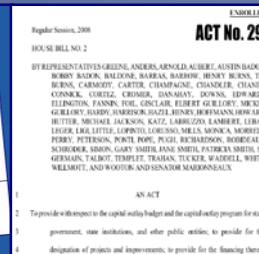
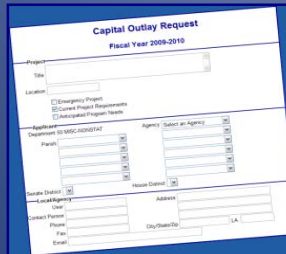




Non-State Capital Outlay Training Manual



Capital Outlay Seminar: September 2020

By: Edwin Lee, Senior Manager



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

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FACILITY PLANNING AND CONTROL

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DIVISION OF ADMINISTRATION

PROJECT ADMINISTRATION



Chapters 5 thru 12
2020 Non-State Entity Project
Administration Process



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

SEMINAR OUTLINE

CHAPTER 5

Cooperative Endeavor
Agreement (CEA)

CHAPTER 6

Non-State Entity Guidelines

CHAPTER 7

Changing Project
Descriptions

CHAPTER 8

Real Estate Acquisition

CHAPTER 9

Planning Contracts

CHAPTER 10

Construction Contracts

CHAPTER 11

Multi-Year Appropriations

CHAPTER 12

Furniture, Fixtures
Equipment Purchase

****BREAK (If needed)****

****THE END****



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

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PROGRAM CONFIGURATION

- ❖ Funds are appropriated to FP&C (not a grant program)
- ❖ Cooperative Endeavor Agreements (CEA) are established (contract between the state and entity)
- ❖ FP&C Project Managers administer the project
- ❖ Funds are disbursed on a as-need basis
- ❖ For eligible contracts subsequent to CEA



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

DO NOT SIGN ANY CONTRACTS

UNTIL YOU HAVE

CONTACTED YOUR PM



Contracts executed prior to the date of the CEA, prior to the date cash was made available for the state appropriation, or prior to FP&C concurrence ARE NOT ELIGIBLE for State participation



