

2025 Regular Session

HOUSE BILL NO. 209

BY REPRESENTATIVE BRASS

PUBLIC CONTRACT/BIDS: Provides relative to the financing structure for public works projects in Ascension Parish

1 AN ACT

2 To enact R.S. 38:2212(C)(5) and 2241(A)(3), relative to the financing structure for public
3 works projects in Ascension Parish; to provide for the "contract limit" for public
4 works projects in Ascension Parish; to increase the performance bond for projects
5 in Ascension Parish; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 38:2212(C)(5) and 2241(A)(3) are hereby enacted to read as follows:

11 §2212. Advertisement and letting to lowest responsible and responsive bidder;
12 public work; electronic bidding; participation in mentor-protégé program;
13 exemptions; subpoena

14 * * *

15 C.

16 * * *

17 (5) For public work related to projects to be completed by the governing
18 authority of Ascension Parish, the term "contract limit" shall be equal to the sum of

1 five hundred thousand dollars per project, including labor, materials, and equipment
 2 as per the rates in the latest edition of the Associated Equipment Dealers Rental Rate
 3 Book and administrative overhead not to exceed fifteen percent, provided that
 4 beginning February 1, 2026, and annually on February first of each subsequent year,
 5 the office of facility planning and control within the division of administration shall
 6 adjust the "contract limit" by an amount not to exceed the annual percentage increase
 7 in the Consumer Price Index in the preceding year. The office of facility planning
 8 and control within the division of administration shall publish the new "contract
 9 limit" for public works contracts let by the Ascension Parish governing authority in
 10 the Louisiana Register in January of each year beginning in January 2026.

11 * * *

12 §2241. Written contract and bond

13 A.

14 * * *

15 (3) Notwithstanding any other provision to the contrary, for each contract in
 16 excess of fifty thousand dollars per project in Ascension Parish, the public entity
 17 shall require of the contractor a bond with good, solvent, and sufficient surety in a
 18 sum of not less than fifty percent of the contract price for the payment by the
 19 contractor or subcontractor to claimants as defined in R.S. 38:2242. The bond
 20 furnished shall be a statutory bond and no modifications, omissions, additions in or
 21 to the terms of the contract, in the plans or specifications, or in the manner and mode
 22 of payment shall in any manner diminish, enlarge, or otherwise modify the
 23 obligations of the bond. The bond shall be executed by the contractor with surety or
 24 sureties approved by the public entity and shall be recorded with the contract in the
 25 office of the recorder of mortgages in the parish where the work is to be done not
 26 later than thirty days after the work has begun.

27 * * *

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 209 Original

2025 Regular Session

Brass

Abstract: Increases the "contract limit" for public works projects in Ascension Parish. Requires a bond for each contract over \$50,000 in Ascension Parish.

Present law provides, with certain exceptions, that the term "contract limit" shall be equal to the sum of \$150,000 per project, including labor, materials, and equipment as per the rates in the latest edition of the Associated Equipment Dealers Rental Rate Book and administrative overhead not to exceed 15%. Provided that beginning Feb. 1, 2015, and annually on Feb. 1st of each year, the office of planning and control within the division of administration adjusts the "contract limit" by an amount not to exceed the annual percentage increase in the Consumer Price Index in the preceding year.

Proposed law allows the contract limit for public work related to projects completed by the governing authority of Ascension Parish to be equal to the sum of \$500,000 per project, including labor, materials, and equipment as per the rates in the latest edition of the Associated Equipment Dealers Rental Rate Book and administrative overhead not to exceed 15%, provided that beginning Feb. 1, 2026, and annually on Feb. 1st of each subsequent year, the office of facility planning and control within the division of administration must adjust the "contract limit" by an amount not to exceed the annual percentage increase in the Consumer Price Index in the preceding year.

Proposed law requires the office of facility planning and control within the division of administration to publish the new contract limit for public works contracts in the La. Register in Jan. of each year beginning Jan. 2026.

Proposed law provides that for each contract in excess of \$50,000 per project in Ascension Parish the public entity must require the contractor provide a bond with good, solvent, and sufficient surety in a sum of not less than 50% of the contract price for the payment by the contractor or subcontractor to claimants as defined in present law.

Proposed law specifies that the bond furnished is to be a statutory bond and no modifications, omissions, additions in or to the terms of the contract, in the plans or specifications, or in the manner and mode of payment be in any manner diminish, enlarge, or otherwise modify the obligations of the bond.

Proposed law requires the bond to be executed by the contractor with surety or sureties approved by the public entity and be recorded with the contract in the office of the recorder of mortgages in the parish where the work is to be done no later than 30 days after the work begins.

(Adds R.S. 38:2212(C)(5) and 2241(A)(3))