

Regular Session, 2013

SENATE BILL NO. 161

BY SENATOR CHABERT

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

PUBLIC CONTRACTS. Provides \$1,000,000 annual limit on work performed by a public entity with its own employees and resources to restore or rehabilitate certain levees and extends the termination date. (1/1/14)

1 AN ACT

2 To amend and reenact R.S. 38:2212(A)(1)(d)(v), relative to public contracts; to provide an

3 annual limit on work performed by a public entity to restore or rehabilitate a levee

4 which is not maintained with federal funds, including mitigation on public lands

5 owned by the state or a political subdivision; to provide that the annual limit includes

6 labor, materials, and equipment, which is not publicly bid; to extend the termination

7 date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 38:2212(A)(1)(d)(v) is hereby amended and reenacted to read as

10 follows:

11 §2212. Advertisement and letting to lowest responsible bidder; public work;

12 electronic bidding; participation in mentor-protégé program;

13 exemptions

14 A.(1) * * *

15 (d) * * *

16 (v)(aa) The ~~contract~~ **annual** limit for ~~any contract~~ by a public entity for any

17 **project work** to restore or rehabilitate a levee which is not maintained with federal

1 funds, ~~or to perform~~ **including** mitigation on public lands owned by the state or a
 2 political subdivision, shall ~~be equal to~~ **not exceed** the sum of one million dollars,
 3 **including labor, materials, and equipment, which is not publicly bid, as per the**
 4 **rates in the latest edition of the Associated Equipment Dealers Rental Rate**
 5 **Book, and administrative overhead not to exceed fifteen percent**; provided that
 6 the **project work** is undertaken by the public entity with its own resources and
 7 employees, or with the resources and employees of another public entity through a
 8 cooperative endeavor or other agreement with such entity.

9 (bb) The provisions of this Item shall remain effective ~~for contracts awarded,~~
 10 ~~or agreements entered into,~~ until December 31, ~~2014~~ **2018**.

11 * * *

12 Section 3. This Act shall become effective on January 1, 2014.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

Present law provides that the contract limit for any contract by a public entity to restore or rehabilitate a levee which is not maintained with federal funds or to perform mitigation on public lands owned by the state or a political subdivision shall be equal to the sum of \$1,000,000, provided that the project is undertaken by the public entity with its own resources and employees or with the resources and employees of another public entity through a cooperative endeavor or other agreement with such entity.

Proposed law changes present law to provide an annual limit not to exceed \$1,000,000 applies to any work undertaken by a public entity with its own resources and employees, or with the resources and employees of another public entity through a cooperative endeavor agreement, to restore or rehabilitate a levee not maintained with federal funds, including mitigation on public lands owned by the state or a political subdivision; further provides that annual limit includes labor, materials, and equipment, which is not publicly bid, as per the rates in the latest edition of the Associated Equipment Dealers Rental Rate Book and administrative overhead not to exceed 15%.

Present law terminates on December 31, 2014.

Proposed law extends termination date to December 31, 2018.

Effective January 1, 2014.

(Amends R.S. 38:2212(A)(1)(d)(v))