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

VARIOUS PROJECT TYPES



Alario Center



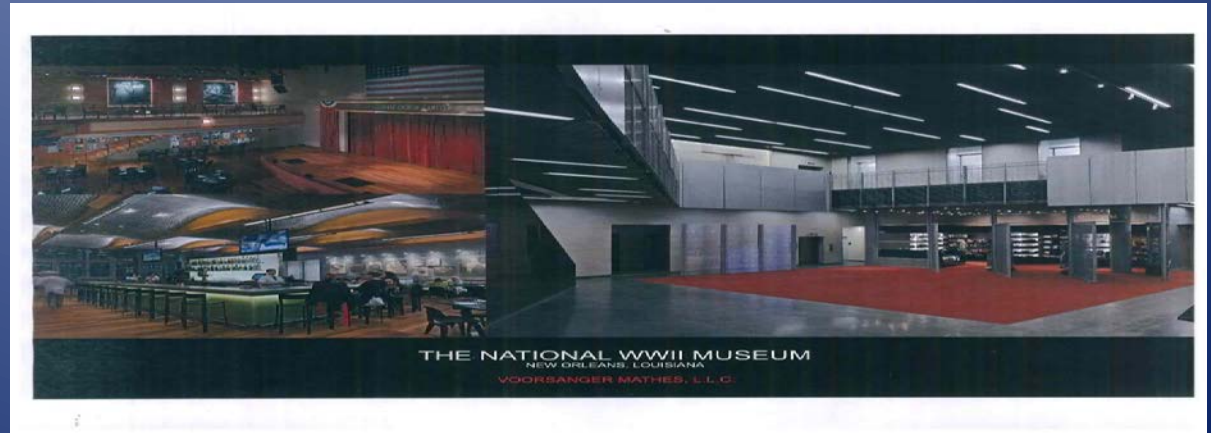
Interior



USO Pavilion – Amer. Sector Bar



WWII Museum-Theatre





FACILITY PLANNING AND CONTROL

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BUILDINGS & INTERIORS



Tulane National Primate Research Center



Interiors



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DIVISION OF ADMINISTRATION

BUILDINGS & INTERIORS



Audubon Zoo





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STATE OF LOUISIANA

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Audubon Zoo – Bull Elephant



FACILITY PLANNING AND CONTROL

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DIVISION OF ADMINISTRATION



Audubon Zoo - Bull Elephant Fountain



FACILITY PLANNING AND CONTROL

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BUILDINGS & INTERIORS



WYES Building



Interiors



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BUILDINGS & INTERIORS





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DIVISION OF ADMINISTRATION

BUILDINGS & INTERIORS



Law Enforcement



Courthouse Renovations



Opera House Interior



Carencro Fire Station



Terrebonne Port



Before

After



FACILITY PLANNING AND CONTROL

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DIVISION OF ADMINISTRATION

BUILDINGS & INTERIORS



GBRPC Maritime Special Operations Center



Conference Room



Control Room



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

BUILDINGS & INTERIORS



Terrebonne Parish EOC

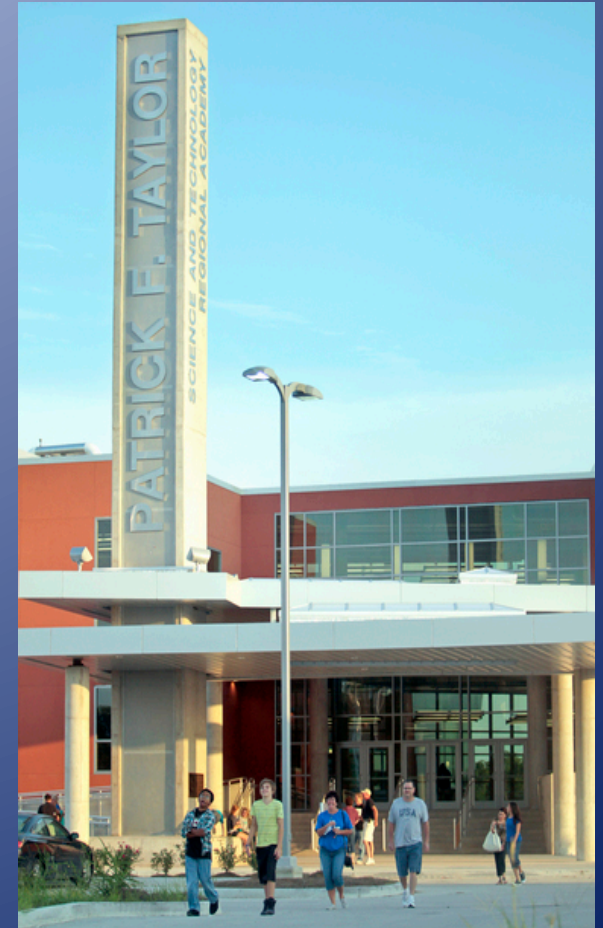


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DIVISION OF ADMINISTRATION

BUILDINGS & INTERIORS





FACILITY PLANNING AND CONTROL

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DIVISION OF ADMINISTRATION

BUILDINGS & INTERIORS



LaSalle Rural Health Hospital



Hospital Emergency Entrance



North Caddo Medical Center



St. Bernard Parish Hospital



Louisiana Cancer Research Ctr.



SUBR Baseball Fieldhouse



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BUILDINGS & INTERIORS



Audubon Elephant Barn



Clinton Courthouse



AG Building



Visitors Center-Forts Randolph and Buhlow





FACILITY PLANNING AND CONTROL

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INFRASTRUCTURE PROJECTS



TPC Louisiana - Restoration



Terrebonne Parish Bayou Boardwalk



North Tangipahoa Parish Recreation Park
Master Plan



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

INFRASTRUCTURE PROJECTS



Playground



FACILITY PLANNING AND CONTROL

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INFRASTRUCTURE PROJECTS



Drainage Rip-Rap



Pump Station



Generator @ Pump Station



HVAC Installation



Boat Launch



Street Paving and Drainage



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

INFRASTRUCTURE PROJECTS



Aviation Fuel Storage Tank



Liq. Fertilizer Storage Tank



Sewer Lift Station



Sewer Treatment Improv.



