

Regular Session, 2011

SENATE BILL NO. 153

BY SENATOR MURRAY

PUBLIC CONTRACTS. Requires the inclusion of addenda with the bid form on public works contracts conducted by the New Orleans Sewerage and Water Board. (gov sig)

1 AN ACT

2 To enact R.S. 38:2212(A)(8), relative to the letting of public contracts by the New Orleans  
3 Sewerage and Water Board; to provide for advertisement and letting of lowest  
4 responsible bidder; to provide for inclusion of addenda containing pricing  
5 information; and to provide for related matters.

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

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 38:2212(A)(8) is hereby enacted to read as follows:

9 §2212. Advertisement and letting to lowest responsible bidder; public work;  
10 electronic bidding; participation in mentor-protégé program;  
11 exemptions

12 A. \* \* \*

13 **(8)(a) Notwithstanding any other law to the contrary and in addition to**  
14 **any other requirements provided for in this Subsection, the Acknowledgment**  
15 **of Addenda of the bid form provided for in R.S. 38:2212(A)(1)(b)(ii)**  
16 **Subparagraph for the public bid of public works projects conducted by the New**  
17 **Orleans Sewerage and Water Board shall include pricing information if**

1           **contained in the addendum.**

2                       **(b) Notwithstanding any other law to the contrary and in addition to any**  
 3           **other requirements provided for in this Subsection, the Acknowledgment of**  
 4           **Addenda of the bid form for public works projects conducted by the New**  
 5           **Orleans Sewerage and Water Board shall contain pricing information if**  
 6           **contained in the addendum.**

7   \*       \*       \*

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

Murray (SB 153)

Present law requires the division of administration, office of facility planning and control, to develop and prescribe through the promulgation of rules and regulations in accordance with the APA the bid form necessary to obtain the information and to implement the sections of the bid form provided for in present law utilized for the public bid of public works projects. The bid form shall require only the information necessary to determine the lowest bidder and the following sections and information: Bid Security or Bid Bond, Acknowledgment of Addenda, Base Bid, Alternates, Bid Total, Signature of Bidder, Name, Title and Address of Bidder, Name of Firm or Joint Venture, Corporate Resolution and Louisiana Contractors' License Number, and on public works projects where unit prices are utilized, a section on the bid form where the unit price utilized in the bid shall be set forth.

Present law provides that the bid form shall contain Bid Security or Bid Bond, Acknowledgment of Addenda, Base Bid, Alternates, Bid Total, Signature of Bidder, Name, Title and Address of Bidder, Name of Firm or Joint Venture Corporate Resolution and Louisiana Contractors License Number, and on public works projects where unit prices are utilized, their inclusion in the bid form.

Proposed law requires for public works projects conducted by the New Orleans Sewerage and Water Board, the Acknowledgment of Addenda including pricing information if contained in the addendum, and otherwise retains present law.

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

(Adds R.S. 38:2212(A)(8))