
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Transportation, Highways and Public Works
to Original House Bill No. 220 by Representative Gregory Miller

1 AMENDMENT NO. 1

2 On page 1, delete lines 16 through 19 in their entirety and in lieu thereof insert the following:

3 "(2)(a) Expeditious Trial on the Merits. If an interested party or bidder files
4 for an injunction or writ of mandamus, they shall receive a trial on the requested
5 relief in the district court within ten calendar days of the filing of the suit and shall
6 be given preference over all other matters on the court's calendar. The district court
7 shall render a final judgment not more than ten calendar days after the conclusion of
8 the trial. A public entity shall award a public works contract in accordance with the
9 judgment of a Louisiana court determining the lowest responsible and responsive
10 bidder no later than ten days after such judgment, unless a timely suspensive appeal
11 is filed.

12 (b) Public Entity's Right to Suspensive Appeal. A suspensive appeal may be
13 taken by the public entity within seven calendar days of the rendition of the final
14 judgment of the district court. The suspensive appeal of the public entity shall be
15 returnable to the appropriate appellate court not more than ten calendar days from
16 the rendition of the final judgment of the district court. The suspensive appeal of the
17 public entity shall be expedited and heard no later than fifteen calendar days from
18 the return day of the appeal. The appellate court shall render its ruling on the merits
19 within fifteen calendar days of the return day of the appeal.

20 (c) Outside Deadline. Notwithstanding any provision contained in this
21 Paragraph to the contrary, if the issuance of an injunction or writ of mandamus is
22 appealed and the appeal is not finally and conclusively resolved on or before ninety
23 calendar days after the district court's final judgment, then the district court's
24 judgment shall become final and binding, all appeals shall be become null and void,
25 and the public agency shall award the contract to the lowest responsible and
26 responsive bidder, as determined by the district court, within three calendar days
27 after the judgment became binding.

28 (d) Escalation Protection. In the event that the suspensive appeal of the
29 public entity is unsuccessful, then the public agency shall be responsible to adjust the
30 contract by change order to account for any escalation in prices of the lowest
31 responsible and responsive bidder."

32 AMENDMENT NO. 2

33 On page 2, delete lines 1 and 2 in their entirety