

2024 Regular Session

HOUSE BILL NO. 646

BY REPRESENTATIVE THOMPSON

CONTRACTS: Provides for a contract limit for public work projects by the Department of Culture, Recreation and Tourism

1 AN ACT

2 To amend and reenact R.S. 38:2212(P)(1)(a) and to enact R.S. 38:2212(C)(5), relative to
3 contract limitations and enforcements for the Department of Culture, Recreation and
4 Tourism projects; to provide for a contract limit for public work projects to be
5 completed by the Department of Culture, Recreation and Tourism; to remove the ten
6 day time frame for a public entity to post notice of a public emergency in its official
7 journal; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 38:2212(P)(1)(a) is hereby amended and reenacted and R.S.
10 38:2212(C)(5) is hereby enacted to read as follows:

11 §2212. Advertisement and letting to lowest responsible and responsive bidder;
12 public work; electronic bidding; participation in mentor-protégé program;
13 exemptions; subpoena

14 * * *

15 C.

16 * * *

17 (5) For public work related to projects to be completed by the Department
18 of Culture, Recreation and Tourism, the "contract limit" shall be one million dollars
19 per project, including labor, materials, and equipment as per the rates in the latest
20 edition of the Associated Equipment Dealers Rental Rate Book and administrative

1 overhead not to exceed fifteen percent, provided that beginning February 1, 2025,
2 and annually on February first of each subsequent year, the office of facility planning
3 and control within the division of administration shall adjust the "contract limit" by
4 an amount not to exceed the annual percentage increase in the Consumer Price Index
5 in the preceding year. The office of facility planning and control within the division
6 of administration shall publish the new contract limit for public works contract in the
7 Louisiana Register in January of each year.

8 * * *

9 P.(1)(a) This Section shall not apply in cases of public emergency where
10 such emergency has been certified to by the public entity and notice of such public
11 emergency shall, ~~within ten days thereof~~, be published in the official journal of the
12 public entity proposing or declaring such public emergency.

13 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 646 Engrossed 2024 Regular Session Thompson

Abstract: Increases the "contract limit" for public work projects undertaken by the Dept. of Culture, Recreation and Tourism.

Present law specifies that in cases of public emergency where such emergency has been certified to a public entity notice of the public emergency must be made within 10 days of being published in the official journal of the public entity proposing or declaring such emergency.

Proposed law removes the 10 day time period in present law for declaring emergency repairs.

Proposed law specifies that for public work projects undertaken by the Dept. of Culture, Recreation and Tourism the "contract limit" is \$1,000,000 per project, including labor, material, and equipment as per the rates in the latest edition of the Assoc. Equipment Dealers Rental Rate Book and administrative overhead not exceed 15%, provided beginning Feb. 1, 2025, and annually on Feb. first of each subsequent year, the office of facility planning and control within the division of administration to adjust the "contract limit" by an amount not to exceed the annual percentage increase in the Consumer Price Index in the preceding year. Further specifies, the office of facility planning and control within the division of administration publish the new contract limit for public works contract in the La. Register in Jan. of each year.

(Amends R.S. 38:2212(P)(1)(a); Adds R.S. 38:2212(C)(5))

Summary of Amendments Adopted by House

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

1. Remove the 10-day time frame for a public entity to post notice of a public emergency in its official journal as provided in R.S. 38:2212(P)(1)(a).
2. Specify that for public work projects completed by the Dept. of Culture, Recreation and Tourism the "contract limit" is \$1,000,000 per project, including labor, material, and equipment as per the rates in the latest edition of the Assoc. Equipment Dealers Rental Rate Book and administrative overhead not exceed 15%, provided beginning Feb. 1, 2025, and annually on Feb. first of each subsequent year, that the office of facility planning and control within the division of administration adjust the "contract limit" by an amount not to exceed the annual percentage increase in the Consumer Price Index in the preceding year.
3. Add a requirement that the office of facility planning and control within the division of administration publish the new contract limit for public works contract in the La. Register in January of each year.
4. Make technical changes.