

2021 Regular Session

HOUSE BILL NO. 606

BY REPRESENTATIVE BRASS

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

TRANSPORTATION DEPT: Provides for the Department of Transportation and Development design-build contracts

1 AN ACT

2 To amend and reenact R.S. 48:250.2(A) and (B) and 250.3(C) through (E), relative to the
3 Department of Transportation and Development design-build contracts; to provide
4 for a pool of pre-qualified design-builders; to remove legislative approval for the
5 department to use of design-build; to expand the qualification specific to the type of
6 work experience of design component members; to provide for an effective date; and
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 48:250.2 and 250.3(C) and (E) are hereby amended and reenacted
10 to read as follows:

11 §250.2. Design-build contracts; administration

12 A. Notwithstanding any law to the contrary or the requirements of this Part,
13 if the secretary determines it is in the best interest of the taxpayers, the Department
14 of Transportation and Development, ~~with approval of the House and Senate~~
15 ~~transportation, highways, and public works committees,~~ may formulate, develop, and
16 implement a program to combine the design and construction phases of a
17 transportation facility or facilities, including but not limited to highways,
18 interchanges, bridges, ferries on the Mississippi River, or tunnels into a single
19 contract.

1 B. This program shall allow use of the design-build method to construct the
 2 new Mississippi River Bridge at St. Francisville, ~~(connection to U.S. Hwy. 61)~~,
 3 including approach structures and connecting roadways, which project is included
 4 in the Transportation Infrastructure Model for Economic Development program.
 5 The secretary may also select additional projects or combine a program of projects
 6 to utilize the design-build method. ~~The Department of Transportation and~~
 7 ~~Development shall submit any project selected for the design-build method to the~~
 8 ~~House and Senate transportation, highways, and public works committees for~~
 9 ~~approval.~~

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11 §250.3. Design-build contracts; qualifications of design-build entities; public
 12 announcement procedures; letters of interest; selection of short list; bid
 13 proposals by competitors; qualifications evaluation committee; proposal
 14 review committee; selection and process of award

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16 C. A notice of intent to request letters of interest for a design-build project,
 17 or for a pool of pre-qualified design-builders that shall remain pre-qualified for up
 18 to two years, shall be distributed by the department through advertisement on the
 19 Department of Transportation and Development's Internet webpage. All notices of
 20 intent shall be advertised a minimum of ten days prior to the deadline for receipt of
 21 responses and shall contain a description of the project or type of work, and
 22 sufficient information for a design-builder to determine its interest and to enable it
 23 to submit a letter of interest. The department may readvertise the notice of intent
 24 using additional media or publications in an attempt to solicit additional responses
 25 if the number of responses received by the department is inadequate.

26 D. The department shall provide a "Request for Qualifications"(RFQ) to
 27 design-builders who submit a letter of interest. The department shall identify all
 28 required information in the request for qualifications and in the standard response
 29 forms provided by the department. The response to the request for qualifications

1 shall include statements of qualification by credentials and experience of design
 2 component members for the areas of expertise specific to the project or type of work
 3 and statements of qualification by experience and resources of the construction team
 4 component. The completed response form and any other required information shall
 5 be transmitted to the department by the responding design-builder by the deadline
 6 to submit such forms and information as provided in the request for qualifications.
 7 Any response failing to meet all of the requirements contained in the request for
 8 qualifications shall not be considered by the department. False or misrepresented
 9 information furnished in response to a request for qualifications shall be grounds for
 10 rejection by the department.

11 E.(1) The chief engineer, with concurrence of the secretary, shall establish
 12 a design-build qualifications evaluation committee for evaluation of the responses
 13 to the request for qualifications received by the department. The following general
 14 criteria used by the qualifications evaluation committee in evaluating responses to
 15 the request for qualifications for design-build services shall apply to both the design
 16 and construction components of any responding entity:

- 17 (a) Experience of both the design and construction entity components and
 18 of key personnel as related to the project or type of work under consideration.
- 19 (b) Past performance on department projects.
- 20 (c) Any project-specific criteria as may apply to project needs.

21 * * *

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

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)]

HB 606 Original

2021 Regular Session

Brass

Abstract: Changes the design-builders contracts qualification process to allow for a pool of pre-qualified design-builders and experience specific to the type of work.

Present law provides the qualification process for the Dept. of Transportation and Development (DOTD) to execute design-build contracts.

Proposed law retains present law and removes the House and Senate transportation, highways, and public works committees from the approval process.

Present law requires a notice of intent to request letters for a design-build project be distributed by the department through advertisement on the DOTD website.

Proposed law retains present law and adds that a pool of pre-qualified design builders must remain pre-qualified for up to two years.

Present law requires all notices of intent be advertised a minimum of 10 days prior to the deadline for receipt of responses and contain a description of the project.

Proposed law expands the notice of intent requirements to include the type of work.

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

(Amends R.S. 48:250.2(A) and (B) and 250.3(C) - (E))