

SENATE BILL NO. 167

BY SENATOR FOIL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 38:2212(C)(3), relative to public contracts; to provide for an
3 increase to the annual limit on work performed by a public entity to restore or
4 rehabilitate a levee which is not maintained with federal funds, including mitigation
5 on public lands owned by the state or a political subdivision; to provide for a sunset
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 38:2212(C)(3) is hereby amended and reenacted to read as follows:

9 §2212. Advertisement and letting to lowest responsible and responsive bidder;
10 public work; electronic bidding; participation in mentor-protégé
11 program; exemptions; subpoena

12 * * *

13 C. * * *

14 (3)(a) The annual limit by a public entity for any work to restore or
15 rehabilitate a levee that is not maintained with federal funds, including mitigation on
16 public lands owned by the state or a political subdivision, shall not exceed the sum
17 of one million **five hundred thousand** dollars, including labor, materials, and
18 equipment, which is not publicly bid, as per the rates in the latest edition of the
19 Associated Equipment Distributors Rental Rate Book, and administrative overhead
20 not to exceed fifteen percent; provided that the work is undertaken by the public
21 entity with its own resources and employees, or with the resources and employees
22 of another public entity through a cooperative endeavor or other agreement with such
23 entity.

24 (b) **A public entity shall annually submit a report to the Joint Committee**
25 **on Transportation, Highways and Public Works providing an accounting of all**
26 **projects self-performed pursuant to the authority granted in Subsection A of**
27 **this Section. The report shall include, at a minimum, the following information**

for each project:

(i) A detailed description of the complete scope of work.

(ii) The time period required to perform the project.

(iii) An itemized breakdown of costs, including but not limited to:

(aa) Labor.

(bb) Materials.

(cc) Equipment costs, identifying whether the equipment was owned or rented.

(iv) The rationale for self-performing the project rather than utilizing the public bid process.

(c) The provisions of this Paragraph shall remain effective until ~~December 31, 2028~~ **June 30, 2036**.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____