

GREEN SHEET REDIGEST

HB 208

2018 Regular Session

Falconer

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

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

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DIGEST

Present law prohibits CMAR from being used for any project that is estimated to cost less than \$25 million. 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 where the project is estimated to cost less than \$15 million.

Present law requires a project to be readvertised and publicly bid utilizing the design-bid-build delivery method when the owner and CMAR contractor are unable to reach a negotiated agreement.

Proposed law modifies present law to prohibit a CMAR contractor from bidding on a CMAR project required to be readvertised and publicly bid utilizing the design-bid-build delivery method when the owner and CMAR contractor are unable to reach a negotiated agreement.

Effective August 1, 2018.

(Amends R.S. 38:2225.2.4(A)(3) and (G)(6))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Reinstates present law which requires the house and senate transportation, highways, and public works committee review and approve any CMAR project.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the engrossed bill

1. Requires approval from the house and senate committees on transportation, highways, and public works for any CMAR project estimated to cost less than \$15 million.
2. Prohibits a CMAR contractor from bidding on a project required to be readvertised and publicly bid utilizing the design-bid-build delivery method when the CMAR contractor and owner are unable to agree on negotiated agreement.