Drainage Pump Station



Nature Boardwalk



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FILM INDUSTRY





FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

CHAPTER 5



Cooperative Endeavor Agreements (CEA)



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DIVISION OF ADMINISTRATION

Excerpt from HB 2 – Act 2 of 2020

- ❖ Must have a fully executed CEA from FPC
- ❖ Before entering into any contracts which obligate State funds
- ❖ Must follow all laws pertaining to public bidding
- ❖ If an Entity enters into a contract prior to receipt of funds or
- ❖ Prior to execution of a CEA, then all payments under such contracts are Prohibited from capital outlay appropriations and are the responsibility of the Entity



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STATE OF LOUISIANA

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Key Points – Cooperative Endeavor Agreement (CEA)

- ❖ CEA Data Form starts the process (return promptly)
- ❖ Appropriation must be at least partially funded
- ❖ Draft CEA is developed (Terms and Conditions & Funding Summary) reviewed by PM and final sent to Entity
- ❖ Funding Summary of CEA (Identifies all State Capital Outlay Funding & Entity's Share - 25% Match Requirement)
- ❖ FP&C will send final CEA and Funding Summary to Entity for signature, dating, and witnessing



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

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COOPERATIVE ENDEAVOR AGREEMENT DATA FORM

Complete form and return to:

Facility Planning and Control
Capital Outlay Section
Post Office Box 94095
Baton Rouge, LA 70804-9095

Telephone: (225) 342-0823
Fax: (225) 342-7624
Email: capitaloutlay@la.gov

Please type or print the following:

Date: SEPTEMBER 9, 2019

Project Name: FIRE STATION EXPANSION, ACQUISITION, PLANNING AND CONSTRUCTION

Parish(es): EVANGELINE

FP&C Project #: 50-MZZ-18-01 Act #: 20 Year: 2019 Page: 58

Entity Name: TOWN OF MARAIS

Entity Address: MAYOR PLACIDE GUIDRY

Federal Identification Number: 72-9999999

Person authorized to sign Cooperative Endeavor Agreement (Name and Title):

MAYOR PLACIDE GUIDRY

Telephone: 337-123-4567 Fax #: 337-123-4567

Contact Person (Name and Title):

MAYOR PLACIDE GUIDRY

Telephone: 337-123-4567 Fax #: 337-123-4567 E-Mail: MPGUIDRY1@GMAIL.COM

Please attach the following, if applicable:

- Proof that funds have been pledged and set aside to meet match requirement
- Verification of 501(C)(3) status

Authorized Representative



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

Key Points – Review of Draft CEA & Funding Summary

- ❖ Look at HB 2 – Act 2 of 2020 (Capital Outlay Act)
 - Check Entity, Project Title, Project Number, & Funding
- ❖ CEA Funding Summary list all State Capital Outlay Funding
 - Identify Funding Source, GF, CLOC, NLOC
 - Look at match, minimum 25% match required unless exempted
 - Max: Design 10%, Misc. 5% of construction cost
 - Limit FP&C involvement and increase project schedule efficiency by consolidating State Funds
 - Does the project meet function and intent of Capital Outlay Request
 - Will the project be fully functional



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION



COOPERATIVE ENDEAVOR AGREEMENT BETWEEN
THE STATE OF LOUISIANA and
TOWN OF MARAIS
FIRE STATION EXPANSION, ACQUISITION, PLANNING AND CONSTRUCTION
(EVANGELINE)
FP&C Project No. 50-MZZ-18-01

In accordance with Article VII, Section 14 of the 1974 Constitution of the State of Louisiana (Constitution), the STATE OF LOUISIANA (State), herein represented by MARK A. MOSES, DIRECTOR, OFFICE OF FACILITY PLANNING AND CONTROL (FP&C) OF THE DIVISION OF ADMINISTRATION (DOA), and TOWN OF MARAIS (Entity), a not-for-profit organization, herein represented by MAYOR PLACIDE GUIDRY do hereby enter into a Cooperative Endeavor Agreement (Agreement) to serve the public for the purposes hereinafter declared.

