

Existing law authorizes DOTD to develop a pilot program to study the feasibility of combining the design and construction phases of a transportation project. Further requires the pilot program to be limited in duration to allow one project, at a cost not to exceed \$5 million, to be performed using the design-build method.

New law requires the approval of the pilot program by the House and Senate committees on transportation, highways and public works.

New law changes the limitation of the design-build program from one that authorizes the construction of one project, at a cost not to exceed \$5 million, to one that authorizes the construction of the new Mississippi River Bridge at St. Francisville (connection to US 61) including approach structures and connecting roadways, which is included in the TIMED program. Further authorizes the secretary to select an additional project to utilize the design-build method at a cost not to exceed \$5 million.

New law provides that in order to qualify for a design-build contract with the department, a single legal entity shall possess professional engineering design capability and qualified construction contracting capability.

New law requires the department to distribute the notice of intent to select an entity for design-build services and to request letters of interest and statements of qualifications from qualified firms or teams through advertisement by certain means to ensure adequate response.

New law authorizes the department to use a private design professional to develop the description of the project and the required scope of services.

New law requires the department to identify all required information in the notice of intent and in the standard response forms. Requires the completed response form and any other required information to be transmitted to the department prior to the deadline to submit such forms and information as provided in the notice of intent. Provides for any response failing to meet all of the requirements contained in the notice of intent will not be considered, and false or misrepresented information furnished in response to a notice of intent is grounds for rejection.

New law provides for the creation of a primary design-build evaluation committee to evaluate the responses to the notice of intent received by the department. Provides for the committee to use criteria such as experience, past performance on department projects, and any other project-specific criteria when evaluating responses. Provides for the committee to select a short list of not more than five of the highest rated entities. Provides for such selected entities to be invited to submit a detailed technical and cost proposal for the design-build project. Further requires the department to compensate all short-listed entities for the expense of preparing the technical proposal for more complex projects.

New law provides for the creation of a technical review committee to identify specific technical elements of the project, depending on the characteristics of the project, to be included in the technical scoring of the proposals. Authorizes the chief engineer, with concurrence of the secretary, to select additional committee members to score each technical element of the project. Provides for each committee member to make his scoring of assigned elements available for public review, which is to be considered a public record.

New law requires an adjusted score approach to be used by the department in determining the winning proposal, determined using three components which include the technical score, the time value, and the price proposal.

New law requires, prior to determining the adjusted score, the chairman of the technical review committee to notify each design-build proposer, in writing, of each proposer's final total technical score. Provides that a proposer may request, in writing, not later than 10 business days from the date of the chairman's notice, a review of its final total technical score, which then the chief engineer shall hold a hearing to review such within a reasonable time. Requires the chief engineer to present his findings from the hearing to the secretary to

determine the action to be taken regarding the proposer's request to review its final total technical score.

New law requires the winning proposal to be the proposal with the lowest adjusted score. Provides for the formula under which such adjusted score for each technical proposal is determined.

Effective August 15, 2004.

(Amends R.S. 48:250.2(A), (C) and (D); adds R.S. 48:250.3; repeals R.S. 48:250.2(B))