

2026 Regular Session

HOUSE BILL NO. 1193

BY REPRESENTATIVE SAWYER

CONTRACTS/BIDS: Provides for Indefinite Delivery, Indefinite Quantity construction phase and Indefinite Delivery, Indefinite Quantity supply contracts

1 AN ACT

2 To enact R.S. 49:214.6.11, relative to Indefinite Delivery, Indefinite Quantity construction
3 phase and supply contracts; to authorize the Coastal Protection and Restoration
4 Authority to use Indefinite Delivery, Indefinite Quantity (ID/IQ) contracting for
5 certain projects and procurement; to provide for single or multiple competitive
6 low-bid and best value ID/IQ construction phase and ID/IQ supply contracts
7 including multiple work orders, multiple purchase orders, and multiple awards; to
8 provide for definitions; to provide for procedures and requirements for contracting;
9 to provide contract term limits; to provide for severability; to provide for
10 rulemaking; to provide for an effective date; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 49:214.6.11 is hereby enacted to read as follows:

13 §214.6.11. Indefinite Delivery, Indefinite Quantity construction phase and supply
14 contracts

15 A. The legislature declares it to be in the public interest to increase
16 efficiency and improve operational readiness in performing integrated coastal
17 protection. Notwithstanding any other provision of law to the contrary, including but
18 not limited to the provisions of Titles 38, 39, or 49 of the Louisiana Revised Statutes

1 of 1950, if the executive director determines it is in the best interest of the taxpayers,
2 the authority may procure and award Indefinite Delivery, Indefinite Quantity (ID/IQ)
3 construction phase contracts and supply contracts pursuant to the requirements of
4 this Section in relation to integrated coastal protection projects and related incidental
5 work let or to be let by the authority.

6 B. As used in this Section, the following terms shall have the following
7 meanings:

8 (1) "Best value" means a selection process in which proposals contain price
9 and qualitative components and award of Indefinite Delivery, Indefinite Quantity
10 contracts based upon a combination of price and qualitative considerations as
11 provided in the solicitation documents.

12 (2) "Indefinite Delivery, Indefinite Quantity", or "ID/IQ" means a method
13 of contracting that allows for delivery of an indefinite quantity of services, materials,
14 or supplies over a fixed duration under which delivery of specific services or
15 supplies is authorized by work orders or purchase orders.

16 (3) "Indefinite Delivery, Indefinite Quantity construction phase contract",
17 or "ID/IQ construction phase contract" and "Indefinite Delivery, Indefinite Quantity
18 supply contract", or "ID/IQ" supply contract mean the contract awarded to an ID/IQ
19 contractor or supplier, as applicable, pursuant to the requirements of this Section.

20 (4) "Low bid" means a selection process in which proposals are awarded
21 based on the proposed price from the lowest responsive and responsible bidder.

22 (5) "Multiple award" means an ID/IQ procurement where awards of ID/IQ
23 construction phase contracts or ID/IQ supply contracts for the same scope of services
24 or supplies are made to multiple ID/IQ contractors or suppliers through a single
25 procurement.

26 (6) "Purchase order" means a contract document issued for a specific
27 quantity of material or supplies pursuant to an ID/IQ supply contract. A purchase
28 order provides the quantities, unit prices, location, and time of delivery, as

1 applicable, and authorizes the ID/IQ supplier to deliver the material or supplies
2 described in the purchase order.

3 (7) "Single award" means an ID/IQ procurement where award of the ID/IQ
4 construction phase contract or ID/IQ supply contract is made to a single ID/IQ
5 contractor or supplier.

6 (8) "Work order" means a contract document issued for a definite scope of
7 work pursuant to an ID/IQ construction phase contract. A work order provides the
8 location, time, and scope of work required and authorizes the ID/IQ contractor to
9 deliver the scope of services described in the work order. It also provides required
10 pay items, quantities, and unit prices, as applicable.