ARTICLE I

1.1 WHEREAS, the Capital Outlay Act (Act), adopted in accordance with Article VII, Section 6 of the Constitution, is the comprehensive capital outlay budget required by said Article VII, Section 6, and contains an appropriation for the Entity for the Project Number and Project Description (Project) as set forth in a State Funding Summary ("Funding Summary") attached hereto for reference only; and

1.2 WHEREAS, the Omnibus Bond Act of the Louisiana Legislature (OBA), adopted in accordance with Article VII, Section 6 of the Louisiana Constitution of 1974, provides for the issuance by the State Bond Commission of State General Obligation Bonds for certain of the projects contained in the Act, including the Project, which bonds are to be secured by a pledge of the full faith and credit of the State, as well as by monies dedicated to and paid into the Security and Redemption Fund as provided in Article VII, Section 9 of the Constitution, which authorization includes the issuance, if applicable, of State General Obligation Bonds for the Project (Project Bonds) as set forth in the Funding Summary; and

1.3 WHEREAS, if applicable, the Entity has supplied the State with evidence of the availability and commitment of Local, Federal or Non-State Matching Funds for the Project, as set forth in the Funding Summary; and

1.4 WHEREAS, the State appropriated State General Fund (Direct) or other sources of cash for the Project or the Bond Commission did grant a cash line of credit and/or a non-cash line of credit for the Project in the amount(s) as stated in the Funding Summary; and

1.5 WHEREAS, the Act provides that all of the funds appropriated, in the absence of express language to the contrary, shall be considered as having been appropriated directly to FP&C and shall be administered by FP&C under Cooperative Endeavor Agreements;

IT IS HEREBY AGREED by the State and the Entity that:

ARTICLE II PURPOSE

2.1 The purpose of this Agreement is to set forth the terms of administering the Project by FP&C. FP&C will administer this Project in accordance with the Non-State Entity Capital Outlay Administrative Guidelines, January, 2019 ed. (the "Guidelines"), which is incorporated herein and made a part of this Agreement. As required by Section 147(e) of the Internal Revenue Code of 1986, as amended (the "Code"), the Entity hereby understands and agrees that, in addition to the requirements of the Guidelines, no proceeds of the Project Bonds can or will be used for airplanes, skyboxes or luxury private boxes, health club facilities, facilities primarily used for gambling, or any store the principal business of which is the sale of alcoholic beverages for consumption off premises.



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

5.13

EXHIBIT A

COOPERATIVE ENDEAVOR AGREEMENT BETWEEN
THE STATE OF LOUISIANA and
TOWN OF MARAIS
Crawfish Museum, Planning and Construction
FP&C Project No. 50-MZZ-11-01
(Evangeline)

COSTS AND FUNDS THIS AGREEMENT (\$):

COST CATEGORIES	CAPITAL OUTLAY CASH	NON-CASH LINE OF CREDIT	OTHER	TOTAL
REAL ESTATE				\$ -
PLANNING				\$ -
CONSTRUCTION				\$ -
MISC				\$ -
EQUIPMENT				\$ -
ESCROW				\$ -
FP&C ADMIN				\$ -
TOTAL COSTS	\$ 200,000	\$ 550,000	\$ 250,000	\$ -

OLD FORMAT

Federal Tax Identification No. for Entity: 72-9999999

1. Planning Costs shall not exceed 10% of Construction Costs. Miscellaneous Costs shall not exceed 5% of Construction Costs.
2. Capital Outlay Cash includes General Funds, NRP Bonds, Cash Line of Credit and/or Bonds sold.

EXHIBIT B

COOPERATIVE ENDEAVOR AGREEMENT BETWEEN
THE STATE OF LOUISIANA and
TOWN OF MARAIS
Crawfish Museum, Planning and Construction
FP&C Project No. 50-MZZ-11-01
(Evangeline)

State of Louisiana-ISIS Financial System-State Funding Summary

ACT #	YEAR	DESCRIPTION	STATE CASH	STATE NON-CASH LINE OF CREDIT	TOTAL STATE FUNDING
22	2011	GO Bonds LOC	200,000	550,000	\$ 750,000
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
TOTAL			\$ 200,000	\$ 550,000	\$ 750,000

OLD FORMAT



DIVISION OF ADMINISTRATION

FP&C Project No. 50-MZZ-18-01

1. Planning costs shall not exceed 10% of Construction costs. Miscellaneous costs shall not exceed 5% of Construction costs.
2. Capital Outlay Cash includes General Funds, NRP Bonds, Cash Line of Credit and/or Bonds sold.
3. Total in "Other" column equals required 25% match as reflected in Article XX.
4. The estimated cost of construction is \$975,000 per the 2019-20 Capital Outlay Request.



