

2022 Regular Session

SENATE BILL NO. 423

BY SENATOR FOIL

CONTRACTS. Provides relative to public contracts, works, and improvements. (8/1/22)

1 AN ACT

2 To amend and reenact R.S. 38:2295(C)(1), relative to plans and specifications for public
3 works; to provide for clarification of requirements for prior approval; to provide for
4 adjusting the time response period for particular products; to provide for technical
5 corrections; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2295(C)(1) is hereby amended and reenacted to read as follows:

8 §2295. Plans and specifications; required provisions

9 * * *

10 C.(1) If a A potential supplier ~~wishes to~~ **may** submit **a particular product**
11 for prior approval ~~a particular product~~ other than a product specified in the contract
12 documents, no later than seven working days prior to the opening of bids. Within
13 three days, exclusive of holidays and weekends, after ~~such~~ submission, the prime
14 design professional shall furnish to both the public entity and the potential supplier
15 written approval or denial of the product submitted. **If the prime design**
16 **professional fails to respond within the time period provided for in this**
17 **Paragraph, the submitted product shall be considered approved.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Archana Cadge.

DIGEST

SB 423 Engrossed

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Present law provides that a supplier of particular products for public works may seek prior approval for brand products other than those specified in the contract document within seven working days, prior to bid opening.

Present law provides the prime design professional shall furnish written approval or denial of the product submitted within three days, exclusive of holidays and weekends, after submission.

Proposed law retains present law and further provides if the prime design professional does not respond within the allotted time period, the submitted product shall be considered approved.

Proposed law provides for technical corrections.

Effective August 1, 2022.

(Amends R.S. 38:2295(C)(1))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Removes provision that prior approval is not required.