

2026 Regular Session

HOUSE BILL NO. 1193

BY REPRESENTATIVE SAWYER

CONTRACTS/BIDS: Provides for Indefinite Delivery, Indefinite Quantity construction phase contracts

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(35) and to enact R.S. 49:214.6.11, relative to  
3 Indefinite Delivery, Indefinite Quantity construction phase contracts; to authorize the  
4 Coastal Protection and Restoration Authority to use Indefinite Delivery, Indefinite  
5 Quantity (ID/IQ) contracting for certain projects; to provide for single or multiple  
6 competitive low-bid, best value, and qualifications based ID/IQ construction phase  
7 contracts; to provide for definitions; to provide for procedures and requirements for  
8 contracting; to provide for confidentiality of the evaluation process; to provide for  
9 contract term limits; to provide for rulemaking; to provide for an effective date; and  
10 to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 44:4.1(B)(35) is hereby amended and reenacted to read as follows:

13 §4.1. Exceptions

14 \* \* \*

15 B. The legislature further recognizes that there exist exceptions, exemptions,  
16 and limitations to the laws pertaining to public records throughout the revised  
17 statutes and codes of this state. Therefore, the following exceptions, exemptions, and  
18 limitations are hereby continued in effect by incorporation into this Chapter by  
19 citation:

20 \* \* \*

21 (35) R.S. ~~49:220.25~~, 49:214.6.11, 220.25, 975.1, 980.1, 997, 1055

22 \* \* \*

1 Section 2. R.S. 49:214.6.11 is hereby enacted to read as follows:

2 §214.6.11. Indefinite Delivery, Indefinite Quantity construction phase contracts

3 A. The legislature declares it to be in the public interest to increase  
4 efficiency and improve operational readiness in performing integrated coastal  
5 protection. Notwithstanding any other provision of law to the contrary, including but  
6 not limited to the provisions of Titles 38 or 49 of the Louisiana Revised Statutes of  
7 1950, if the authority determines it is in the best interest of the public, the authority  
8 may procure and award Indefinite Delivery, Indefinite Quantity (ID/IQ) construction  
9 phase contracts pursuant to the requirements of this Section in relation to integrated  
10 coastal protection projects and related incidental work let or to be let by the  
11 authority. Indefinite Delivery, Indefinite Quantity contracting is a method of  
12 contracting that allows for delivery of an indefinite quantity of services over a fixed  
13 duration.

14 B. As used in this Section, the following terms shall have the following  
15 meanings:

16 (1) "Best value" means a selection process in which proposals contain price  
17 and qualitative components and award of Indefinite Delivery, Indefinite Quantity  
18 contracts based upon a combination of price and qualitative considerations as  
19 provided in the solicitation documents and includes any selection process authorized  
20 by applicable federal law.

21 (2) "Indefinite Delivery, Indefinite Quantity construction phase contract",  
22 or "ID/IQ construction phase contract" mean the contract awarded to an ID/IQ  
23 contractor pursuant to the requirements of this Section.

24 (3) "Low bid" means a selection process in which proposals are awarded  
25 based on the proposed price from the lowest responsive and responsible bidder.

26 (4) "Multiple award" means an ID/IQ procurement where awards of ID/IQ  
27 construction phase contracts for the same scope of services are made to multiple  
28 ID/IQ contractors through a single procurement.

1           (5) "Single award" means an ID/IQ procurement where award of the ID/IQ  
2           construction phase contract is made to a single ID/IQ contractor.

3           (6) "Work order" means a contract document issued for a definite scope of  
4           work pursuant to an ID/IQ construction phase contract. A work order provides the  
5           location, time, and scope of work required and authorizes the ID/IQ contractor to  
6           deliver the scope of services described in the work order. It also provides required  
7           pay items, quantities, and unit prices, as applicable.