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DIVISION OF ADMINISTRATION

CHAPTER 6



Non-State Entity Guidelines October 2019



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

Non-State Entity Capital Outlay Administrative Guidelines



**Facility Planning and Control
Division of Administration
State of Louisiana**

October 2019



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

Introduction

CHAPTER 1. Allowable Costs

- ❖ Real Estate Acquisition
- ❖ Planning
- ❖ Construction
- ❖ Miscellaneous
- ❖ Equipment
- ❖ Escrow
- ❖ Administration

CHAPTER 2. Other Requirements

- ❖ Authorized Representative
- ❖ Local Match

Appendix

Instructions for Completing Forms

- ❖ Request for Disbursement
- ❖ Request for FP&C Concurrence in Real Estate Closing
- ❖ Request for FP&C Concurrence in Construction Contract Award
- ❖ Request for FP&C Concurrence in Equipment Purchase



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

Introduction

- ❖ The Non-State Capital Outlay Administration Guidelines (Guidelines) is part of the CEA (by reference) and therefore a component of a contract between the State and Entity
- ❖ FP&C disburses State Funds on an as-need basis to assure:
 - State funds are used for the project scope as described in the Capital Outlay Act and/or Capital Outlay Request form
 - A functional facility is in place upon full disbursement of the State Funds



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

FP&C's Role in Administering Projects

- ❖ Is "reactive" and in place to:
- ❖ Ensure the project is Functional and within the Intent of the Capital Outlay Request and Act
- ❖ Ensure conformance with the Public Bid Law (Chapter 10 of Title 38)
- ❖ Administer in accordance with FP&C approved contracts, including the CEA
- ❖ Ensure reasonable costs are paid by the State
- ❖ When the CEA is returned to the Entity for signature the cover letter will list a link to download the guidelines
- ❖ Download at <https://www.doa.la.gov/Pages/ofpc/Non-State/Non-State.aspx>



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

DO NOT SIGN ANY CONTRACTS

UNTIL YOU HAVE

CONTACTED YOUR PM



Contracts executed prior to the date of the CEA, prior to the date cash was made available for the state appropriation, or prior to FP&C concurrence ARE NOT ELIGIBLE for State participation



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

CHAPTER 7



Changing Project Descriptions



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

Interim Emergency Board (IEB) RS 39:461

Changing Capital Outlay Project Descriptions:

- ❖ To correct a mistake in a project description, clarify a description, change the scope of a description, or any other adjustment the board deems necessary to implement the purpose of the project
- ❖ *The board shall not consider an adjustment to any project description unless it receives a written request from the legislators in whose district or districts the project is located and from the entity for which the project funding has been appropriated.*
- ❖ *Approval is by majority vote of the elected members of each house of the legislature (takes several months)*
- ❖ *Found on State Legislature website (Miscellaneous Committees)*



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

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Interim Emergency Board (IEB) RS 39:461.9 Continued

The board shall not have the authority to do any of the following:

- ❖ Change the amount of funding allocated to any project
- ❖ Change the source of funds for any project
- ❖ Change the local match required of any project
- ❖ Change the entity for which the project funding has been appropriated, except to correct the legal name of such entity or unless the entity provides to the commission its written consent for such change
- ❖ Change the parish and/or other political subdivision in which the description requires the project to be located



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CHAPTER 8



Real Estate Acquisition



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Key Points – Real Estate Acquisition

- ❖ When acquiring land or immovable property with Capital Outlay funds, prior to closing, FP&C must review and approval the proposal , (Scope defined in the Capital Outlay Request)
- ❖ Disbursement for property cannot exceed fair market value
- ❖ Some closing costs can be eligible for State participation
- ❖ FP&C will require existing mortgages, etc., be satisfied prior to disbursing funds
- ❖ Unless the appropriation is for real estate acquisition only, Entity will need to demonstrate adequate funding to complete a project prior to property acquisition