11 C. Where federal law applies, the authority shall comply with all applicable
12 federal regulations that are conditions to federal assistance, including but not limited
13 to provisions of 48 CFR Part 16, Subpart 16.5 and 48 CFR Part 216, Subpart 216.5,
14 as amended. In the event of a conflict between applicable required federal
15 regulations and the provisions of Titles 38, 39, or 49 of the Louisiana Revised
16 Statutes of 1950 or any other Louisiana rules or regulations, the federal regulations
17 shall control.

18 D. The legislature authorizes the authority to use low bid,
19 qualifications-based, or best value, or any other form of ID/IQ, to select a successful
20 bidder or bidders. Procurements under this Section may include single award or
21 multiple award. The procurement documents shall establish procedures for
22 determining the successful bidder or bidders, such as best value or
23 qualifications-based evaluation factors where applicable. Acquisition pursuant to
24 this Section shall not render R.S. 38:2212.1 applicable. Materials acquired under an
25 ID/IQ supply contract may be provided to contractors for use under and as a
26 condition of any contract for an integrated coastal protection project.

27 E. Procurement and award of ID/IQ construction phase contracts and ID/IQ
28 supply contracts shall meet the following requirements:

1 (1) Single award ID/IQ construction phase contracts which shall be awarded
2 on a low bid basis shall follow either the advertisement for low bid contracts set forth
3 in R.S. 38:2212 or the requirements for advertisements set forth in this Section. If
4 a single-award, low-bid ID/IQ construction phase contract is advertised pursuant to
5 R.S. 38:2212, an award may also be made pursuant to R.S. 38:2212. If an award is
6 made pursuant to R.S. 38:2212, the authority shall not be required to follow the
7 provisions of Paragraph (3) of this Subsection.

8 (2) Single award ID/IQ supply contracts which shall be awarded on a low bid
9 basis and follow either the applicable method set forth in R.S. 39:1594 or the
10 requirements for advertisements set forth in this Section. If a single-award, low-bid
11 ID/IQ supply contract is advertised pursuant to R.S. 39:1594, the award may also be
12 made pursuant to R.S. 39:1594. If the award is made pursuant to R.S. 39:1594, the
13 authority shall not be required to follow the provisions of Paragraph (3) of this
14 Subsection.

15 (3)(a) Prior to the award of any multiple award ID/IQ construction phase
16 contract or ID/IQ supply contract or a single award ID/IQ construction phase
17 contract or ID/IQ supply contract not advertised pursuant to R.S. 38:2212 or R.S.
18 39:1594, the authority shall issue a "notice of intent", hereafter referred to in this
19 Section as "NOI", through advertisement on its designated webpage to request letters
20 of interest, hereafter referred to in this section as "LOI". All notices shall be
21 advertised a minimum of ten days prior to the deadline for receipt of responses. The
22 NOI shall contain a description of the ID/IQ services or supplies to be procured. The
23 authority may readvertise the NOI using additional media or publications to solicit
24 additional responses if the number of responses received by the authority are deemed
25 inadequate to encourage competition.

26 (b) Following receipt of a LOI, the authority shall issue a "request for
27 proposals", hereafter referred to in this Section as "RFP", to contractors or suppliers
28 that submit a LOI. The RFP shall include instructions for development and submittal
29 of proposals, a description of how proposals will be evaluated, and estimated

1 quantities and unit prices, and shall comply with the requirements of this Section.

2 All procurement documents issued by the authority, including the NOI and RFP,
3 shall indicate whether a single award or multiple awards will be made.

4 (c) Bid security, when required by R.S. 38:2218, shall be specified in the
5 authority's standard specifications or special provisions. The authority may waive
6 the requirement for bid security for procurement under this Section.

7 (d) The executive director of the authority shall establish an evaluation
8 committee for evaluation of proposals received by the authority. The evaluation
9 committee may, in its discretion, be assisted by other authority personnel and
10 external advisors in the evaluation of proposals. The evaluation committee shall
11 evaluate proposals as described in the RFP and make a recommendation of award to
12 the executive director. The executive director or his designee shall make the final
13 determination of award.

14 F. The authority may include the following items in its procurement
15 documents or contracts:

16 (1) Payment of mobilization or demobilization costs and the method for
17 determining mobilization and demobilization reimbursement if the authority opts to
18 award those costs separate from an individual work order.

