

Regular Session, 2011

SENATE BILL NO. 100

BY SENATOR MURRAY

PUBLIC CONTRACTS. Increases the number of working days prior to the opening of bids within which a potential supplier must submit a request for approval of a product other than that specified in the contract documents in public works projects of the New Orleans Sewerage and Water Board. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 38:2295(C), relative to letting of public contracts; to provide for  
3 plans and specifications; to increase the number of working days prior to the opening  
4 of bids within which a potential supplier must submit a request for approval of a  
5 product other than that specified in the contract documents for public works projects  
6 of the New Orleans Sewerage and Water Board; and to provide for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

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

10 §2295. Plans and specifications; required provisions

11 \* \* \*

12 C. **(1)** If a potential supplier wishes to submit for prior approval a particular  
13 product other than a product specified in the contract documents, he shall do so no  
14 later than seven working days prior to the opening of bids. Within three days,  
15 exclusive of holidays and weekends, after such submission, the prime design  
16 professional shall furnish to both the public entity and the potential supplier written  
17 approval or denial of the product submitted.

1                   **(2) Notwithstanding Paragraph (1) of this Subsection, for public works**  
2                   **of the New Orleans Sewerage and Water Board, if a potential supplier wishes**  
3                   **to submit for prior approval a particular product other than a product specified**  
4                   **in the contract documents, he shall do so no later than fourteen working days**  
5                   **prior to the opening of bids. Within three days, exclusive of holidays and**  
6                   **weekends, after such submission, the prime design professional shall furnish to**  
7                   **both the public entity and the potential supplier written approval or denial of**  
8                   **the product submitted.**

9                   Section 2. This Act shall become effective upon signature by the governor or, if not  
10                  signed by the governor, upon expiration of the time for bills to become law without signature  
11                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
12                  vetoed by the governor and subsequently approved by the legislature, this Act shall become  
13                  effective on the day following such approval.

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

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#### DIGEST

Present law provides that if a potential supplier wishes to submit a request for prior approval of a particular product other than a product specified in the public contract documents, he must do so no later than seven working days prior to the opening of bids.

Proposed law retains present law, but extends the time period from seven to 14 days prior to the opening of bids for public works projects of the New Orleans Sewerage and Water Board.

Effective upon signature of the governor or lapse of time for gubernatorial action.

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