

RÉSUMÉ DIGEST

ACT 261 (SB 200)

2019 Regular Session

Cortez

New law creates a pilot program to authorize local governmental subdivisions and political subdivisions to use A+B bidding method to determine the lowest responsive bidder on a contract for public works. The pilot is limited to 15 projects subject to prior approval of the House and Senate committees on transportation, highways, and public works. If the committees approve a project, the owner is required to submit in writing to the chairmen of committees, the name and address of the lowest responsive bidder awarded the contract, together with the bid values of the A+B components. Further, upon completion and acceptance of the project, the owner is required to submit in writing to the chairmen of the committees a project report that includes the final project cost and an evaluation of whether or not contract times were reduced, costs were acceptable, and quality was maintained by use of the A+B bid method.

Defines "A+B bidding" and "owner" as follows:

- (1) "A+B bidding" means cost plus time bidding that factors time plus cost to determine the low bid. Under the A+B method, each submitted bid has two components where "A" is the traditional bid for the contract items and is the dollar amount for all work to be performed under the contract, and "B" is a "bid" of the total number of calendar days required to complete the project, as estimated by the bidder. Bid days are multiplied by a user cost, furnished by the project owner, and added to the "A" component to obtain the total bid. The bid for award to the lowest responsive bidder is based on a combination of the bid for the contract items and the associated cost of time.
- (2) "Owner" means a "local governmental subdivision" or a "political subdivision" as defined in La. Const. Art. VI, Sec. 44(1) and (2).

Provides that bidding documents may contain alternates, which allow for different materials or methods of construction, provided that any such alternate materials are currently approved by the local governmental subdivision or political subdivision.

Supersedes any conflicting provisions of any law, including but not limited to the requirements of the Public Bid Law, but the provisions of the Public Bid Law are otherwise applicable to such contracts.

Effective August 1, 2019.

(Adds R.S. 38:2211.2)