19 (2) The method for determining price escalation or de-escalation.

20 (3) Special provisions specific to ID/IQ construction phase contracts or
21 ID/IQ supply contracts.

22 (4) Unit pricing or lists of work items specific to ID/IQ construction phase
23 contracts or ID/IQ supply contracts.

24 (5) A minimum or maximum quantity or dollar value of supplies or services
25 that the authority is obligated to order and the contractor or supplier is obligated to
26 furnish, if the authority opts to set a minimum or maximum.

27 (6) A statement of procedures and selection criteria the authority shall use
28 in issuing work orders or purchase orders.

1 G. The term of the initial ID/IQ construction phase contract or ID/IQ supply
2 contract shall not exceed five years, but the contract may authorize extensions up to
3 an additional five years. The total of the initial term and any optional contract
4 extensions shall not exceed ten years. The duration of the initial term and the terms
5 of individual contract extensions shall be determined by the authority. The ID/IQ
6 construction phase contract or ID/IQ supply contract shall serve as the underlying
7 agreement that establishes the general terms and conditions governing the
8 relationship between the authority and the selected bidder. Execution of the ID/IQ
9 construction phase contract or ID/IQ supply contract shall not authorize work or
10 delivery of supplies or serve as a notice to proceed.

11 H. Performance bonds under R.S. 38:2216 shall apply to the value and
12 completion of work under an individual work order rather than the value and
13 completion of all work under the ID/IQ construction phase contract unless otherwise
14 specified in the ID/IQ construction phase contract or the individual work order, or
15 otherwise provided in a special provision. The requirement of issuance of
16 performance bonds shall be at the time of execution of an individual work order
17 unless otherwise specified by the ID/IQ construction phase contract, the individual
18 work order, or a special provision developed by the authority. Stipulated damages
19 apply to individual work orders and shall be calculated by the required completion
20 date of an individual work order. Insurance policies and the extent and type of
21 coverage required shall be as determined by the authority.

22 I. This Section shall not apply to architect and engineer service contracts or
23 other consulting contracts of the authority authorized by Chapter 10 of Title 38 of the
24 Louisiana Revised Statutes of 1950, Chapter 17 of Title 39 of the Louisiana Revised
25 Statutes of 1950 or projects governed by 48 CFR Parts 36 and 236, except that
26 design services may be included in these contracts to the extent that they support the
27 construction phase of projects.

28 J. Except as otherwise provided in this Section, the provisions of Titles 38,
29 39, and 49 of the Louisiana Revised Statutes of 1950 shall apply to ID/IQ

1 construction phase contract and ID/IQ supply contracting. In the event of a conflict,
2 the provisions of this Section shall prevail and shall supersede any conflicting
3 provision of state law.

4 K. The authority may establish guidelines, standard specifications, special
5 provisions, handbooks, or other required documents for elements of ID/IQ
6 construction phase and ID/IQ supply contracting not explicitly provided for in this
7 Section or otherwise subject to the Administrative Procedure Act.

8 L. The authority may promulgate rules and regulations to implement and
9 enforce the provisions of this Section in accordance with the provisions of the
10 Administrative Procedure Act.

11 Section 2. This Act shall become effective upon signature by the governor or, if not
12 signed by the governor, upon expiration of the time for bills to become law without signature
13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
14 vetoed by the governor and subsequently approved by the legislature, this act shall become
15 effective on the day following such approval.

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 1193 Original

2026 Regular Session

Sawyer

Abstract: Establishes the use of Indefinite Delivery, Indefinite Quantity construction phase contracts and Indefinite Delivery, Indefinite Quantity supply contracts by the Coastal Protection and Restoration Authority. Provides procedures, definitions, and requirements to govern the contracts while providing flexibility for project-specific needs.

Proposed law (R.S. 49:214.6.11(A)) declares that improving efficiency in readiness in performing integrated coastal protection is in the best interest of taxpayers. Authorizes the Coastal Protection and Restoration Authority (CPRA) to award Indefinite Delivery, Indefinite Quantity construction phase and supply contracts in relation to integrated coast protection projects and related incidental work let or to be let by the authority.