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

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*******FP&C must concur prior to closing*******

Information Required with Submittal

1. State Certified General Appraisal
2. Preliminary title opinion attesting to good, clear, and merchantable title upon execution of act of sale, or title insurance
3. Phase 1 environmental assessment according to ASTM standards
4. Draft act of sale with warranty the property is free of hazards identified in the environmental assessment report
5. Evidence of commitment of funds and availability of match

Request for FP&C Concurrence in Real Estate Closing

Project Number: _____ Entity: _____
Project Name: _____ Contact Person: _____
Phone Number: _____

↓ To be completed by the Entity

The following information is attached and Entity requests FP&C's concurrence that the transaction is ready for closing.

1. State Certified General appraisal
2. Preliminary title opinion attesting that the non-state entity will have good, clear, and merchantable title upon execution of the act of sale, or title insurance
3. Phase I environmental assessment, prepared by an environmental professional according to current ASTM standard practice, that also considers asbestos containing materials, lead-based paint, lead in drinking water and wetlands
4. Draft act of sale with warranty that the property is free of CERCLA defined hazards and petroleum products identified in the environmental assessment as existing or suspected.
5. Evidence of current commitment of funds for the project and availability of match and/or in-kind match.

Entity: _____ Date: _____
(Signature of Authorized Representative) **SIGNATURE REQUIRED**
(Type or Print Name)

↓ To be completed by FP&C and returned to the Entity **AUTHORIZED REP.**

☐ FP&C concurs that the transaction is ready for closing
(FP&C will initiate writing a check in the amount of \$ _____)

☐ FP&C does not concur that the transaction is ready for closing

Reason: _____
(Entity must resolve and then submit another Request for FP&C Concurrence in Real Estate Closing)

Project Manager: _____ Date: _____
(Signature)

Remit to: Facility Planning & Control
LA Division of Administration
Post Office Box 94065
Baton Rouge, La. 70804-0065

Thank you for your cooperation!

Figure 2. Form Used for Concurrence in Real Estate Closing



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TAKE A BREAK
?



FACILITY PLANNING AND CONTROL

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CHAPTER 9



Planning Contracts



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

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Key Points – Design Contract

- ❖ Submit proposal to FP&C before you execute contract to determine level of State participation, if any
- ❖ If you execute a contract prior to receipt of funds or execution of the CEA, the State cannot participate in these costs
- ❖ FP&C will reimburse the entity for a reasonable fee
- ❖ On State Funding Summary, 10% max. of construction is a budget only, not automatic fee
- ❖ FP&C Non-State Projects do not have a State fee curve for determining fees unlike State owned projects which do have a fee curve
- ❖ FP&C is contracted by CEA with the Entity, not the designer, therefore all communication should be through the Entity. The Entity is responsible for forwarding copies of applicable correspondence to its consultants



FACILITY PLANNING AND CONTROL

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Key Points - Design Contract

- ❖ Function and Intent: does the project scope meet the function and intent of the Capital Outlay Request (COR) and Act
- ❖ Fee: is the cost reasonable for complexity of project (there is no fee curve for Non-State Projects)
- ❖ Payment Schedule as example:

Schematic Design Phase	15%
Design Development Phase	20%
Construction Document Phase	30%
Bidding and Contract Phase	5%
Construction Administration	30%
- ❖ Resident Project Representative: is it applicable to the type of project
- ❖ Additional Services & Reimbursable Expenses: State must approve proposal, no markups allowed



FACILITY PLANNING AND CONTROL

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Key Points – Construction Documents Review

Urge that a submission is made PRIOR to advertising !!!!!

