

RÉSUMÉ DIGEST

ACT 573 (HB 710)

2022 Regular Session

Stefanski

Existing law creates an alternative project delivery method known as construction management at risk (CMAR) for use by a public entity to award a contract to construct public works when deemed in the public interest, beneficial to the owner, and in accordance with the procedures of existing law.

Existing law defines the terms relative to the CMAR project.

Existing law defines the term "selection review committee" as the committee appointed by the owner to review the request for qualification, score or rank of the proposers, and recommend award to a construction management at risk contractor.

New law adds to the "selection review committee" definition to include the rank of the proposers.

New law requires the selection review committee members to sign an ethics statement prior to commencement of any committee meeting.

New law requires the selection committee be informed, prior to the conducting of business, on the request for qualifications (RFQ), the project, the scoring and ranking procedure, the conduct of the committee's responsibility and any particulars of the project by the owner, or the owner's representative, or an assigned RFQ coordinator.

Existing law requires the RFQ include certain pertinent information on the qualifications of the proposer that the owner determines a proposer may need to submit in a response to an RFQ.

New law adds to the requirements of the RFQ to include the probable construction budget for the project.

Existing law specifies that within 90 days after the deadline for responses to the RFQ, a selection review committee chosen by the owner and identified in the RFQ make a written recommendation to the owner as to which proposer should be awarded the contract. Existing law further specifies the results of the selection review committee, inclusive of its findings, grading, score sheets, and recommendations, be available for review by all proposers and will be deemed public records.

New law specifies that the selection review committee meetings where individual proposers will be interviewed will not be subject to the Open Meetings Law.

New law specifies if the public entity is unable to negotiate a contract with the highest ranked CMAR proposer, the public entity may award the contract to the next highest ranked CMAR proposer.

Effective August 1, 2022.

(Amends R.S. 38:2225.2.4(B)(5)(intro. para.), (E), and (F)(4); Adds R.S. 38:2225.2.4(B)(7) and (F)(2)(f) and (6))