

GREEN SHEET REDIGEST

HB 80

2023 Regular Session

Gadberry

**CONTRACTS: Provides relative to the prior approval process available to potential suppliers.**

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DIGEST

Present law (R.S. 38:2295(C)(1)) authorizes a potential supplier to submit a product for prior approval, other than a product specified in the contract documents, no later than seven working days prior to the opening of bids. Present law requires the prime design professional provide written approval or denial of the product submitted within three days after submission, exclusive of holidays and weekends. Specifies that the submitted product will be deemed approved if the design professional fails to respond within the allotted time.

Proposed law modifies present law by removing the deemed-approved provision and replaces the provision with a bid extension lasting for at least 7, but not more than 21 working days. Also changes the required response time after a product is submitted to the prime design professional from five days to 10 days. Changes the period a potential supplier has to submit a product for approval before the opening of bids from seven to 14 days.

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Change the period a potential supplier has to submit a product for approval before the opening of bids from seven to 14 days.
2. Change the length of time a prime design professional has to approve or deny a submitted product from five to 10 days.
3. Delete the 10-day extension period applicable to prime design professionals.
4. Remove the provision that indicates the failure of the design professional to respond cannot be considered approval.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the engrossed bill

1. Changes the provision that indicates the failure of the design professional to respond cannot be considered approval and replaces the provision with an extension of bid time between 7 and 21 working days.