8           C. Where federal law applies, the authority shall comply with all applicable  
9           federal laws or regulations including but not limited to 48 CFR Part 16, Subpart 16.5  
10           and 48 CFR Part 216, Subpart 216.5, as amended. In the event of a conflict between  
11           applicable required federal laws or regulations and the provisions of Titles 38 or 49  
12           of the Louisiana Revised Statutes of 1950, or any other Louisiana rules or  
13           regulations, the federal laws or regulations shall control.

14           D. Procurements pursuant to this Section may include single award or  
15           multiple award ID/IQ construction phase contracts. The authority may use low bid,  
16           best value, or qualifications based contracting methods as set forth in Subsection E  
17           of this Section. Materials separately acquired by the authority may be provided to  
18           contractors for use pursuant to and as a condition of any contract for an integrated  
19           coastal protection project.

20           E. Procurement and award ID/IQ construction phase contracts shall meet the  
21           following requirements:

22           (1)(a) Single award ID/IQ construction phase contracts awarded on a low  
23           bid basis shall follow either the advertisement for low bid contracts set forth in R.S.  
24           38:2212 or the requirements for advertisements set forth in this Section. If a  
25           single-award, low-bid ID/IQ construction phase contract is advertised pursuant to  
26           R.S. 38:2212, an award may also be made pursuant to R.S. 38:2212. If an award is  
27           made pursuant to R.S. 38:2212, the authority shall not be required to follow the  
28           provisions of this Subsection.

1           (b) Single award ID/IQ construction phase contracts awarded on a best value  
2           basis shall follow the requirements for advertisements and the procedures set forth  
3           in this Subsection.

4           (2) Multiple award ID/IQ construction phase contracts shall be awarded on  
5           a qualifications basis and shall follow the requirements for advertisements and the  
6           procedures set forth in this Subsection.

7           (3)(a) Prior to the award of any multiple award ID/IQ construction phase  
8           contract or a single award ID/IQ construction phase contract not advertised pursuant  
9           to R.S. 38:2212, the authority shall issue a "notice of intent", hereafter referred to in  
10           this Section as "NOI", through advertisement on its designated webpage to request  
11           letters of interest, hereafter referred to in this Section as "LOI". The NOI shall be  
12           advertised a minimum of ten business days prior to the deadline for receipt of  
13           responses. The NOI shall contain a description of the ID/IQ services to be procured.  
14           The authority may additionally advertise the NOI via additional media or  
15           publications, and may readvertise by any of the foregoing means to solicit additional  
16           responses if the authority deems the number of responses received to be inadequate  
17           to encourage competition.

18           (b)(i) After expiration of the deadline to submit an LOI for a single award  
19           ID/IQ construction phase contract, the authority shall issue "request for proposals",  
20           hereafter referred to in this Section as "RFP", to contractors that submit an LOI. The  
21           RFP shall include instructions for development and submittal of proposals, a  
22           description of how proposals shall be evaluated, and shall comply with the  
23           requirements of this Section.

24           (ii) After expiration of the deadline to submit an LOI for multiple award  
25           ID/IQ construction phase contract, the authority shall issue a request for  
26           qualifications, hereafter referred to in this Section as "RFQ", to contractors that  
27           submit an LOI. The RFQ shall include instructions for development and submission  
28           of qualifications, a description of how qualifications shall be evaluated, and shall  
29           comply with the requirements of this Section.

1           (c) Bid security required by R.S. 38:2218 or by the authority shall be  
2           specified in the authority's standard specifications or special provisions. The  
3           authority may waive the requirement for bid security for procurement under this  
4           Section.

5           (4)(a) The executive director shall establish an evaluation committee for  
6           evaluation of proposals for best value single award ID/IQ construction phase  
7           contracts and statements of qualification for multiple award ID/IQ construction  
8           phase contracts received by the authority. The evaluation committee may be assisted  
9           by other authority personnel and external advisors in the evaluation of such proposals  
10          and statements of qualification.

11          (b) The evaluation committee shall evaluate such proposals and statements  
12          of qualification on the basis of the criteria identified in the RFP or RFQ which may  
13          include general and project specific criteria, such as:

14                (i) Experience of the contractor and of key personnel related to the project  
15                or type of work under consideration.

