

2022 Regular Session

SENATE BILL NO. 445

BY SENATOR ABRAHAM

TRANSPORTATION/DEV DEPT. Provides relative to approval of Department of Transportation and Development P3 projects. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 48:250.4(A), relative to approval of department of transportation
3 and development contracts with public private partnerships; to provide for the
4 approval of contracts by the legislature; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 48:250.4(A) is hereby amended and reenacted to read as follows:

7 §250.4. Public-private partnership projects

8 A.(1) Notwithstanding any law to the contrary or the requirements of this
9 Part, if the secretary determines it is in the best interest of the taxpayers, the
10 Department of Transportation and Development, with approval of the House and
11 Senate transportation, highways, and public works committees, may solicit proposals
12 for ~~and enter into contracts for~~ public-private partnership projects for a transportation
13 facility. The department shall comply with the provisions of R.S. 48:2084 through
14 2084.15 that are applicable to public-private partnership projects of the Louisiana
15 Transportation Authority and the provisions of R.S. 48:256.3 and 256.5.

16 **(2) Prior to executing a contract for a public-private partnership, the**
17 **department shall receive approval from the House and Senate transportation,**

1 highways and public works committees and the Joint Legislative Committee on
2 the Budget to enter into the contract.

3 (a)The Department of Transportation and Development shall provide the
4 detailed financial analysis of cost conducted by the department and the Federal
5 Highway Administration relative to the I-10 Calcasieu River Bridge project to
6 the Senate Committee on Transportation, Highways and Public Works and the
7 House Committee on Transportation, Highways and Public Works.

8 (b)The Department of Transportation and Development and the
9 Department of the Treasury shall use the analysis provided for by
10 Subparagraph (a) of this Paragraph to prepare a comparative financial analysis
11 of the cost of the design build method of the I-10 Calcasieu River Bridge project.

12 (c) The result of the comparative analysis shall be provided to the Senate
13 Committee on Transportation, Highways and Public Works and the House
14 Committee on Transportation, Highways and Public Works immediately upon
15 completion. The committees shall use the comparative analysis as a reference
16 during deliberation in approving the public-private partnership contract for the
17 I-10 Calcasieu River Bridge project.

18 * * *

19 Section 2. The provisions of this Act shall apply to all active requests for proposals
20 that are not in contract status on the effective date of this Act.

21 Section 3. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 effective on the day following such approval.

The original instrument was prepared by Archana Cadge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

SB 445 Reengrossed

2022 Regular Session

Abraham

Present law provides for the department to obtain approval from the House and Senate transportation and highway committees prior to soliciting proposals and entering into contracts.

Proposed law retains present law and clarifies the department shall obtain approval from the House and Senate transportation and highway committees and the Joint Legislative Committee on the Budget prior to entering into contracts.

Proposed law requires the Department of Transportation and Development (DOTD) to provide the detailed financial analysis of cost conducted by the department and the Federal Highway Administration relative to the I-10 Calcasieu River Bridge project to the legislative transportation committees.

Requires the DOTD and the Department of the Treasury use the analysis provided to prepare a comparative financial analysis of the cost of the design build method of the I-10 Calcasieu River Bridge project.

Proposed law further provides that the result of the comparative analysis be provided to the legislative transportation committees immediately upon completion and requires that these committees use the comparative analysis as a reference during deliberations in approving the public-private partnership contract for the I-10 Calcasieu River Bridge project.

Proposed law applies to all unsigned contracts as of the effective date of proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 48:250.4(A))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Adds provisions for the Joint Legislative Committee on the Budget to also approve contracts for public-private partnerships.
2. Provides for submission of a detailed financial analysis of costs and provides for use of this analysis to prepare a comparative financial analysis of the cost of the design to build method of the I-10 Calcasieu River Bridge project.
3. Provides for comparative analysis results to be provided to the legislative transportation committees for use as a reference in their deliberations in approving the public-private partnership contract for the I-10 Calcasieu River Bridge project.