The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST 2020 Regular Session

Foil

<u>Present law</u> authorizes bidders on public contracts to submit equivalent products to definite or named brands, makes, or manufacturers specified by public entities for contracts for materials and supplies.

<u>Proposed law</u> retains <u>present law</u> and adds that bidders are not required to seek prior approval for equivalent products.

<u>Present law</u> requires plans and specifications for public works to include provisions for use of equal brand products other than those specified.

<u>Proposed law</u> retains <u>present law</u> and adds that bidders may submit bids that utilize products of equal quality and utility and are not required to submit alternative products for prior approval.

<u>Proposed law</u> authorizes a public entity to require a low bidder to submit no earlier than 10 days after the opening of bids additional information for the public entity to determine if the alternative product is of equal quality and utility.

<u>Proposed law</u> requires a public entity to provide written notice to the low bidder when it proposes to disqualify the bidder on the basis that the alternative product is not of equal quality and utility or that the low bidder failed to provide the public entity satisfactory information for approval of the alternative product.

<u>Proposed law</u> requires a public entity to provide an opportunity for an informal hearing including written notice of grounds for disqualification within time limitations and prior to award of the contract.

Effective August 1, 2020.

SB 402 Original

(Amends R.S. 38:2212.1(C)(2) and 2295(A)(2) and (C)(1); adds R.S. 38:2295(D))