

1 13. Small Entrepreneurships and Veteran-Owned Small Entrepreneurship.

2 For the purposes of this Paragraph the definitions of "small entrepreneurship" and
3 "veteran-owned small entrepreneurship" shall be the same as R.S. 39:2002 and 2172,
4 respectively.

5 a. For those contracts which are awarded through the request for proposal
6 process, fifteen percent of the total score shall be based on whether the business is
7 a small entrepreneurship or veteran-owned small entrepreneurship, or whether the
8 business subcontracted, as part of a contract with a public entity, at least twenty-five
9 percent or more of the work received through the letting process to a small
10 entrepreneurship or veteran-owned small entrepreneurship in the previous twelve-
11 month period. The following shall apply when scoring a business which
12 subcontracts less than twenty-five percent of its work to a small entrepreneurship or
13 veteran-owned small entrepreneurship:

14 (i) A business which subcontracts less than twenty-five percent but more than
15 twenty percent shall be awarded eighty percent of the fifteen percent of the total
16 score.

17 (ii) A business which subcontracts less than twenty percent but more than
18 fifteen percent shall be awarded sixty percent of the fifteen percent of the total score.

19 (iii) A business which subcontracts less than fifteen percent but more than ten
20 percent shall be awarded forty percent of the fifteen percent of the total score.

21 (iv) A business which subcontracts less than ten percent but more than five
22 percent shall be awarded twenty percent of the fifteen percent of the total score.

23 (v) A business which subcontracts not more than five percent shall be
24 awarded ten percent of the fifteen percent of the total score.

25 (vi) A business which has not subcontracted with a business certified as a
26 small entrepreneurship or veteran-owned small entrepreneurship shall not be
27 awarded any points pursuant to this Paragraph.

28 b. If a business has not received a contract with a public entity through the
29 letting process in the previous twelve-month period, the reviewing entity shall

1 determine the last known date of subcontracting and consider the prior twelve
2 months from such date in determining the applicability of this Paragraph.

3 BE IT FURTHER RESOLVED that the commissioner of administration or any other
4 head of agency which has rules promulgated related to letting contracts via requests for
5 proposals, including those promulgated pursuant to the Public Bid Law and Louisiana
6 Procurement Code, shall be authorized and directed to amend the applicable provisions in
7 the Louisiana Administrative Code in the same manner.

8 BE IT FURTHER RESOLVED that the Louisiana Register is hereby directed to have
9 the amendment to LAC 34:V.145, and any other provision of the Louisiana Administrative
10 Code that shall be amended pursuant to this Resolution, printed and incorporated into the
11 Louisiana Administrative Code and to transmit a copy of the revised rule to the office of the
12 governor, division of administration, office of contractual review.

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)]

Girod Jackson

HCR No. 68

Amends LAC 34:V.145 of the rules and regulations promulgated by the division of administration for letting contracts with requests for proposals.

Proposed LAC amendment provides that for those contracts which must be let with a request for proposal, 15% of the total score shall be based on whether the business is certified as a small entrepreneurship or veteran-owned small entrepreneurship, or whether the business subcontracted, as part of a contract with a public entity, at least 25% or more of the work received through the letting process to a small entrepreneurship or veteran-owned small entrepreneurship in the previous 12-month period.

Proposed LAC amendment provides that the following shall apply when scoring a business which subcontracts less than 25% percent of its work to a small entrepreneurship or veteran-owned small entrepreneurship:

- (1) A business which subcontracts less than 25% but more than 20% shall be awarded 80% of the 15% of the total score.
- (2) A business which subcontracts less than 20% but more than 15% shall be awarded 60% of the 15% of the total score.
- (3) A business which subcontracts less than 15% but more than 10% shall be awarded 40% of the 15% of the total score.
- (4) A business which subcontracts less than 10% but more than 5% shall be awarded 20% of the 15% of the total score.

- (5) A business which subcontracts not more than 5% shall be awarded 10% of the 15% of the total score.
- (6) A business which has not subcontracted with a small entrepreneurship or veteran-owned small entrepreneurship shall not be awarded any points pursuant to proposed LAC Amendment.

Proposed LAC amendment provides that if a business has not received a contract with a public entity through the letting process in the previous 12-month period, the reviewing entity shall determine the last known date of subcontracting and consider the prior 12 months from such date in determining the applicability of this Paragraph.

Requires that the commissioner or any other head of agency which has rules promulgated related to letting contracts via requests for proposals including those promulgated pursuant to the Public Bid Law and La. Procurement Code shall be authorized and directed to amend the applicable provisions in the La. Administrative Code in the same manner.

Directs the La. Register to print the amendment to LAC 34:V.145 in the La. Administrative Code.

(Amends LAC 34:V.145)