Regular Session, 2012

SENATE BILL NO. 409

BY SENATOR MURRAY

LOCAL AGENCIES. Authorizes the Sewerage and Water Board of New Orleans to use design-build contracts. (gov sig)

1   AN ACT

2   To amend and reenact R.S. 38:2225.2.1(A)(1) and (3), relative to public contracts; to

3   authorize the Sewerage and Water Board of New Orleans to use design-build

4   contracts; to extend the authorization time for use of design-build contracts by

5   certain public entities in areas damaged by Hurricane Katrina, Hurricane Rita, or

6   both; and to provide for related matters.

7   Notice of intention to introduce this Act has been published.

8   Be it enacted by the Legislature of Louisiana:

9   Section 1. R.S. 38:2225.2.1(A)(1) and (3) are hereby amended and reenacted to read

10   as follows:

11   §2225.2.1. Design-build contracts; authorized use by certain public entities in areas

12   damaged by Hurricane Katrina, Hurricane Rita, or both

13   A.(1) Notwithstanding any law to the contrary, the following public entities

14   may utilize the design-build method in the construction or repair of any public

15   building or structure which has been destroyed or damaged by Hurricane Katrina,

16   Hurricane Rita, or both or any public building or structure to be constructed or

17   repaired to meet a homeland security or criminal justice need pursuant to a hurricane

1   recovery plan: the division of administration, the Recovery School District, the city

2   of New Orleans, **the Sewerage and Water Board of New Orleans,** sheriffs, housing

3   authorities, and parish governments in Calcasieu, Cameron, Jefferson, Orleans,

4   Plaquemines, St. Bernard, St. Tammany, and Vermilion parishes and the Port of New

5   Orleans.

6   *   *   *

7   (3) For the purposes of this Section, "design-builder" means the entity

8   contractually responsible for delivering the project design and construction. This

9   authority shall extend for ~~five~~ **eight** years from July 10, 2007, after which time only

10   those projects that were contracted for prior to that date may proceed.

11   *   *   *

12   Section 2. This Act shall become effective upon signature by the governor or, if not

13   signed by the governor, upon expiration of the time for bills to become law without signature

14   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

15   vetoed by the governor and subsequently approved by the legislature, this Act shall become

16   effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Ann S. Brown.

DIGEST

Murray (SB 409)

Present law provides that certain public entities may utilize the design-build method in the
construction or repair of any public building or structure which has been destroyed or
damaged by Hurricane Katrina, Hurricane Rita, or both. Further provides that the design-
build method may be used for any public building or structure to be constructed or repaired
to meet a homeland security or criminal justice need pursuant to a hurricane recovery plan.

Present law identifies the public entities authorized to use the design-build method as: the
division of administration, the Recovery School District, the city of New Orleans, sheriffs,
housing authorities, and parish governments in Calcasieu, Cameron, Jefferson, Orleans,
Plaquemines, St. Bernard, St. Tammany, and Vermilion parishes and the Port of New
Orleans.

Proposed law retains present law and adds the Sewerage and Water Board of New Orleans
as a public entity authorized to use the design-build method.

Present law provides that this authorization shall extend for 5 years from July 10, 2007, after
which time only those projects that were contracted for prior to that date may proceed.

Proposed law changes the length of authorization from 5 years to 8 years and retains further

Coding: Words which are ~~struck through~~ are deletions from existing law;
words in **boldface type and underscored** are additions.

provisions of <u>present law</u>.

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

(Amends R.S. 38:2225.2.1(A)(1) and (3))