

HOUSE BILL 1705

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 12,
Chapter 4, Part 1, relative to construction
management.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 12-4-106(a), is amended by adding the following language as a new subdivision (3):

(3)

(A) Construction management agent or advisor services that are provided for a fee and that involve preconstruction and construction administration and management services are deemed to be professional services and may be performed by a qualified person or entity licensed under title 62, chapter 6. No contract for such services shall be based upon competitive bids, but shall be awarded on the basis of recognized competence and integrity and to the best qualified and responsive proposer pursuant to this section.

(B) A construction manager who provides construction management services in accordance with this subdivision must be a contractor licensed in Tennessee.

(C) Notwithstanding the provisions of subdivision (A) of this subdivision, construction work that is under the coordination and oversight of a construction manager pursuant to this section shall be procured through competitive bids.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.