16                (ii) Past performance on authority projects.

17                (iii) Ability to obtain all bonding and insurance requirements.

18                (iv) Any project-specific criteria that may apply to project needs.

19          (c) The evaluation committee shall make a recommendation of award to the  
20          executive director. The authority shall make the final determination of award.

21          (d) The proposals and statements of qualification received by the authority  
22          and the evaluation committee's records, including the evaluations committee's  
23          findings, grading, score sheets, and recommendations, shall not be available for  
24          public inspection until the ID/IQ construction phase contract has been entered into  
25          or the procurement has been cancelled. The meetings of the evaluation committee  
26          shall not be subject to the Open Meetings Law.

27          (5) Prior to issuing a work order pursuant to a multiple award ID/IQ  
28          construction phase contract, the authority shall request, in writing, bids from the

1 contractors awarded the contract. The authority shall issue the work order to the  
2 lowest responsive bidder.

3 F. The authority may include the following items in its procurement  
4 documents or contracts:

5 (1) Payment of mobilization or demobilization costs and the method for  
6 determining mobilization and demobilization reimbursement if the authority opts to  
7 award those costs separately from individual work orders.

8 (2) The method for determining price escalation or de-escalation procedures  
9 when warranted by particular circumstances.

10 (3) Special provisions specific to the ID/IQ construction phase contract.

11 (4) Unit pricing or lists of work items specific to the ID/IQ construction  
12 phase contract.

13 (5) A minimum dollar value of services that the authority is obligated to  
14 order.

15 (6) A statement of procedures and selection criteria the authority shall use  
16 in issuing work orders.

17 (7) Any other information, terms, or requirements the authority deems  
18 necessary to include in its procurement documents or contracts.

19 G. The term of the initial ID/IQ construction phase contract shall not exceed  
20 five years, but the contract may authorize extensions up to an additional five years.  
21 The total of the initial term and any optional contract extensions shall not exceed ten  
22 years. The duration of the initial term and the terms of individual contract extensions  
23 shall be determined by the authority. The ID/IQ construction phase contract shall  
24 serve as the underlying agreement that establishes the general terms and conditions  
25 governing the relationship between the authority and the selected bidder. Execution  
26 of the ID/IQ construction phase contract shall not authorize work or serve as a notice  
27 to proceed.

28 H. Performance bonds under R.S. 38:2216 shall apply to the value and  
29 completion of work under an individual work order rather than the value and

1 completion of all work under the ID/IQ construction phase contract unless otherwise  
2 specified in the ID/IQ construction phase contract or the individual work order, or  
3 otherwise provided in a special provision. The requirement of issuance of  
4 performance bonds shall be at the time of execution of an individual work order  
5 unless otherwise specified by the ID/IQ construction phase contract , the individual  
6 work order, or a special provision developed by the authority. Stipulated damages  
7 apply to individual work orders and shall be calculated by the required completion  
8 date of an individual work order. Insurance policies and the extent and type of  
9 coverage required shall be as determined by the authority.

10 I.(1) This Section shall not apply to architect and engineer service contracts  
11 or other consulting contracts of the authority authorized by Chapter 10 of Title 38 of  
12 the Louisiana Revised Statutes of 1950, Chapter 17 of Title 39 of the Louisiana  
13 Revised Statutes, or to projects governed by 48 CFR Parts 36 and 236, except that  
14 architect and engineer services may be included in these contracts to the extent that  
15 they support the construction phase of projects.

16 (2) This Section shall not apply to design-build contracting.

17 J. Except as otherwise provided in this Section, the provisions of Titles 38  
18 and 49 of the Louisiana Revised Statutes of 1950 shall apply to ID/IQ construction  
19 phase contracts. In the event of a conflict, the provisions of this Section shall prevail  
20 and shall supersede any conflicting provision of state law.

21 K. The authority may promulgate rules and regulations to implement and  
22 enforce the provisions of this Section in accordance with the provisions of the  
23 Administrative Procedure Act.

