2015 Regular Session

ACT No. 163

SENATE BILL NO. 162

BY SENATOR GARY SMITH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1	AN ACT
2	To amend and reenact R.S. 38:2225.2.4(A)(3), (F)(5), and (G)(5), relative to public
3	contracts; to authorize a construction management at risk pilot program; to provide
4	for selection of a construction management at risk contractor; to provide for entry
5	into a construction management at risk contract by an owner; and to provide for
6	related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 38:2225.2.4(A)(3), (F)(5), and (G)(5) are hereby amended and
9	reenacted to read as follows:
10	§2225.2.4. Construction management at risk; public entity
11	A. * * *
12	(3) CMAR shall not be used for any project that is estimated to cost less than
13	twenty-five million dollars- except for any project in the CMAR pilot program.
14	A pilot program is hereby established that authorizes a public entity to use
15	CMAR for only one project which is estimated to cost three million dollars or
16	more, provided that the CMAR pilot program is limited to no more than ten
17	projects on a first-come, first-served basis. Prior to proceeding to use CMAR,
18	a public entity shall submit a proposed CMAR pilot project by name, together
19	with the reason to use CMAR, to the House and Senate transportation,
20	highways, and public works committees for review and approval.
21	* * *
22	F. * * *

Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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ENROLLED

1	(5) If the The benefits of using the CMAR method reduce as the design
2	process progresses, the. The owner shall select the CMAR contractor either before,
3	but not later than, when the in the professional opinion of the owner's design
4	professional, the design professional's design of the project is not more than thirty
5	percent complete.
6	G. After award and execution of the contract with the CMAR contractor, the
7	following actions shall proceed:
8	* * *
9	(5) Once a guaranteed maximum price is agreed upon, the owner may
10	authorize contract with the CMAR contractor to undertake construction services.
11	Additionally, the owner may determine and authorize contract with the CMAR
12	contractor to undertake specific items of construction services prior to agreement
13	upon a GMP for such items, provided such undertaking is for the benefit of the
14	project and a GMP for the undertaking can be agreed upon between the owner and
15	CMAR contractor. Such items may benefit the project, including but not limited to
16	items that require a long lead time, may further the understanding of unknown site
17	conditions, or other items.
18	* * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____