Regular Session, 2012

ACT No. 493

HOUSE BILL NO. 367

BY REPRESENTATIVE LEGER

1	AN ACT
2	To amend and reenact R.S. 38:2212(A)(3)(g), relative to construction managers; to remove
3	certain restrictions on the use of construction managers or third-party consultants in
4	Orleans Parish; and to provide for related matters.
5	Notice of intention to introduce this Act has been published
6	as provided by Article III, Section 13 of the Constitution of
7	Louisiana.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 38:2212(A)(3)(g) is hereby amended and reenacted to read as
10	follows:
11	§2212. Advertisement and letting to lowest responsible bidder; public work;
12	electronic bidding; participation in mentor-protégé program; exemptions
13	A.
14	* * *
15	(3)
16	* * *
17	(g)(i) No construction manager or any other third-party consultant employed
18	by a public entity may manage a construction project as a general contractor or act
19	in the role of the general contractor to oversee, direct, or coordinate individual trade
20	contractors on behalf of the public entity, or accept bids or itself bid on the public
21	work or components of the public work with respect to which the manager or
22	consultant is employed or contracted to manage or consult.
23	(ii) The provisions of Item (i) of this Subparagraph shall not apply to the
24	initial construction of a hospital, medical facility, or a combination of both,

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 constructed by the Orleans Hospital Service District, but shall apply to the 2 construction of any additions or modifications of a hospital, medical facility, or a 3 combination of both, constructed by the Orleans Hospital Service District following 4 the completion of the initial construction. The provisions of this Item shall not 5 relieve the Orleans Hospital Service District from complying with all other 6 applicable provisions of Title 38. 7 (iii) All construction contracts on public works shall be opened in a public 8 meeting. All subcontractors bidding on the project shall be invited to the meeting 9 and the general contractor shall list in the bid documents who the subcontractors will 10 be on the project. 11 SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

ENROLLED

HB NO. 367

APPROVED: _____