

2017 Regular Session

SENATE RESOLUTION NO. 149

BY SENATOR CORTEZ

PUBLIC CONTRACTS. Creates the Public Contract Best Practices Committee to study best practices in public contracts.

1 A RESOLUTION

2 To establish the Best Practices in Public Contracts Task Force to study best practices from
3 other states to determine a fair method to evaluate bids on public works contracts
4 based on best value instead of lowest cost.

5 WHEREAS, in Louisiana, contracts for public work exceeding the defined contract
6 limit, including labor and materials, to be done by a public entity shall be advertised and let
7 by contract to the lowest responsible and responsive bidder who bids according to the
8 bidding documents advertised, and no public work shall be done except as provided by law;
9 and

10 WHEREAS, award of a public contract based on lowest cost may not provide the
11 best value to deliver a public work project; and

12 WHEREAS, Louisiana law provides limited contract method alternatives to the
13 design-bid-build method required by Louisiana's Public Bid Law, R.S. 38:2181 et seq.

14 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
15 does hereby establish the Best Practices in Public Contracts Task Force to study best
16 practices from other states to determine a fair method to evaluate bids on public works
17 contracts based on best value instead of lowest cost.

18 BE IT FURTHER RESOLVED that the Best Practices in Public Contracts Task

1 Force shall be comprised of the following members:

2 (1) A representative employed by the Department of Transportation and
3 Development, who is an engineer with knowledge and experience in the department's
4 contract process, to be appointed by the secretary of the department.

5 (2) A representative employed by the division of administration, office of facility
6 planning and control, who is an engineer with knowledge and experience in the division's
7 contract process, to be appointed by the executive director of the office.

8 (3) A representative of the Louisiana Chapter of the American Institute of
9 Architects.

10 (4) A representative of the Louisiana Chapter of the American Society of Civil
11 Engineers.

12 (5) A representative of the Louisiana Chapter of the American Council of
13 Engineering Companies.

14 (6) A representative of the Louisiana Chapter of the Association of General
15 Contractors.

16 (7) A representative of the Louisiana Chapter of the Associated Builders and
17 Contractors.

18 (8) A representative of the Louisiana School Facility Managers Association.

19 (9) A representative of the Louisiana Municipal Association.

20 (10) A representative of the Louisiana Police Jury Association.

21 (11) A representative of the Louisiana Ports Association.

22 (12) A representative of the Louisiana Airport Managers Association.

23 BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does
24 hereby urge and request that the members' organizations appoint representatives who are
25 involved in practice and possess a working knowledge of the public contract process.

26 BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does
27 hereby urge and request executive director of the office of facility planning and control and
28 the secretary of the Department of Transportation and Development to appoint
29 representatives to the task force not later than July 15, 2017.

30 BE IT FURTHER RESOLVED that the representative of the division of

1 administration, office of facility planning and control, shall act as chairman of the task force
2 and the representative of the Department of Transportation and Development shall act as
3 vice chairman.

4 BE IT FURTHER RESOLVED that the members of this task force shall serve
5 without compensation, except per diem or expenses reimbursement to which they may be
6 individually entitled as members of the organizations they represent.

7 BE IT FURTHER RESOLVED that a majority of the total membership shall
8 constitute a quorum of the task force and any official action by the task force shall require
9 an affirmative vote of a majority of the quorum present and voting.

10 BE IT FURTHER RESOLVED that the names of the members chosen or designated
11 by the member organizations shall be submitted to the chairman of the task force not later
12 than August 15, 2017, and that the chairman shall thereafter call the first meeting of the task
13 force not later than September 15, 2017.

14 BE IT FURTHER RESOLVED that the task force shall meet as necessary and shall
15 submit a report of its findings and recommendations to the chairman of the Senate
16 Committee on Transportation, Highways and Public Works, not later than February 15,
17 2018.

18 BE IT FURTHER RESOLVED that the task force shall terminate not later than June
19 4, 2018.

20 BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted
21 to the executive director of the division of administration, office of facility planning and
22 control, the secretary of the Department of Transportation and Development, the Louisiana
23 Chapter of the American Institute of Architects, the Louisiana Chapter of the American
24 Society of Civil Engineers, the Louisiana Chapter of the American Council of Engineering
25 Companies, the Louisiana Associated General Contractors, the Louisiana Chapter of the
26 Associated Builders and Contractors, the Louisiana School Facility Managers Association,
27 the Louisiana Municipal Association, the Louisiana Police Jury Association, the Louisiana
28 Ports Association, and the Louisiana Airport Managers Association.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

SR 149 Original	DIGEST 2017 Regular Session	Cortez
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Establishes the Best Practices in Public Contracts Task Force to study best practices from other states to determine a fair method to evaluate bids on public works contracts based on best value instead of lowest cost.