

2016 Regular Session

SENATE BILL NO. 197

BY SENATOR GATTI

PUBLIC CONTRACTS. Requires the use of a standard procurement process for certain solicitations between the state and a nonpublic party for hospital services, health care services, or other services in the amount of \$1 million or more. (7/1/16)

1 AN ACT

2 To amend and reenact R.S. 39:1595(B)(5)(a) and to enact R.S. 39:1595(B)(13), relative to  
3 competitive sealed proposals; to require the use of a standard procurement process  
4 for certain solicitations between the state and nonpublic parties for contracts in the  
5 amount of one million dollars or more; to provide for the procedures; to provide for  
6 an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 39:1595(B)(5)(a) is hereby amended and reenacted and R.S.  
9 39:1595(B)(13) is hereby enacted to read as follows:

10 §1595. Competitive sealed proposals

11 \* \* \*

12 B. Requests for proposals

13 \* \* \*

14 (5) The requests for proposals:

15 (a) For consulting, social, and professional services or cooperative endeavor  
16 agreements or contracts for services as provided in Paragraph (13) of this  
17 Subsection not otherwise exempt by law or regulation shall indicate the relative

1 importance of price and other evaluation factors, shall clearly define the tasks to be  
 2 performed under the contract, the criteria to be used in evaluating the proposals and  
 3 the time frames within which the work must be completed.

4 \* \* \*

5 **(13)(a) Notwithstanding any other provision of law to the contrary,**  
 6 **including Subsection A of this Section, any cooperative endeavor agreement or**  
 7 **contract between the state and a nonpublic party for hospital services, health**  
 8 **care, or other services in the amount of one million dollars or more shall be**  
 9 **procured through a request for proposal process as specified in Paragraphs (4)**  
 10 **through (12) of this Subsection.**

11 **(b) The provisions of this Paragraph shall not apply to the process for the**  
 12 **procurement of fiscal intermediary services as provided in R.S. 39:198(I).**

13 Section 2. This Act shall become effective on July 1, 2016; if vetoed by the governor  
 14 and subsequently approved by the legislature, this Act shall become effective on July 1,  
 15 2016, or on the day following such approval by the legislature, whichever is later.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Jay R. Lueckel.

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DIGEST

SB 197 Original

2016 Regular Session

Gatti

Present law provides for a request for proposal solicitation process for procuring certain contracts such as consulting services, social services, and professional services. Provides for the requirements and procedures of the request for proposal process including advertising or giving written notice; the importance of price and other evaluation factors; tasks to be performed; evaluation criteria; work completion time frames; and contract elements; among others.

Proposed law retains present law relative to request for proposal requirements.

Proposed law provides that notwithstanding any other provision of law to the contrary, any cooperative endeavor agreement or contract between the state and a nonpublic party for hospital services, health care, or other services in the amount of one million dollars or more shall be procured through a request for proposal process as specified in present law.

Additionally, proposed law provisions shall not apply to the process for the procurement of fiscal intermediary services in present law.

Effective July 1, 2016.

(Amends R.S. 39:1595(B)(5)(a); adds R.S. 39:1595(B)(13))