

2026 Regular Session

SENATE RESOLUTION NO. 185

BY SENATOR PRICE

PUBLIC WORKS. Creates the Task Force on Construction Management at Risk.

1 A RESOLUTION

2 To create and provide for the Task Force on Construction Management at Risk (CMaR) to
3 study the historical purpose of the legislation and to recommend any action or
4 legislation the task force deems necessary and appropriate.

5 WHEREAS, Act 782 of the 2014 Regular Session created the construction
6 management at risk project delivery method; and

7 WHEREAS, R.S. 38:2225.2.4 establishes CMaR as an alternative project delivery
8 method for public entities when deemed to be in the public interest and beneficial to the
9 owner; and

10 WHEREAS, R.S. 38:2225.2.4 defines CMaR as a delivery method in which the
11 owner separately contracts with a design professional and a CMaR contractor during the
12 preconstruction phase, with the CMaR contractor thereafter potentially providing
13 construction services under a guaranteed maximum price arrangement; and

14 WHEREAS, the original statutory framework limited CMaR use for projects
15 estimated to cost more than twenty-five million dollars; and

16 WHEREAS, Act 163 of the 2015 Regular Session established a CMaR pilot program
17 and reduced the project threshold for any public entity to use the CMaR method for projects
18 costing three million dollars or more; and

1 WHEREAS, subsequent legislation reduced the project cost threshold including
2 provisions permitting use on projects estimated to cost less than fifteen million dollars
3 subject to prior notification and approval by the House and Senate committees on
4 transportation, highways and public works; and

5 WHEREAS, additional legislation expanded the availability of CMaR to additional
6 public entities, specifically hospital districts, which included lower cost requirements than
7 other public entities subject to prior notification and approval by the House and Senate
8 committees on transportation, highways and public works; and

9 WHEREAS, the Louisiana Department of Transportation and Development has
10 recognized R.S. 38:2225.2.4 as legislative authorization for the use of CMaR on public
11 works projects and has published administrative guidance concerning implementation of the
12 delivery method; and

13 WHEREAS, with the CMaR delivery method, the contractor assumes financial risk
14 by committing to deliver the project within a guaranteed maximum price and the contractor
15 is responsible for cost overruns not caused by owner-directed changes or unforeseen
16 conditions, thereby placing the risk of managing construction costs, subcontractor
17 performance, and schedule execution on the contractor rather than the public owner; and

18 WHEREAS, it is necessary to assess the viability, needs, and effects of the CMaR
19 project delivery method regarding public entities and state agencies.

20 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
21 does hereby establish and provide for the Task Force on Construction Management at Risk
22 to study the viability and necessity for certain provisions and restrictions, and to propose
23 recommendations, together with specific proposals for legislation, in a written report to the
24 legislature and to the David R. Poynter Legislative Research Library as required by R.S.
25 24:771 and 772, no later than March 1, 2028.

26 BE IT FURTHER RESOLVED that the task force shall include consideration of past
27 and current laws, policy, and industry practices.

28 BE IT FURTHER RESOLVED that the task force shall consist of the following
29 members:

30 (1) The chairman of the Senate Committee on Transportation, Highways and Public

1 Works, or his designee who shall serve as the chairman of the committee.

2 (2) The vice chairman of the Senate Committee on Transportation, Highways and
3 Public Works, or his designee.

4 (3) The chairman of the Senate Committee on Finance, or his designee.

5 (4) The commissioner of the Division of Administration, or his designee.

6 (5) The secretary of the Department of Transportation and Development, or his
7 designee.

8 (6) The chief executive officer of the Louisiana Associated General Contractors, or
9 his designee.

10 (7) The president of the Police Jury Association of Louisiana, or his designee.

11 (8) The president of the Associated Builders and Contractors, or his designee.

12 BE IT FURTHER RESOLVED that the names of members serving, or their
13 designees, on the task force shall be submitted to the Senate Committee on Transportation,
14 Highways and Public Works staff no later than August 30, 2026.

15 BE IT FURTHER RESOLVED the task force shall convene for its first meeting no
16 later than November 1, 2026, at the call of chairman of the committee, and at the first
17 meeting, the members shall elect a vice chairman.

18 BE IT FURTHER RESOLVED that a majority of the task force shall constitute a
19 quorum for the transaction of business. All official actions of the task force shall require the
20 affirmative vote of a majority of the members.

21 BE IT FURTHER RESOLVED that the task force shall terminate on the date of the
22 submission of its report or March 1, 2028, whichever occurs first.

23 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
24 chairman of the Senate Committee on Transportation, Highways and Public Works, the vice
25 chairman of the Senate Committee on Transportation, Highways and Public Works, the
26 chairman of the Senate Committee on Finance, the commissioner of the Division of
27 Administration, the secretary of the Department of Transportation and Development, the
28 chief executive officer of the Louisiana Associated General Contractors, the president of the
29 Police Jury Association of Louisiana, and the president of the Associated Builders and
30 Contractors.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

SR 185 Original	DIGEST 2026 Regular Session	Price
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