Regular Session, 2013

HOUSE BILL NO. 559

### BY REPRESENTATIVE BROSSETT

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

PUBLIC CONTRACTS: Extends the length of time relative to the utilization of designbuild contracts

1	AN ACT
2	To amend and reenact R.S. 38:2225.2.1(A)(3) and to enact R.S. 38:2225.2.1(A)(4), (5), and
3	(6), relative to public contracts; to extend the time relative to the utilization of
4	design-build contracts under certain circumstances; and to provide for related
5	matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 38:2225.2.1(A)(3) is hereby amended and reenacted and R.S.
8	38:2225.2.1(A)(4), (5), and (6) are hereby enacted to read as follows:
9	§2225.2.1. Design-build contracts; authorized use by certain public entities in areas
10	damaged by Hurricane Katrina, Hurricane Rita, or both
11	А.
12	* * *
13	(3) For the purposes of this Section, "design-builder" means the entity
14	contractually responsible for delivering the project design and construction.
15	(4) Except as provided in Paragraphs (5) and (6) of this Subsection, This the
16	authority to use the design-build method shall extend for six years from July 10,
17	2007, after which time only those projects that were contracted for prior to that date
18	may proceed.

1	(5) The authority to use the design-build method shall extend for seven years
2	from July 10, 2007, for the following entities, after which time only those projects
3	that were contracted prior to that date may proceed:
4	(a) Recovery School District.
5	(b) Orleans Parish School Board.
6	(6) The authority to use the design-build method shall extend for eight years
7	from July 10, 2007, for the Sewerage and Water Board of New Orleans, after which
8	time only those projects that were contracted prior to that date may proceed.
9	* * *

## 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)]

#### Brossett

HB No. 559

# **Abstract:** Extends the length of time <u>from</u> six years <u>to</u> seven or eight years for the utilization of the design-build method for projects of certain parishes or entities.

<u>Present law</u>, relative to the Public Bid Law, authorizes the following public entities to utilize the design-build method in the construction or repair of any public building or structure which was destroyed or damaged by Hurricane Katrina, Hurricane Rita, or both; the division of administration; the Recovery School District; the Orleans Parish School Board; the city of New Orleans; the Sewerage and Water Board of New Orleans; and parish governments in Calcasieu, Cameron, Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammany, and Vermilion parishes; and the Port of New Orleans.

<u>Present law</u> provides that the authority granted in <u>present law</u> extends for six years from July 10, 2007, after which time only those projects that were contracted for prior to such termination date may proceed.

<u>Proposed law</u> retains <u>present law</u> for all entities listed in <u>present law</u> except the Recovery School District, Orleans Parish School Board, and the Sewerage and Water Board of New Orleans.

<u>Proposed law</u> extends the length of time <u>from</u> six years <u>to</u> seven years, or until July 10, 2014, for the utilization of the design-build method for projects of the Recovery School District and the Orleans Parish School Board.

<u>Proposed law</u> extends the length of time <u>from</u> six years <u>to</u> eight years, or until July 10, 2015, for the utilization of the design-build method for projects of the Sewerage and Water Board of New Orleans.

(Amends R.S. 38:2225.2.1(A)(3); Adds R.S. 38:2225.2.1(A)(4), (5), and (6))

Summary of Amendments Adopted by House

- Committee Amendments Proposed by <u>House Committee on Transportation, Highways</u> <u>and Public Works</u> to the <u>original</u> bill.
- 1. Extended the length of time <u>from</u> seven years, as proposed in original bill, <u>to</u> eight years, or until July 10, 2015, for the utilization of the design-build method for projects of certain parishes or entities under <u>present law</u>.

## House Floor Amendments to the engrossed bill.

- 1. Retained <u>present law</u> for all entities listed in <u>present law</u> except the Recovery School District, Orleans Parish School Board, and the Sewerage and Water Board of New Orleans.
- 2. Extended the length of time <u>from</u> six years <u>to</u> seven years, or until July 10, 2014, for the utilization of the design-build method for projects of the Recovery School District and the Orleans Parish School Board.
- 3. Extended the length of time <u>from</u> six years <u>to</u> eight years, or until July 10, 2015, for the utilization of the design-build method for projects of the Sewerage and Water Board of New Orleans.