

2026 Regular Session

SENATE BILL NO. 513

BY SENATOR FESI

PUBLIC CONTRACTS. Provides for public works project delivery methods. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 38:2225.2.6(A) and to enact R.S. 48:255.9, relative to public
3 works contracts; to provide for design build contacts; to provide for DOTD to use
4 average bid method; to provide for reporting; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 38:2225.2.6(A) is hereby amended and reenacted to read as follows:

7 §2225.2.6. Design-build contracts; authorized use by airports; air traffic control
8 tower and hangar

9 A. Notwithstanding any other provision of law to the contrary, a public
10 airport may use the design-build project delivery method to contract for construction
11 and design-build of ~~an air traffic control tower or hangar development and~~
12 ~~redevelopment project when deemed in the public interest, beneficial to the entity,~~
13 ~~and in accordance with the procedures set forth by law.~~ **vertical facilities on airport**
14 **property, excluding passenger terminal facilities at commercial service airports**
15 **and equipment, when deemed in the public interest, beneficial to the entity, and**
16 **in accordance with the procedures set forth by law. These facilities could**
17 **include, but are not limited to, education or workforce development facilities,**

1 airport air traffic control towers, parking garages, and aircraft hangars.

2 * * *

3 Section 2. R.S. 48:255.9 is hereby enacted to read as follows:

4 §255.9. Average bid method; authority

5 A. Notwithstanding any other provision of law to the contrary, a pilot
6 program is hereby established to authorize the department and the office of
7 Louisiana highway construction to use the average bid method to determine the
8 bidder to whom a contract for public works shall be awarded. The pilot
9 program shall be limited to four state funded projects per year, two each for the
10 department and the office of Louisiana highway construction, and subject to the
11 approval of the Senate and House committees on transportation, highways and
12 public works.

13 B.(1) For purposes of this Section, if five or more responsive bids are
14 received, the department shall average the bids, excluding the highest and
15 lowest responsive bids. The department shall award the contract to the bidder
16 whose responsive bid is closest to the average. If two or more bids are equally
17 close, award shall be made to the lower bid. If no bid is equal to or less than the
18 average mean, award shall be made to the lowest responsible bidder.

19 (2) If less than three responsive bids are received, all bids will be
20 rejected.

21 C. The provisions of this Section shall not apply to professional services.

22 Section 3. The provisions of this Section shall terminate March 1, 2028 unless
23 legislatively extended.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

Proposed law provides a public airport may use the design-build method to contract for construction for vertical facilities on airport property.

Proposed law authorizes DOTD and OLHC to use the average bid method as part of a pilot program with four state funded projects per year, two each for the department and the office of Louisiana highway construction. Proposed law further provides the projects are subject to the approval of the Senate and House committees on transportation, highways and public works.

Proposed law provides when five or more responsive bids are received, the average of the bids, excluding the highest and lowest responsive bids will be awarded to the bidder whose responsive bid is closest to the average. Proposed law further provides when two or more bids are equally close, award will be made to the lower bid. Proposed law further provides when less than three responsive bids are received, all bids will be rejected.

Proposed law does not apply to professional services.

Proposed law provides for a sunset date of March 1, 2028.

Effective August 1, 2026

(Amends R.S. 38:2225.2.6(A); adds R.S. 48:255.9)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Removes pilot program authorizing fifteen projects per year, subject to the approval of the Senate and House committees on transportation, highways and public works, for local governmental subdivisions or political subdivisions to use the average bid method.
2. Removes definitions.
3. Removes specifications and requirements for local governmental subdivisions and political subdivisions relative to bidding documents and notification to Senate and House committees on transportation, highways and public works.
5. Adds ability for airports to use design build method of delivery.
6. Adds provision for DOTD and OLHC to use average bid method as part of pilot program.
7. Adds sunset date.