

LEGISLATIVE COUNCIL REPORT

A report on the following LAGC legislation.

- (1) SB 111, Sen. Womack, addresses 4 issues with the Public Bid Law:
 - timely acceptance and payment for change orders and allows change orders to be subjected to a mandamus ruling,
 - changes by a bidder to a paper bid shall be struck through and initialed by the person submitting that bid prior to submission,
 - the last timely bid submitted via electronic bidding shall be binding,
 - a public entity shall not take use or occupy of the public work, or any specified area of the public work, until substantial completion;Has passed the Senate without objection and is assigned to House Floor.
- (2) HB 222, Rep. Greg Miller, establishes specific time frames for an expeditious District Court trial decision when determining the award to the lowest responsive, responsible bidder and expedited time frames for suspensive appeals by public bodies and shortened time frames for decisions at the appellate level. This bill was heard in House Committee, and is currently on the House Floor.
- (3) Increases penalty for multiple offenses of a contractor/subcontractors declaring workers as independent contractors and not meeting the recognized tests. These bills are on hold but are expected to move at some time.
- (4) Seven bills dealing with highway infrastructure funding – all are moving in some phase in the legislature, it is anticipated that we will see an increase for infrastructure funding at the State level.
- (5) HB 69, McKnight, deals with underground utilities requiring excavator to give the exact location of the excavation (known as the white lining type bill), also requires the underground facilities owners to give contractors a positive response if they have anything in the area or not.
- (6) HB 294, Romero, would require prime contractors and public entities to approve subcontractors' final payment for substantial completion of their work, has been "parked" for the session by the author.
- (7) SB 207, Bodi White, requires that DOTD contracts contain a provision requiring the contractor to appear at any Legislative hearings upon request of the Legislature.

Regarding the American Rescue Act - Mr. Naquin clarified that the funds will be used for highway infrastructure. DOTD expects to utilize some of the ARA monies for infrastructure improvements. DOTD plans to use \$350 million of those funds on specific projects.

Regarding bill, 511 – passed the House and in Senate Finance next week. Gradual movement of sales tax of new vehicles will start out at 10% will be \$480-\$500 million a year.

HB 582 – electric cars, cap Highway Dept money – it's in House committee this week. Dedicates 4% of current fuel tax to sub-fund and adds \$1000 per alternate fueled vehicles.