

**SENATE COMMITTEE AMENDMENTS**

2026 Regular Session

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 856 by Representative Fontenot

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" insert "amend and reenact R.S. 44:4.1(B)(34) and to"

3 AMENDMENT NO. 2

4 On page 1, line 3, before "contracts" delete "Phase"

5 AMENDMENT NO. 3

6 On page 1, line 4, change "Highway Construction" to "highway construction, respectively,"

7 AMENDMENT NO. 4

8 On page 1, line 5, after "to provide for" insert "solicitation of"

9 AMENDMENT NO. 5

10 On page 1, line 8, before "contracting" insert "procurement and"

11 AMENDMENT NO. 6

12 On page 1, line 8, delete "to provide for severability" and insert "to provide for  
13 confidentiality of the evaluation process; to provide contract term limits"

14 AMENDMENT NO. 7

15 On page 1, between lines 10 and 11 insert the following:

16 "Section 1. R.S. 44:4.1(B)(34) is hereby amended and reenacted to read as  
17 follows:

18 §4.1 Exceptions

19 \* \* \*

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

25 \* \* \*

26 (34) ~~R.S. 48:255.1~~ R.S. 48:250.5, 255.1

27 \* \* \*

28 AMENDMENT NO. 8

29 On page 1, line 11, change "Section 1." to "Section 2."

30 AMENDMENT NO. 9

31 On page 1, delete lines 17 and 18, and insert "of the office of Louisiana highway  
32 construction determines it is in the best interest of the public, the department or office of  
33 Louisiana highway construction may respectively procure and award indefinite"

34 AMENDMENT NO. 10

35 On page 2, line 1, delete "phase"

1 AMENDMENT NO. 11

2 On page 2, line 2, after "reconstruction," insert "rehabilitation,"

3 AMENDMENT NO. 12

4 On page 2, line 8, after "award of" insert "one or multiple of"

5 AMENDMENT NO. 13

6 On page 2, line 9, after "contract" and insert "is"

7 AMENDMENT NO. 14

8 On page 2, line 13, after "specific" insert "construction and construction-related"

9 AMENDMENT NO. 15

10 On page 2, line 14, after "construction" delete "phase"

11 AMENDMENT NO. 16

12 On page 2, line 15, before "contract awarded" insert "principal"

13 AMENDMENT NO. 17

14 On page 2, line 20, after "construction" delete "phase"

15 AMENDMENT NO. 18

16 On page 2, line 23, after "construction" delete "phase"

17 AMENDMENT NO. 19

18 On page 2, line 25, after "construction" delete "phase"

19 AMENDMENT NO. 20

20 On page 3, line 2, before "regulations" insert "laws and"

21 AMENDMENT NO. 21

22 On page 3, line 2, change "assistance" to "participation"

23 AMENDMENT NO. 22

24 On page 3, line 3, after "provisions of" insert "2 CFR 200 and"

25 AMENDMENT NO. 23

26 On page 3, line 4, after "federal" insert "laws or"

27 AMENDMENT NO. 24

28 On page 3, line 5, change "the federal regulations shall control." to "the federal laws or  
29 regulations shall control on federal aid projects."

30 AMENDMENT NO. 25

31 On page 3, delete lines 6 through 30, delete page 4 and on page 5, delete lines 1 through 3,  
32 and insert the following:

1 "D. Procurements pursuant to this Section may include single award or  
 2 multiple award ID/IQ construction contracts. The legislature authorizes the  
 3 department and the office of Louisiana highway construction to procure ID/IQ  
 4 contracts using low bid and best value methods, and to award such contracts and any  
 5 resulting work orders using low bid or best value, as specified in the solicitation  
 6 documents. All procurement documents issued by the department and the office of  
 7 Louisiana highway construction, respectively, including the NOI and RFP, shall  
 8 indicate whether a single award or multiple awards will be made. Materials  
 9 separately acquired by the department or office of Louisiana highway construction  
 10 may be provided to contractors for use under and as a condition of any ID/IQ  
 11 contract.

12 E. Procurement and award of ID/IQ construction contacts shall meet the  
 13 following requirements

14 (1) Single award ID/IQ construction contracts procured on a low-bid basis  
 15 may be advertised and awarded using one of the following methods:

16 (a) In accordance with R.S. 48:252 and 255 for award to the lowest  
 17 responsive and responsible bidder; or

18 (b) In accordance with the advertisement and award procedures set forth in  
 19 this Section.

20 (2) Multiple-award ID/IQ construction contracts may be procured on a low  
 21 bid or best value basis, as determined by the department and office of Louisiana  
 22 highway construction, respectively. Such procurements shall be conducted in  
 23 accordance with applicable Louisiana public bid and procurement laws including the  
 24 requirements for advertisements and the procedures set forth in this Section.

25 (3)(a)The procurement of any multiple-award ID/IQ construction contract or  
 26 a single award ID/IQ construction contract not advertised and awarded pursuant to  
 27 R.S. 48:252 and 255, shall commence with the department and the office of  
 28 Louisiana highway construction, respectively, issuing a "notice of intent" (NOI)  
 29 through advertisement on their designated webpages to request letters of interest  
 30 (LOI). The NOI shall be advertised for at least ten business days prior to the deadline  
 31 for submission of LOI and shall include a description of the ID/IQ services to be  
 32 procured. The department and the office of Louisiana highway construction may also  
 33 readvertise the NOI using additional media or publications and may readvertise as  
 34 necessary if the number of responses received is deemed insufficient to ensure  
 35 adequate competition."