Proposed law (R.S. 49:214.6.11(B)) provides for definitions of the following:

- (1) "Best value" means a selection process in which proposals contain price and qualitative components and award of the indefinite delivery, indefinite quantity contract based upon a combination of price and qualitative considerations as provided in the solicitation documents.

- (2) "Indefinite Delivery, Indefinite Quantity (ID/IQ)" means a method of contracting that allows for delivery of an indefinite quantity of services, materials, or supplies over a fixed duration under which delivery of specific services is authorized by work orders or purchase orders.
- (3) "ID/IQ construction phase contract" and "ID/IQ supply contract" means the contract awarded to an ID/IQ contractor or supplier pursuant to the requirements of proposed law.
- (4) "Low bid" means a selection process in which proposals are evaluated based on the proposed price from the lowest responsible bidder.
- (5) "Multiple award" means an ID/IQ procurement where awards of ID/IQ construction phase Contract or ID/IQ supply contract for the same scope of services or supplies are made to multiple ID/IQ contractors or suppliers through a single procurement.
- (6) "Purchase order" means a contract document issued for a specific quantity of material or supplies pursuant to an ID/IQ supply contract. A purchase order provides the quantities, unit prices, location and time of delivery, as applicable, and authorizes the ID/IQ supplier to deliver the material or supplies described in the purchase order
- (7) "Single award" means an ID/IQ procurement where award of the ID/IQ construction phase contract or ID/IQ supply contract is made to a single ID/IQ contractor.
- (8) "Work order" means a contract document issued for a definite scope of work pursuant to an ID/IQ construction phase contract and provides the location, time, and scope of work required and authorizes the ID/IQ contractor to deliver the scope of services described in the work order. It also provides required pay items, quantities, and unit prices, as applicable.

Proposed law (R.S. 49:214.6.11(C)) requires CPRA to comply with all applicable federal regulations for projects and provides governed by federal law that federal regulations control in the event of a conflict with state law or rules.

Proposed law (R.S. 49:214.6.11(D)) authorizes CPRA to use low bid, qualification-based, or best value, or any other form of ID/IQ, to select a successful bidder or bidders. Further allows procurement to include single award or multiple award. Additionally requires the procurement documents include best value or qualification-based evaluation factors. Further requires that proposed law supersedes La. Public Bid laws. Further allows that materials acquired under ID/IQ supply contracts be provided to contractors for the use and as a condition of any contractor for integrated coastal protection projects.

Proposed law (R.S. 49:214.6.11(E)) requires procurement and award of ID/IQ construction phase contracts and ID/IQ supply contracts meet the following requirements:

- (1) Single award ID/IQ construction phase contracts awarded on a low bid basis must follow either the advertisement for low bid contracts pursuant to La. Public Bid law (R.S. 38:2212) or the requirements for advertisements pursuant to proposed law. Specifies that if a single-award, low-bid ID/IQ construction phase contract is advertised pursuant to La. Public Bid law, the award may also be made pursuant to those provisions. Specifies that if award is made pursuant to La. Public Bid law, the authority is not required to follow the provisions of proposed law.
- (2) Single award ID/IQ supply contracts which will be awarded on a low bid basis must follow either the applicable method set forth in the provisions of competitive sealed bids (R.S. 39:1594) or the requirements for advertisements set forth in proposed law. Specifies that if a single-award, low-bid ID/IQ supply contract is advertised pursuant to competitive sealed bids, the award may also be made pursuant to competitive

sealed bids. Specifies that if award is made pursuant to competitive sealed bids, the CPRA is not required to follow the provisions of proposed law.

