as follows:

7 §250.4. Public-private partnership projects

8 A. Notwithstanding any law to the contrary or the requirements of this Part,

9 if the secretary determines it is in the best interest of the taxpayers;:

10 ~~(1) the~~ **The** Department of Transportation and Development, ~~with~~ shall

11 obtain approval of the House and Senate transportation, highways, and public works

12 committees, to solicit proposals for ~~and enter into contracts for~~ public-private

13 partnership projects for a transportation facility.

14 **(a)** The department shall comply with the provisions of R.S. 48:2084 through

15 2084.15 that are applicable to public-private partnership projects of the Louisiana

16 Transportation Authority and the provisions of R.S. 48:256.3 and 256.5.

17 **(b) For all projects which meet the department's requirements for**

1 public-private partnership proposal and require a toll for the facility, the
 2 department shall accept unsolicited bids for a design build method. If the
 3 department receives an unsolicited bid of the design build method for the
 4 project, the department shall then solicit two additional bids for the design
 5 build method within ninety days of receipt of the first unsolicited bid. All bids
 6 for a design build method received pursuant to this Subparagraph shall comply
 7 with all applicable provisions of law regarding the design build method.

8 (2) After the department's request for proposals process is complete, but
 9 prior to executing a contract for a public-private partnership, the department
 10 shall receive approval from the House and Senate transportation, highways and
 11 public works committees to enter into the contract.

12 * * *

13 Section 2. The provisions of this Act shall apply to all active requests for proposals
 14 that are not in contract status on the effective date of this Act.

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

DIGEST

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Present law provides for the department to obtain approval from the House and Senate transportation and highway committees prior to soliciting proposals and entering into contracts.

Proposed law retains present law and clarifies the department shall obtain approval from the House and Senate transportation and highway committees prior to entering into contracts.

Proposed law further provides the department shall obtain at least two design build request for proposals simultaneously while obtaining RFPs for public-private partnerships that require a toll.

Proposed law further provides the department shall accept unsolicited bids for the design build method when the project is a public private partnership and requires a toll.

Proposed law further provides the department shall obtain two additional design build method proposals when an unsolicited design build proposal has been received by the department.

Proposed law applies to all unsigned contracts as of the effective date of proposed law.

Effective August 1, 2022.

(Amends R.S. 48:250.4(A))