

Regular Session, 2013

HOUSE BILL NO. 365

BY REPRESENTATIVE DOVE

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

**PUBLIC CONTRACTS:** Provides relative to contracts for certain levee and mitigation projects

1 AN ACT

2 To amend and reenact R.S. 38:2212(A)(1)(d)(v)(bb), relative to contracts for certain levee  
3 or mitigation projects; to extend the time period for a special contract limit for  
4 purposes of applicability to certain projects of laws relative to public contracts; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2212(A)(1)(d)(v)(bb) is hereby amended and reenacted to read  
8 as follows:

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

11 A.(1)

12 \* \* \*

13 (d) The term "contract limit" as used herein shall be equal to the sum of one  
14 hundred fifty thousand dollars per project, including labor, materials, and equipment  
15 as per the rates in the latest edition of the Associated Equipment Dealers Rental Rate  
16 Book and administrative overhead not to exceed fifteen percent; however:

17 \* \* \*

18 (v)

19 \* \* \*

1 (bb) The provisions of this Item shall remain effective for contracts awarded,  
2 or agreements entered into, until December 31, ~~2014~~ 2016.

3 \* \* \*

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

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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)]

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Dove

HB No. 365

**Abstract:** Relative to applicability of the Public Bid Law to certain contracts to rehabilitate levees or to perform mitigation on public lands, provides that the exception for contracts under \$1,000,000 remains effective until Dec. 31, 2016, rather than Dec. 31, 2014.

Present law (Public Bid Law) provides that the special contract limit for any contract by a public entity to restore or rehabilitate a levee which is not maintained with federal funds or to perform mitigation on public lands owned by the state or a political subdivision shall be \$1,000,000, if the project is undertaken by the public entity with its own resources and employees or with the resources and employees of another public entity through a cooperative endeavor or other agreement with such entity.

Present law further provides for a termination date of the special contract limit on Dec. 31, 2014.

Proposed law changes the termination date of the special contract limit to Dec. 31, 2016.

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

(Amends R.S. 38:2212(A)(1)(d)(v)(bb))