

ACT No. 456

2018 Regular Session

HOUSE BILL NO. 208

BY REPRESENTATIVE FALCONER

1 AN ACT

2 To amend and reenact R.S. 38:2225.2.4(A)(3) and (G)(6), relative to public contracts; to
3 reduce the monetary threshold for the use of the construction management at risk
4 project delivery method; to provide submission and notification guidelines; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2225.2.4(A)(3) and (G)(6) are hereby amended and reenacted to
8 read as follows:

9 §2225.2.4. Construction management at risk; public entity

10 A.

11 * * *

12 (3) CMAR shall not be used for any project that is estimated to cost less than
13 ~~twenty-five~~ five million dollars, ~~except for any project in the CMAR pilot program.~~
14 ~~A pilot program is hereby established that authorizes a public entity to use CMAR~~
15 ~~for only one project which is estimated to cost three million dollars or more,~~
16 ~~provided that the CMAR pilot program is limited to no more than ten projects on a~~
17 ~~first-come, first-served basis. Prior~~ At least sixty days prior to proceeding to use
18 CMAR for any project that is estimated to cost less than fifteen million dollars, a
19 public entity shall ~~submit a~~ deliver written notification of the proposed CMAR pilot
20 project by name and description of the project, together with the reason to use

1 CMAR, to the House and Senate transportation, highways, and public works
2 committees for review and approval.

3 * * *

4 G. After award and execution of the contract with the CMAR contractor, the
5 following actions shall proceed:

6 * * *

7 (6) If the owner and the CMAR contractor are not able to agree upon
8 constructability, construction phasing and sequencing, the GMP for the project, the
9 maximum number of contract days to complete the project, and to reach a negotiated
10 agreement, then the project shall be readvertised and publicly bid utilizing the
11 design-bid-build delivery method, provided the CMAR contractor shall be prohibited
12 from bidding on the project.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____