24 Section 3. This Act shall become effective upon signature by the governor or, if not  
25 signed by the governor, upon expiration of the time for bills to become law without signature  
26 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
27 vetoed by the governor and subsequently approved by the legislature, this act shall become  
28 effective on the day following such approval.

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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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HB 1193 Reengrossed

2026 Regular Session

Sawyer

**Abstract:** Establishes the use of Indefinite Delivery, Indefinite Quantity construction phase contracts by the Coastal Protection and Restoration Authority. Provides procedures, definitions, and requirements to govern the contracts while providing flexibility for project-specific needs.

Proposed law (R.S. 49:214.6.11(A)) declares that improving efficiency in readiness in performing integrated coastal protection is in the best interest of public. Authorizes the Coastal Protection and Restoration Authority (CPRA) to award Indefinite Delivery, Indefinite Quantity (ID/IQ) construction phase contracts in relation to integrated coastal protection projects and related incidental work let or to be let by the authority.

Proposed law (R.S. 49:214.6.11(B)) defines "Best value", "ID/IQ construction phase contract", "Low bid", "Multiple award", "Single award", and "Work order" for purposes of proposed law.

Proposed law (R.S. 49:214.6.11(C)) requires CPRA to comply with all applicable federal regulations for projects governed by federal law and provides that federal regulations control in the event of a conflict with state law or rules.

Proposed law (R.S. 49:214.6.11(D)) authorizes CPRA procurement to include single award or multiple award ID/IQ construction phase contracts. Further authorizes CPRA to use low bid, best value, or qualification based contracts. Provides that materials separately acquired by the authority may be provided to contractors for the use and as a condition of any contractor for integrated coastal protection projects.

Proposed law (R.S. 49:214.6.11(E)) requires procurement and award of ID/IQ construction phase contracts meet the following requirements:

- (1) Single award ID/IQ construction phase contracts awarded on a low bid basis shall follow either the advertisement for low bid contracts pursuant to present law (R.S. 38:2212) or the requirements for advertisements pursuant to proposed law. Specifies that if a single-award, low-bid ID/IQ construction phase contract is advertised pursuant to present law, the award may also be made pursuant to those provisions. Specifies that if award is made pursuant to present law, the authority is not required to follow the provisions of proposed law. Single award ID/IQ construction phase contracts awarded on best value basis shall follow the requirements for advertisement and procedures in proposed law.
- (2) Multiple award ID/IQ construction phase contracts shall be awarded on a qualifications basis and shall follow the requirements for advertisement and procedures in proposed law.
- (3) Requires CPRA to issue a "notice of intent" (NOI) through advertisement on its designated webpage to request letters of interest (LOI) prior to awarding any multiple award or single award ID/IQ contracts not advertised. Requires all notices to be advertised at least 10 business days before receipt of responses and include a description of the ID/IQ services. Authorizes the CPRA to readvertise the NOI using additional media or publications if the number of responses received is deemed insufficient to encourage competition.

Requires the CPRA to issue a "request for qualifications" (RFQ) to contractors that submit an LOI for a multiple award ID/IQ construction phase contract. Further requires that the RFP include instructions for preparing and submitting proposals and evaluation criteria. Additionally, requires that the RFQ comply with proposed law.

Requires that bid security be specified in the CPRA's standard specifications or special provisions. Authorizes the CPRA to waive the requirement for bid security for procurement under proposed law.

- (4) Requires the executive director to establish an evaluation committee to review proposals for ID/IQ construction phase contracts. Provides for the evaluation committee to recommend an award to the executive director. The authority makes the final determination of the award.

The proposals, statements of qualification, and evaluation committee records shall not be available for public inspection until the contract is entered into or the procurement is cancelled. The meetings of the evaluation committee shall not be subject to the Open Meetings Law.

- (5) Requires bids to be solicited prior to issuing a work order under a multiple award ID/IQ construction phase contract. Further requires that the work order be issued to the lowest responsible bidder.

