



- (4) The technical review committee shall grade, judge, and rank the technical proposals and make a recommendation to the authority for the awarding of the contract.
- (5) The final selection of the design-build competitor to whom the contract shall be awarded shall be made by the authority's governing authority. Such selection shall be made upon the basis of the best design for the purposes set forth in the request for qualifications and the best cost for that design, taking into account costs of construction and operation and maintenance of that design. Competitors may submit alternate designs and costs to ensure the greatest number of options.

Proposed law requires that legal challenge to the choice of the designer-builder be filed and served within seven calendar days after the award of the contract. Requires that any such challenge be limited to fraud, bias for pecuniary or personal reasons not related to the interests of the taxpayers, or arbitrary and capricious selection of the successful designer-builder.

Proposed law provides that once the design-builder has been chosen, a contract for a stipulated maximum total cost may be executed, as provided in the authority's award resolution.

Proposed law authorizes increases or decreases in the final cost of the contract to account for inflation if provided for in the contract, for changes in the scope of the work, or for other conditions of which the design-builder had no knowledge or should not have had knowledge as a reasonable possibility concerning the design and construction provided any change is related to the original project and scope of services.

Proposed law supersedes conflicting provisions of law relative to bidding for public contracts.

Proposed law requires the Department of Transportation and Development (DOTD) to give priority and advance to construction as expeditiously as possible any bridge project that replaces a tunnel.

Proposed law authorizes use of any source of funds for such projects or as matching funds for federal-aid funds, including the secretary's emergency fund.

Proposed law authorizes use of any contract method provided by law, including design-build or construction management at risk.

Present law authorizes DOTD to combine the design and construction phases for a transportation facility or facilities, including but not limited to highways, interchanges, or bridges into a single contract.

Proposed law adds ferries on the Mississippi River and tunnels to the illustrative list of transportation facilities.

Proposed law requires DOTD to consider a design-build contract to replace the tunnel on LA 23 and to submit a written report of its recommendation to the House and Senate committees on transportation, highways, and public works not later than February 1, 2016.

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

(Amends R.S. 48:250.2(A); adds R.S. 38:2225.2.5, R.S. 48:232.1 and 250.2(D))