36 (b) After the deadline for submission of LOI for a single-award or  
 37 multiple-award ID/IQ construction contract, the department and office of Louisiana  
 38 highway construction shall issue a Request for Proposals ("RFP") to all contractors  
 39 that submitted an LOI. The RFP shall include instructions for proposal preparation  
 40 and submission, a description of the evaluation methodology, and shall comply with  
 41 the requirements of this Section.

42 (c) Bid bonds in accordance with R.S. 48:253 shall be specified in the  
 43 department and the office of Louisiana highway construction's standard  
 44 specifications or special provisions. The department and the office of Louisiana  
 45 highway construction may waive the requirement for bid bonds for procurements  
 46 under this Section.

47 (4)(a) The assistant secretary for project delivery, with the concurrence of the  
 48 secretary or designee, and the executive director of the office of Louisiana highway  
 49 construction, respectively, shall establish an evaluation committee for evaluation of  
 50 proposals received in response to the RFP. The evaluation committee may, in its  
 51 discretion, be assisted by other departments and office of Louisiana highway  
 52 construction personnel and external advisors in the evaluation the proposals.

53 (b) The evaluation committee shall evaluate the proposals and make a  
 54 recommendation of award to the secretary and executive director. The secretary,  
 55 executive director, or their designees, shall make the final determination of award.

56 (5) Prior to issuing a work order under a multiple-award ID/IQ construction  
 57 contract, the department and the office of Louisiana highway construction,  
 58 respectively, shall solicit competitive responses from the contractors awarded ID/IQ  
 59 contracts under the solicitation in accordance with procedures set forth in the ID/IQ  
 60 construction contract. The procurement documents or contract shall state the  
 61 procedures and selection criteria for issuance of work orders. Work orders shall be  
 62 awarded on a competitive low bid basis, or, where permitted by applicable law and

1 approved for use with federal funds, on a best value basis in which price is a  
2 significant evaluation factor.

3 (6) Proposals received by the department and the office of Louisiana highway  
4 construction and the evaluation committee's records, including the evaluation  
5 committee's findings, grading, score sheets, and recommendations, shall not be  
6 public records until the ID/IQ construction contract has been fully executed or the  
7 procurement has been cancelled. Following contract execution or cancellation, such  
8 records shall be subject to disclosure in accordance with applicable public records  
9 laws. Proprietary, confidential, trade secret, or otherwise protected information will  
10 remain exempt to the extent permitted by law. The meetings of the evaluation  
11 committee will not be subject to the Open Meetings Law in Title 44 of the Louisiana  
12 Revised Statutes.

13 F. The department and the office of Louisiana highway construction may  
14 include the following items in their procurement documents or contracts:

15 (1) The method for determining price escalation or de-escalation procedures  
16 when warranted by particular circumstances.

17 (2) Special provisions specific to ID/IQ construction contracts.

18 (3) Unit pricing or lists of work items specific to the ID/IQ construction  
19 contract.

20 (4) A minimum quantity or dollar value if the department and the office of  
21 Louisiana highway construction opts to set a minimum.

22 (5) A statement of procedures and selection criteria the department and office  
23 of Louisiana highway construction shall use in issuing work orders.

24 (6) Any other information, terms, or requirements the department and the  
25 office of Louisiana highway construction deem necessary to include in procurement  
26 documents or contracts."

27 AMENDMENT NO. 26

28 On page 5, line 4, after "construction" delete "phase"

29 AMENDMENT NO. 27

30 On page 5, line 7, delete "OLHC" insert "office of Louisiana highway construction,  
31 respectively"

32 AMENDMENT NO. 28

33 On page 5, line 7, after "construction" delete "phase"

34 AMENDMENT NO. 29

35 On page 5, line 10, after "construction" delete "phase"

36 AMENDMENT NO. 30

37 On page 5, at the beginning of line 17, delete "phase"

38 AMENDMENT NO. 31

39 On page 5, line 17, after "construction" delete "phase"

40 AMENDMENT NO. 32

41 On page 5, line 19, delete "requirement of"

42 AMENDMENT NO. 33

43 On page 5, line 20, after "shall be" insert "required"

1 AMENDMENT NO. 34

2 On page 5, line 21, after "construction" delete "phase"

3 AMENDMENT NO. 35

4 On page 5, line 22, delete "OLHC" and insert "office of Louisiana highway construction,  
5 respectively"

6 AMENDMENT NO. 36

7 On page 5, line 24, delete "Insurance" and insert "Required insurance"

8 AMENDMENT NO. 37

9 On page 5, delete line 26 and insert the following:

10 "the office of Louisiana highway construction, respectively. This Subsection shall also  
11 apply to low bid ID/IQ contracts as advertised and awarded pursuant to R.S. 48:252 and"

12 AMENDMENT NO. 38

13 On page 6, line 1, after "except that" delete "design" and insert "these"

14 AMENDMENT NO. 39

15 On page 6, delete line 2, and insert "be included in ID/IQ construction contracts to the extent  
16 that they support the construction"

17 AMENDMENT NO. 40

18 On page 6, line 5, after "construction" delete "phase"

19 AMENDMENT NO. 41

20 On page 6, line 8, delete "OLHC" and insert "office of Louisiana highway construction,  
21 respectively"

22 AMENDMENT NO. 42

23 On page 6, line 12, delete "OLHC" and insert "office of Louisiana highway construction,  
24 respectively"