

~~Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become 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 566 Original

2025 Regular Session

Turner

**Abstract:** Provides for job order contracting as an alternative project delivery method applicable to deferred maintenance of public facilities by post-secondary educational institutions for certain work types.

Proposed law authorizes projects financed or constructed pursuant to the financing programs provided by the La. Local Government Environmental Facilities and Community Development Authority, pursuant to present law to be executed through job order contracting in accordance with proposed law.

Proposed law establishes an alternative project delivery entitled "job order contracting" or "JOC" created for improvements related to deferred maintenance of public facilities by a post-secondary educational institution when the work is of a recurring nature but the delivery times, type, and quantities of work requires are indefinite.

Proposed law defines "public facility" or "public facilities", "project", and "evaluation committee".

Proposed law authorizes a post-secondary institution to award JOC for deferred maintenance projects to a public facility if the work is of a recurring nature, but the delivery times are indefinite and the indefinite quantities and orders are awarded substantially on the basis of pre-described and pre-priced tasks.

Proposed law requires post-secondary institutions establish the maximum aggregate contract price when advertising the request for qualifications. Additionally, authorizes the institution to establish contractual unit prices for a JOC through one of the following methods:

- (1) Specifying one or more published construction unit price books and the applicable divisions or line items.
- (2) Providing a list of work items and requiring the bidders propose one or more adjustment factors or multipliers to be applied to the price book or pre-priced as the price proposal.

Proposed law requires the La. Board of Regents to establish procedures for the development of plans,

specifications, qualifications, and other matter pertaining to the procedures for advertising, reviewing, and selecting job order contractors, before awarding any job order contract.

Proposed law specifies that, at minimum, the following provisions apply to firms and contractors providing or performing construction work under job order contracts:

- (1) All engineering and surveying firms must be licensed to perform services by the La. Professional Engineering and Land Surveying Board.
- (2) All architectural firms must be licensed to perform services by La. State Board of Architectural Examiners.
- (3) All contractors must be licensed by the La. State Licensing Board for Contractors.

Proposed law requires all competitors follow the qualification procedures set forth in proposed law to ensure compliance with the established standards:

- (1) A selection process utilizing a request for qualifications (RFQ) procedure including a public announcement procedure for solicitation of interested job order contract competitors and a procedure for requesting a statement of qualifications from qualified firms or terms through electronic announcement and communications.
- (2) The post-secondary educational institution must provide a RFQ package to all job order contract competitors who submit a letter of interest. Specifies that all required information must be identified in the RFQ package and in the standard response forms. Specifies that the response to a RFQ package must include a statement of qualifications that outline credentials and experience in areas of expertise specific to the project.
- (3) The completed response form, along with any other required information, must be submitted by the deadline specified in the RFQ package. Specifies that any response that fails to meet all requirements outlined in the RFQ package cannot be considered. Specifies that false or misrepresented information provided in response to a RFQ package will be grounds for disqualification.

Proposed law requires that the post-secondary educational institution establish an evaluation committee to assess the responses to the RFQ, using, at minimum, the following criteria:

- (1) The professional training and experience of the contractor and key personnel, specifically as it relates to the project under consideration.
- (2) The capacity to complete the work within the specified time frame.
- (3) Past performance on public projects of a similar nature to the one described in the RFQ.
- (4) Any project-specific criteria that may apply to the project needs.

- (5) Any other material deemed important by the institution.

Proposed law authorizes a post-secondary educational institution to award job order contracts to one or more job contractors in connection with each RFQ.

Proposed law specifies that the initial term for a job order contract cannot exceed two years. Additionally, authorizes the post-secondary educational institution to renew the contract annually not to exceed three additional years.

Proposed law requires that an order for a job or project under a job order contract be signed by both the representative of the educational institution and the contractor and the order may be issued for either of the following:

- (1) A fixed price, lump-sum contract based substantially on contractual unit pricing applied to estimated quantities.
- (2) A unit price order based on the quantities and line items delivered.

Proposed law requires that the job order contractor provide payment and performance bonds, as required by law, based on the amount or estimate amount of any order.

Proposed law specifies that a job order contract can only be used to accomplish work for the post-secondary educational institution that awarded the contract unless:

- (1) The RFQ for the job order contract specifically provides for use by other persons.
- (2) The educational institution enters into a interlocal or cooperative purchasing agreement that provides otherwise.

Proposed law specifies that proposed law supersedes any conflicting provisions of any other law, including, but not limited to the requirement of present law.

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

(Adds R.S. 17:3369.3(A)(8) and R.S. 38:2225.6)