

2016 Regular Session

HOUSE BILL NO. 1086

BY REPRESENTATIVE LANCE HARRIS

PUBLIC CONTRACT/BIDS: Provides relative to contract limits for certain public contracts

1 AN ACT

2 To amend and reenact R.S. 38:2212(A)(1), relative to the contract limit for public works  
3 contracts let by certain municipalities; to authorize certain municipalities to let  
4 contracts for public works in accordance with state public bid law rather than a home  
5 rule charter; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2212(A)(1) is hereby amended and reenacted to read as follows:

8 §2212. Advertisement and letting to lowest responsible and responsive bidder;  
9 public work; electronic bidding; participation in mentor-protégé program;  
10 exemptions

11 A.(1)(a) All public work exceeding the contract limit as defined in this  
12 Section, including labor and materials, to be done by a public entity shall be  
13 advertised and let by contract to the lowest responsible and responsive bidder who  
14 had bid according to the bidding documents as advertised, and no such public work  
15 shall be done except as provided in this Part.

16 (b) Notwithstanding any provision of a home rule charter established  
17 subsequent to 1974 to the contrary, no municipality shall be required to advertise and  
18 let by contract to the lowest responsible and responsive bidder, who had bid  
19 according to the bidding documents as advertised, any public work which is less than  
20 the contract limit established by this Section. This Subparagraph shall only apply

1        to municipalities with a population of not less than forty-five thousand persons and  
 2        not more than fifty thousand persons as of the most recent federal decennial census.  
 3    \*           \*           \*

---

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)]

---

HB 1086 Engrossed                        2016 Regular Session                        Lance Harris

**Abstract:** Allows certain municipalities to utilize contract limits for public works set in state law rather than contract limits set in their home rule charters.

Present law requires all public work exceeding the contract limit as defined in present law, including labor and materials, to be done by a public entity to be advertised and let by contract to the lowest responsible and responsive bidder who had bid according to the bidding documents as advertised.

Proposed law provides that, notwithstanding any provision of a home rule charter established subsequent to 1974 to the contrary, no municipality shall be required to advertise and let by contract to the lowest responsible and responsive bidder, who had bid according to the bidding documents as advertised, any public work which is less than the contract limit established by present law.

Proposed law would only apply to municipalities with a population of not less than 45,000 persons and not more than 50,000 persons as of the most recent federal decennial census.

(Amends R.S. 38:2212(A)(1))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

- 1.        Add for purposes of proposed law that the lowest responsible and responsive bidder would be one who had bid according to the bid documents as advertised.
- 2.        Make a technical change.