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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cathy Wells.

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## DIGEST

Present law authorizes DOTD, with the approval of the joint legislative transportation committee, to formulate, develop, and implement a program to combine the design and construction phases of a transportation project into a single contract "design-build". Present law authorizes the secretary of DOTD to select additional projects or combine a program of projects to utilize the design-build method and requires submission of such addition to the legislative transportation committees for approval.

Proposed law authorizes DOTD to include maintenance phases in a design-build in a single contract and removes the requirement that additional projects selected for design-build be submitted to the legislative transportation committees for approval.

Present law requires each design-builder to employ or have a partner, member, conventurer or subcontractor persons or a firm with persons duly licensed and registered in this state.

Proposed law requires only that each design-builder be duly licensed and registered to provide the services required to complete the project and do business in this state.

Present law requires that license for each component of the design-build project be obtained prior to or concurrent with the contract award by DOTD.

Proposed law further requires that all registrations be obtained prior to or concurrent with the award of the project.

Present law defines "design-builder" as the entity responsible for delivering the project design and construction.

Proposed law redefines "design-builder" to be an entity contractually responsible for delivering any combination of a project's design, construction, or maintenance.

Proposed law provides relative to the selection procedure and other requirements for selecting a design-builder.

Present law requires a notice of intent to request letters of interest for a design-build project be distributed by DOTD through advertisement in certain publications, newspapers, DOTD's website, and any other means to ensure adequate response for a minimum of 30 days.

Proposed law deletes the requirement for advertisement in specific publications and requires a notice of intent to be distributed only on DOTD's website for a minimum of 10 days.

Proposed law requires the chief engineer, with the concurrence of the secretary of DOTD, to establish a design-build qualifications committee for evaluation of the responses to the RFP's. Requires the committee to select a short list of the highest rated firms. Authorizes the secretary of DOTD or his designated representative to approve the design-build process if three or less responses are received.

Present law requires the chief engineer, with concurrence of the secretary of DOTD, to establish a "technical" proposal review committee for evaluation of design-build proposals. Further provides a scoring procedure for evaluation of design-build proposals.

Proposed law requires the chief engineer, with concurrence of the secretary of DOTD, to establish a "proposal" review committee to evaluation of design-build proposals and removes the scoring procedure.

Proposed law authorizes the records in custody of DOTD be confidential and not subject to the public records law.

Proposed law authorizes the secretary of DOTD or his representative to conduct negotiations with the selected design-builder before contract execution.

Proposed law authorizes DOTD to award the design-build contracts to the most responsive, responsible design-builder whose proposal provides the best value to DOTD.

Present law provides for the confidentiality of certain communications, documents, files, and records.

Proposed law includes records submitted by a design-builder in response to a RFP and other records in the custody of DOTD pertaining to an active design-build procurement, conducted under the provisions of present law, until the contract is executed. Proposed law provides for such proposals or records to become public upon execution or termination of the contract or procurement, whichever occurs first.

Present law authorizes DOTD to utilize the design-build method for any transportation infrastructure project in an area impacted by a hurricane, including those areas where infrastructure is adversely impacted by increased population and traffic as a result of a hurricane. Further requires the department to comply with the provisions of present law when selecting a design-build entity for any authorized project.

Proposed Law repeals present law provisions relative to utilizing design-build in areas impacted by a hurricane.

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

(Amends R.S. 48:250.2(A) and (B) and 250.3; adds R.S. 44:22.1; repeals R.S. 48:250.4)