

**ACT No. 573**

2022 Regular Session

HOUSE BILL NO. 710

BY REPRESENTATIVE STEFANSKI

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AN ACT

To amend and reenact R.S. 38:2225.2.4(B)(5)(introductory paragraph), (E), and (F)(4) and to enact R.S. 38:2225.2.4(B)(7) and (F)(2)(f) and (6), relative to the provisions of construction management at risk project delivery method; to provide for the "selection review committee" definition to include ranking proposers; to provide for the requirements of the selection review committee members; to provide for the procedures of the selection review committee; to provide for the requirements of the request for qualifications; to exempt the selection review committee meetings from the Open Meetings Law; to provide for the procedure of a nonresponsive construction management at risk bid winner; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2225.2.4(B)(5)(introductory paragraph), (E), and (F)(4) are hereby amended and reenacted and R.S. 38:2225.2.4(B)(7) and (F)(2)(f) and (6) are hereby enacted to read as follows:

§2225.2.4. Construction management at risk; public entity

\* \* \*

B.

\* \* \*

(5) "Selection review committee" means the committee appointed by the owner to review the request for qualifications, score, or rank of the proposers, and

1 recommend award to a construction management at risk contractor. The committee  
2 shall consist of no more than five individuals as follows:

3 \* \* \*

4 (7) All selection review committee members shall be required to sign an  
5 ethics statement prior to commencement of any committee meeting.

6 \* \* \*

7 E.(1) Prior to the selection committee conducting business, the owner, the  
8 owner's representative, or an assigned RFQ coordinator, shall inform the committee  
9 on the RFQ, the project, the scoring and ranking procedure, the conduct of the  
10 committee's responsibility and any particulars of the project.

11 (2) The owner shall select and contract with a design professional for design  
12 services in the manner provided for by law.

13 \* \* \*

14 F.

15 \* \* \*

16 (2) The RFQ shall include the following as well as any other pertinent  
17 information limited to the qualifications of a proposer that the owner determines a  
18 proposer may need to submit in a response to an RFQ:

19 \* \* \*

20 (f) The estimate of the probable construction costs for the project.

21 \* \* \*

22 (4) Within ninety days after the deadline for responses to the RFQ, a  
23 selection review committee chosen by the owner and identified in the RFQ shall  
24 make a written recommendation to the owner as to which proposer should be  
25 awarded the contract. The results of the selection review committee, inclusive of its  
26 findings, grading, score sheets, and recommendations, shall be available for review  
27 by all proposers and shall be deemed public records. The exceptions to the Open  
28 Meetings Law are applicable to the selection review committee meetings where  
29 individual proposers will be interviewed pursuant to R.S. 42:17(A)(10).

30 \* \* \*

1                   (6) If the owner deems the highest scored or ranked proposer to be  
2                   non-responsive or non-responsible, then the public entity may award the project to  
3                   the next highest scored or ranked proposer.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_