

2018 Regular Session

HOUSE BILL NO. 208

BY REPRESENTATIVE FALCONER

PUBLIC CONTRACTS: Revises provisions relative to the construction management at risk project delivery method for certain public contracts

1 AN ACT

2 To amend and reenact R.S. 38:2225.2.4(A)(3), relative to public contracts; to reduce the
3 monetary threshold for the use of the construction management at risk project
4 delivery method; to provide submission and notification guidelines; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2225.2.4(A)(3) is hereby amended and reenacted to read as
8 follows:

9 §2225.2.4. Construction management at risk; public entity

10 A.

11 * * *

12 (3) CMAR shall not be used for any project that is estimated to cost less than
13 ~~twenty-five~~ five million dollars, ~~except for any project in the CMAR pilot program.~~
14 ~~A pilot program is hereby established that authorizes a public entity to use CMAR~~
15 ~~for only one project which is estimated to cost three million dollars or more,~~
16 ~~provided that the CMAR pilot program is limited to no more than ten projects on a~~
17 ~~first-come, first-served basis. Prior~~ At least sixty days prior to proceeding to use
18 CMAR, a public entity shall ~~submit a~~ deliver written notification of the proposed
19 CMAR ~~pilot~~ project by name and description of the project, together with the reason

1 to use CMAR, to the House and Senate transportation, highways, and public works
2 committees for review ~~and approval~~.

3 * * *

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)]

HB 208 Original

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Falconer

Abstract: Decreases the cost threshold for use of the Construction Management at Risk (CMAR) alternative project delivery method, repeals the CMAR Pilot Program, and provides submission and notification guidelines.

Present law prohibits CMAR from being used for any project that is estimated to cost less than \$25 million dollars. Present law provides an exception to this rule if the project is in the CMAR pilot program.

Proposed law decreases the cost threshold of a CMAR project from \$25 million to \$5 million. Proposed law also repeals the CMAR pilot program.

Present law requires a public entity to submit a proposed CMAR pilot project, by name together with the reason to use CMAR, to the House and Senate transportation, highways, and public works committees for review and approval prior to proceeding to use CMAR.

Proposed law modifies present law by requiring the public entity to deliver written notification of the proposed CMAR project by name and description at least 60 days prior to proceeding to use CMAR, and removes the requirement the House and Senate transportation, highways, and public works committees approve the proposed CMAR project.

(Amends R.S. 38:2225.2.4(A)(3))