

2022 Regular Session

SENATE BILL NO. 429

BY SENATOR WOMACK

PRIVILEGES/LIENS. Provides for substantial completion of public works. (8/1/22)

1 AN ACT

2 To amend and reenact R.S. 38:2248(B), relative to public works contracts; to provide with
3 respect to substantial completion of public works; to provide for notice and
4 itemization of work to be performed; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 38:2248(B) is hereby amended and reenacted to read as follows:

7 §2248. Provisions for withholding payment; effect on liability of contractor or
8 agency; punch list; liquidated damages

9 * * *

10 B. All public works contracts shall contain a clause stating that any punch list
11 generated during a construction project shall include the cost estimates for the
12 particular items of work the design professional has developed based on the
13 mobilization, labor, material, and equipment costs of correcting each punch list item.
14 The design professional shall retain his working papers used to determine the punch
15 list items cost estimates should the matter be disputed later. The contracting agency
16 shall not withhold from payment more than the value of the punch list. Punch list
17 items completed shall be paid upon the expiration of the forty-five day lien period.

