

## BY REPRESENTATIVES SIMON AND WILLIAMS

1 AN ACT

5 Be it enacted by the Legislature of Louisiana:

7 §2212.7. Limitations on consultants competing for contracts

13 (B) For the purposes of this Section, the following activities shall not be  
14 considered "developing bidding documents, requests for proposals, or any other type  
15 of solicitation":

16 (1) architectural and engineering programming.

17                      (2) master planning.

18 (3) budgeting.

19 (4) feasibility analysis.

20 (5) constructability review.

21 (6) furnishing specification data or other product information.

22                   (7) any other services that do not establish selection qualifications or  
23                   evaluation criteria for the procurement of an architect or engineer.

Section 2. R.S. 39:1496.2 and 1594.3 are hereby amended and reenacted to read as follows:

§1496.2. Limitations on consultants competing for contracts

(A) Any person contracting with an agency for the purposes of developing bidding documents, requests for proposals, or any other type of solicitation related to a specific procurement shall be prohibited from bidding, proposing, or otherwise competing for award of that procurement. Such persons shall further be prohibited from participating as subcontractors related to the award of that procurement.

(B) For the purposes of this Section, the following activities shall not be considered "developing bidding documents, requests for proposals, or any other type of solicitation":

(1) architectural and engineering programming.

(2) master planning.

(3) budgeting.

(4) feasibility analysis.

(5) constructability review.

(6) furnishing specification data or other product information.

(7) any other services that do not establish selection qualifications or evaluation criteria for the procurement of an architect or engineer.

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§1594.3. Limitations on consultants competing for contracts

(A) Any person contracting with an agency for the purposes of developing bidding documents, requests for proposals, or any other type of solicitation related to a specific procurement shall be prohibited from bidding, proposing, or otherwise competing for award of that procurement. Such persons shall further be prohibited from participating as subcontractors related to the award of that procurement.

(B) For the purposes of this Section, the following activities shall not be considered "developing bidding documents, requests for proposals, or any other type of solicitation":

(1) architectural and engineering programming.

- 1                    (2) master planning.
- 2                    (3) budgeting.
- 3                    (4) feasibility analysis.
- 4                    (5) constructability review.
- 5                    (6) furnishing specification data or other product information.
- 6                    (7) any other services that do not establish selection qualifications or
- 7                    evaluation criteria for the procurement of an architect or engineer.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_