
DIGEST

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HB 224 Engrossed

2023 Regular Session

Boyd

Abstract: Authorizes the governing authority of the city of New Orleans to set aside a certain percentage of contracts for goods and services, including construction, to be awarded to socially and economically disadvantaged businesses.

Present law generally authorizes every political subdivision in the state, through its respective fiscal officer or director of finance, to designate and set aside each fiscal year for awarding to minority businesses, an amount up to 10% of the value of anticipated local procurement of goods and services including construction. Provides that nothing in present law should be construed to prohibit the governing authority from setting aside an amount greater than 10%. Provides for eligibility and certification requirements.

Proposed law retains present law.

Present law provides an exception for the city of Shreveport and any board, agency, or commission of that city. Authorizes the entities to designate and set aside each fiscal year not less than 10% of the value of local procurement of goods and services including construction for awarding to economically disadvantaged businesses. Provides for eligibility and certification requirements.

Proposed law retains present law.

Present law also provides an exception for the city of Baton Rouge/parish of East Baton Rouge (city-parish) and any board, agency, or commission of the city-parish. Authorizes the entities to designate and set aside not less than 10% and not more than 25% of the value of local procurement of goods and services, including construction or doing of public work for awarding to socially and economically disadvantaged businesses. Provides for eligibility and certification requirements.

Proposed law retains present law and provides another exception for the city of New Orleans. Authorizes the city governing authority and any board, agency, or commission of the city to designate and set aside not less than 10% and not more than 25% of the value of local procurement of goods and services, including construction or doing of public work for awarding to socially and economically disadvantaged businesses.

Proposed law provides for division of contract awards into units to facilitate offers or bids from socially and economically disadvantaged businesses. Authorizes varying the goods and services designated for set-asides.

Proposed law requires the city governing authority to adopt rules and regulations to implement proposed law. Requires certification as a socially and economically disadvantaged business by the city governing authority. Requires the establishment of a contract award procedure for such set-asides. Additionally requires adoption of a requirement that the prime contractor award a certain percentage, not to exceed 35%, of total dollar bids to socially and economically disadvantaged subcontractors. Provides that the requirement may be waived if the contractor cannot comply after a good faith effort.

Proposed law authorizes the city governing authority, or any board, agency, or commission of the city, to award the balance of procurement set-asides pursuant to present law solicitation, bid evaluations, and contract award provisions if the city or other entity is unable to award all of its set-asides to socially and economically disadvantaged businesses.

(Adds R.S. 38:2233.5)