Proposed law (R.S. 49:214.6.11(F)) authorizes CPRA to include the following items in its procurement documents or contracts:

- (1) Payment of mobilization or demobilization costs and the method for determining mobilization and demobilization reimbursement if the CPRA opts to award those costs separately from individual work orders.
- (2) The method for determining price escalation or de-escalation.
- (3) Special provisions specific to ID/IQ construction phase contracts.
- (4) Unit pricing or lists of work items specific to ID/IQ construction phase contracts.
- (5) A minimum dollar value of services that the CPRA is obligated to order.
- (6) Statement of procedures and selection criteria the authority will use in issuing work orders.
- (7) Any other information, terms, or requirements the authority deems necessary to include.

Proposed law (R.S. 49:214.6.11(G)) limits the term of the initial ID/IQ construction phase contract to a maximum of five years, but the contract may authorize extensions up to an additional five years. However the total of the initial term and any optional contract extensions shall not exceed 10 years with the duration of the initial term and the terms of individual contract extensions to be determined by the CPRA. Prohibits execution of the ID/IQ construction phase contract from authorizing work or serving as a notice to proceed.

Proposed law (R.S. 49:214.6.11(H)) requires performance bonds pursuant to present law. The bonds shall apply to the value and completion of work pursuant to individual work orders rather than the value and completion of all work under the ID/IQ construction phase contract unless otherwise specified.

Proposed law (R.S. 49:214.6.11(I)) prohibits proposed law from applying to architect and engineer service contracts or other consulting contracts of CPRA authorized by state law or

projects governed by federal law, except that architect and engineer services may be included to support the construction phase of projects. Further provides that proposed law shall not apply to design-build contracting.

Proposed law (R.S. 49:214.6.11(J)) specifies that except as otherwise provided in proposed law, the provisions in Titles 38 and 49 of present law do apply to ID/IQ construction phase contracts. Further specifies that in the event of a conflict, the provisions of proposed law prevails and supersedes any conflicting provision of state law.

Proposed law (R.S. 49:214.6.11(K)) authorizes the CPRA to promulgate rules and regulations to implement and enforce the provisions of proposed law in accordance with the provisions of the Administrative Procedure Act.

Proposed law (R.S. 44:4.1(B)(35)) adds the procurement of ID/IQ contracts to the list of exceptions to public records law.

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

(Amends R.S. 44:4.1(B)(35); Adds R.S. 49:214.6.11)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Remove ID/IQ supply contracts from proposed law.
2. Remove the definitions for "Indefinite Delivery, Indefinite Quantity" and "Purchase Order".
3. Remove reference to Title 39 when addressing a conflict between federal laws and regulations and certain titles in the Louisiana Revised Statutes of 1950.
4. Authorize procurement pursuant to proposed law to be single award or multiple award.
5. Authorize the CPRA to use low bid, best value, or qualification based contracting methods. Also allows CPRA to use materials separately acquired by the agency to be provided to contractors in an ID/IQ contract.
6. Provide for requirements for advertisements and procedures for the selection of ID/IQ contracts.
7. Change the requirement that an NOI shall be advertised a minimum number of days from ten days to ten business days.
8. Add the procedure for the RFQs from vendors.
9. Establish an evaluation process for best value single award ID/IQ construction phase contracts and statements of qualifications for multiple award ID/IQ construction phase contracts.
10. Authorize architect and engineer services to be included in an ID/IQ contract to the extent they support the construction phase of the project.
11. Remove the authority of CPRA to establish guidelines, standard specifications, special provisions, or handbooks not explicitly provided for by proposed law.

12. Add exception to the public records law for certain documents and records of the authority and evaluation committee and exempts meetings of the evaluation committee from Open Meetings Law.
13. Make technical changes.

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the engrossed bill:

1. Make technical changes.
2. Provide that the proposals and statements of qualification received by the authority and the evaluation committee's records, including the evaluations committee's findings, grading, score sheet, and recommendation, shall not be available for public inspection until a certain time.
3. Provide that proposed law shall not apply to design-build contracting.