

Regular Session, 2011

HOUSE BILL NO. 192

BY REPRESENTATIVE WHITE

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

PUBLIC CONTRACT/BIDS: Authorizes public entities to require electronic bidding

1 AN ACT

2 To amend and reenact R.S. 38:2212(A)(1)(f)(iii) and (iv) and 2212.1(B)(4)(c) and (d) and  
3 to enact R.S. 38:2212(A)(1)(f)(vi) and (vii) and 2212.1(B)(4)(f), relative to public  
4 contracts; to provide an exception for electronic bidding in certain parishes; to  
5 authorize public entities to require electronic bidding; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 38:2212(A)(1)(f)(iii) and (iv) and 2212.1(B)(4)(c) and (d) are hereby  
9 amended and reenacted and R.S. 38:2212(A)(1)(f)(vi) and (vii) and 2212.1(B)(4)(f) are  
10 hereby enacted to read as follows:

11 §2212. Advertisement and letting to lowest responsible bidder; public work;  
12 electronic bidding; participation in mentor-protégé program; exemptions

13 A.(1)

14 \* \* \*

15 (f)

16 \* \* \*

17 (iii) Any parish with a police jury form of government and a population of  
18 less than ~~fifty~~ twenty thousand shall be exempt from the provisions of this  
19 Subparagraph.

1 (iv) Any city or municipality with a population of less than ~~twenty-five~~ ten  
2 thousand shall be exempt from the provisions of this Subparagraph.

3 \* \* \*

4 (vi) Public entities shall have the option to require that all bids be submitted  
5 electronically for any competitive bid let out for public bid.

6 (vii) Public entities must include all bid documents as defined in R.S.  
7 38:2211(A)(1), on the electronic website accepting the electronic bids.

8 \* \* \*

9 §2212.1. Advertisement and letting to lowest responsible bidder; materials and  
10 supplies; exemptions

11 \* \* \*

12 B.

13 \* \* \*

14 (4)

15 \* \* \*

16 (c) Any parish with a police jury form of government and a population of  
17 less than ~~fifty~~ twenty thousand shall be exempt from the provisions of this  
18 Subparagraph.

19 (d) Any city or municipality with a population of less than ~~twenty-five~~ ten  
20 thousand shall be exempt from the provisions of this Subparagraph.

21 \* \* \*

22 (f) Public entities shall have the option to require that all bids be submitted  
23 electronically for any competitive bid let out for public bid.

24 \* \* \*

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**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)]

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White

HB No. 192

**Abstract:** Provides an exception to the requirement for electronic submission of bids for public contracts and materials and supplies for any parish with a police jury form of government and a population of less than 20,000 in addition to any city or municipality with a population of less than 10,000. Further authorizes public entities to have the option to require that all bids be submitted electronically for any competitive bid let out for public bid. Further requires public entities to include all bid documents on the electronic website accepting the electronic bids.

Present law provides the option for bids to be electronically transmitted to political subdivisions via secure electronic interactive environment. The public entity shall delineate any special conditions in the advertisement for bids. The advertisement shall contain the electronic bids.

Present law provides an exception for any parish with a police jury form of government and a population of less than 50,000 and any city or municipality with a population of less than 25,000.

Proposed law changes the exception for any parish with a police jury form of government and a population of less than 50,000 to 20,000 and any city or municipality with a population of less than 25,000 to 10,000.

Proposed law provides for public entities to have the option to require that all bids be submitted electronically for any competitive bid let out for public bid.

Proposed law requires public entities to include all bid documents on the electronic website accepting the electronic bids.

Present law provides an option for electronic bidding for purchases of materials and supplies by political subdivisions and requires political subdivisions to make provisions for receipt of bids electronically following the adopted standards provided for in LAC 4:XV.701. Further provides an exception for receiving electronic bids for those political subdivisions that do not have high-speed Internet access until such time that they acquire access.

Present law provides for an exception for any parish with a police jury form of government and a population of less than 50,000 and any city or municipality with a population of less than 25,000.

Proposed law changes the exception for any parish with a police jury form of government and a population of less than 50,000 to 20,000 and any city or municipality with a population of less than 25,000 to 10,000.

(Amends R.S. 38:2212(A)(1)(f)(iii) and (iv) and 2212.1(B)(4)(c) and (d); Adds R.S. 38:2212(A)(1)(f)(vi) and (vii) and 2212.1(B)(4)(f))