- (3)
- (a) Before awarding multiple award ID/IQ construction phase contract or ID/IQ supply contract or a single award ID/IQ construction phase contract or ID/IQ supply contract not advertised pursuant to La. Public Bid Law or the provisions of competitive sealed bids, the authority must issue a "notice of intent" (NOI) through advertisement on its designated webpage to request letters of interest (LOI). Requires all notices be advertised at least 10 days before the response and include a description of the ID/IQ services or supplies. Authorizes the CPRA to readvertise the NOI using additional media or publications if the number of responses received is deemed insufficient to encourage competition.
 - (b) Requires the CPRA to issue a "request for proposals" (RFP) to contractors that submitted an LOI. Further requires that the RFP include instructions for preparing and submitting proposals, evaluation criteria, estimated quantities and unit prices, and indicate whether a single or multiple awards will be made. Additionally, requires that all procurement documents, including the NOI and RFP, comply with proposed law.
 - (c) Requires that bid security be specified in the CPRA's standard specifications or special provisions. Authorizes the CPRA to waive the requirement for bid security for procurements under proposed law.
 - (d) Requires the executive direct to establish an evaluation committee to review proposals and authorizes assistance to the committee by other CPRA personnel or external advisors. Requires the committee to evaluate proposals as described in the RFP and recommend an award to the executive director who makes the final determination.

Proposed law (R.S. 49:214.6.11(F)) authorizes CPRA to include the following items in its procurement documents or contracts:

- (1) Payment of mobilization or demobilization costs and the method for determining mobilization and demobilization reimbursement if the CPRA opts to award those costs separate from an individual work order.
- (2) The method for determining price escalation or de-escalation.
- (3) Special provisions specific to ID/IQ construction phase contract or ID/IQ supply contract.
- (4) Unit pricing or lists of work items specific to ID/IQ construction phase contracts or ID/IQ supply contracts.
- (5) A minimum or maximum quantity or dollar value of supplies or services that the CPRA is obligated to order and the contractor or supplier is obligated to furnish, if the authority opts to set a minimum or maximum.
- (6) Statement of procedures and selection criteria the authority will use in issuing work orders or purchase orders.

Proposed law (R.S. 49:214.6.11(G)) limits the term of the initial ID/IQ construction phase contract or ID/IQ supply contract and any extensions to a maximum of five years, but the contract may authorize extensions up to an additional five years. Further requires that the total of the initial term and any optional contract extensions not exceed 10 years with the

duration of the initial term and the terms of individual contract extensions to be determined by the CPRA. Additionally requires the ID/IQ construction phase contract or ID/IQ supply contract serve as the underlying agreement that establishes the general terms and conditions governing the relationship between the CPRA and the selected bidder. Prohibits execution of the ID/IQ construction phase contract or ID/IQ supply contract from authorizing work or serving as a notice to proceed.

Proposed law (R.S. 49:214.6.11(H)) requires performance bonds under present law apply to the value and completion of work under an individual work order rather than the value and completion of all work under the ID/IQ construction phase contract unless otherwise specified in the ID/IQ construction phase contract or the individual work order, or otherwise provided in a special provision. Specifies that the requirement of issuance of performance bonds must be at the time of execution of an individual work order unless otherwise specified by the ID/IQ construction phase contract, the individual work order, or a special provision developed by the CPRA. Further specifies that stipulated damages apply to individual work orders and must be calculated by the required completion date of an individual work order. Further requires insurance policies and the extent and type of coverage required be determined by the CPRA.

Proposed law (R.S. 49:214.6.11(I)) prohibits proposed law from applying to architect and engineer service contracts or other consulting contracts of the authority authorized by state law or projects governed by federal law, except that design services may be included to support the ID/IQ construction phase projects.

Proposed law (R.S. 49:214.6.11(J)) specifies that except as otherwise provided in proposed law, the provisions of present law do not apply to ID/IQ construction phase and ID/IQ supply contracting. Further specifies that in the event of a conflict, the provisions of proposed law prevails and supersedes any conflicting provision of state law.

Proposed law (R.S. 49:214.6.11(K)) authorizes the CPRA to establish guidelines, standard specifications, special provisions, handbooks, or other required documents for elements of ID/IQ construction phase and ID/IQ supply contracting not explicitly provided for in proposed law or otherwise subject to the Administrative Procedure Act.

Proposed law (R.S. 49:214.6.11(L)) authorizes the CPRA to promulgate rules and regulations to implement and enforce the provisions of proposed law in accordance with the provisions of the Administrative Procedure Act.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 49:214.6.11)