

Regular Session, 2011

HOUSE BILL NO. 365

BY REPRESENTATIVES HOWARD AND DOWNS

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

PUBLIC CONTRACT/BIDS: Revises public bid provisions

1 AN ACT

2 To amend and reenact R.S. 38:2212(A)(1)(b)(ii)(aa) and (bb) and (3)(c)(ii) and to enact R.S.
3 38:2212(T), relative to the public bid law; to make changes to requirements for the
4 bid form; to specify what prices are utilized for the construction of a building in
5 conjunction with public bid; to require who shall submit other documentation in
6 addition to a bid form and when that documentation shall be submitted; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 38:2212(A)(1)(b)(ii)(aa) and (bb) and (3)(c)(ii) are hereby amended
10 and reenacted and R.S. 38:2212(T) is hereby enacted to read as follows:

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

13 A.(1)

14 * * *

15 (b)

16 * * *

17 (ii)(aa) The division of administration, office of facility planning and control,
18 shall develop and prescribe through the promulgation of rules and regulations in
19 accordance with the Administrative Procedure Act the bid form necessary to obtain
20 the information and to implement the sections of the bid form provided for in this
21 Item to be utilized for the public bid of public works projects. The bid form

1 developed shall require only the information necessary to determine the lowest
 2 bidder and the following sections and information: Bid Security or Bid Bond,
 3 Acknowledgment of Addenda, Base Bid, ~~Alternates~~, Bid Total, Signature of Bidder,
 4 Name, Title and Address of Bidder, Name of Firm or Joint Venture, Corporate
 5 Resolution, and Louisiana Contractors License Number, and on public works
 6 projects where unit prices are utilized, a section on the bid form where the unit price
 7 utilized in the bid shall be set forth; however, unit prices shall not be utilized for the
 8 construction of a building.

9 (bb) Other documentation and information required shall be furnished by ~~all~~
 10 ~~bidders at a later date and time, in accordance with the Bidding Documents~~ the low
 11 bidder ten days after the bid opening.

12 * * *

13 (3)

14 * * *

15 (c)

16 * * *

17 (ii) The bid form shall contain Bid Security or Bid Bond, Acknowledgment
 18 of Addenda, Base Bid, Alternates, ~~Bid Total~~, Signature of Bidder, Name, Title and
 19 Address of Bidder, Name of Firm or Joint Venture Corporate Resolution, and
 20 Louisiana Contractors License Number, and on public works projects where unit
 21 prices are utilized, their inclusion in the bid form; however, unit prices shall not be
 22 utilized for the construction of a building. Other documentation required shall be
 23 furnished by the low bidder ten days after the bid opening ~~all bidders at a later date~~
 24 ~~and time, in accordance with the Bidding Documents.~~ The division of
 25 administration, office of facility planning and control, shall develop and prescribe
 26 the necessary bid form for public works projects for public bid purposes and
 27 implement the provisions of this Section of the bid form in accordance with the
 28 Administrative Procedure Act.

29 * * *

- 1 T. Bid specifications for a public work, other than the construction of a
2 building, may utilize unit prices.
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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)]

Howard

HB No. 365

Abstract: Revises requirements for public bid form and who shall submit other documentation and information after a public bid opening and when that documentation shall be submitted.

Present law requires the public bid form for public works projects to be developed by the division of administration, office of facility planning and control, to require a bid total.

Proposed law deletes that the public bid form for public works projects developed by the division of administration, office of facility planning and control, requires a bid total.

Present law requires that other documentation and information required for submitting a public bid shall be furnished by all bidders at a later date and time, in accordance with the bidding documents.

Proposed law deletes current law and requires that other documentation and information required for submitting a public bid shall be furnished by the low bidder 10 days after the bid opening.

Proposed law provides that bid specifications for a public work, other than the construction of a building, may utilize unit prices.

(Amends R.S. 38:2212(A)(1)(b)(ii)(aa) and (bb) and (3)(c)(ii); Adds R.S. 38:2212(T))