- ❖ FP&C is not responsible for correctness of design:
 - Review is provide as a courtesy to avoid public bid problems and potential change orders
- ❖ Function and Intent:
 - Does the design meet the function and intent of the COR and Act
 - Is the cost estimate within the budget / available funds
- ❖ Specifications:
 - Are they complete and coordinated
 - Do they meet the Public Bid Law
 - Advertisement
 - 5% bid bond, performance and payment bonds
 - No closed specifications unless permitted by LA R.S. 38:2290-96
 - Is the bid form the Louisiana Uniform Public Work Bid Form
 - Anything in the bidding process which might cause possible rejection of bids
 - Any obvious technical problems to prevent future change orders (the State does not pay for errors and pays a percentage for omissions)



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Key Points – Construction Documents Review (continued)

❖ Drawings:

- Are they complete and meet the public bid law
- Any obvious technical problems to prevent future change orders

❖ Permits:

- Entity is responsible for obtaining all local, state, and federal permits
- Building project, State Fire Marshal approval if applicable
- Road or Sewer project, are DOTD or Railroad permits required
- Is ownership of property an issue, i.e. have servitudes or leases been obtained (will need prior to FP&C concurrence of contract award)

❖ Proposed Construction Contract:

- Is the entity a signatory

❖ Conclude all reviews with warning:

- Entity must submit a Request for FP&C Concurrence in Construction Contract Award for with accompanying documentation prior to awarding a contract



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

Key Points – Public Bid Law Review

❖ Applicable Statutes:

- Chapter 10 Title 38 of the Louisiana Revised Statutes

❖ Estimated Cost:

- R.S. 38:2212(A)(3)(i) states if designer's estimate is more than funds budgeted, project can not be advertised
- Designer's estimate shall be read aloud upon opening bids

❖ Method of Securing Bids (R.S. 38:2212 (A)(1)(a):

- Cost expected to be over \$250,000 (effected July 1, 2020) must be advertised, publicly bid, awarded to the lowest responsible bidder
- Must use "Louisiana Uniform Public Work Bid Form" (On FPC website)



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

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Key Points – Public Bid Law Review (continued)

❖ Advertisement (R.S. 38:2212(G)(1)):

- Published once a week for three weeks in a newspaper in the locality (Official Journal)
- First ad not on a Saturday, Sunday, or Legal Holiday
- First ad at least 25 days prior to bid opening
- If mandatory (recommend voluntary) pre-bid conference must be in first ad

❖ Instruction to Bidders:

- Plan deposits (twice actual cost of reproduction) (R.S. 38:2212(A)(1)(e))
- Prime bidders get first set full refund al others get ½ deposit back if returned in good condition
- Submission of bids (R.S. 38:2214)



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Key Points – Public Bid Law Review (continued)

❖ Alternates (R.S. 38:2212(A)(3)(e):

- No more than three and must be taken in order unless the bidder is not affected

❖ Addenda (R.S. 38:2212(C):

- Issuance and bid postponements

❖ Bonds Required:

- Bid Bond (R.S. 38:2218)
- Performance Bond (R.S. 38:2216; R.S. 38:2219)
- Payment Bond (R.S. 38:2218; R.S. 38:2241)

❖ Product Equals (R.S. 38:2212(F)(2):

- Standard of quality statement
- Utilize “or approved equal” in the technical portion of the specs.



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

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Key Points – Public Bid Law Review (continued)

❖ Retainage (R.S. 38:2212(A)(3)(e):

- 10% if <\$500,000 and 5% if = or >\$500,000

❖ Project Closeout (R.S. 38:2248(A)(B):

- Certificate of Substantial Completion/Acceptance
- Costed Punch List (if applicable)
- 45 Clear lien Certificate (when retainage payment is released)

❖ Closed Specifications (R.S. 38:2290-2296) :

- Not allowed except for few exceptions
- When allowed
- What is required
- Separate line item on bid form



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

LOUISIANA UNIFORM PUBLIC WORK BID FORM

TO: _____ BID FOR: _____

(Owner to provide name and address of owner) *(Owner to provide name of project and other identifying information)*

The undersigned bidder hereby declares and represents that she/he: a) has carefully examined and understands the Bidding Documents, b) has not received, relied on, or based his bid on any verbal instructions contrary to the Bidding Documents or any addenda, c) has personally inspected and is familiar with the project site, and hereby proposes to provide all labor, materials, tools, appliances and facilities as required to perform, in a workmanlike manner, all work and services for the construction and completion of the referenced project, all in strict accordance with the Bidding Documents prepared by: _____ and dated: _____
(Owner to provide name of entity preparing bidding documents.)

Bidders must acknowledge all addenda. The Bidder acknowledges receipt of the following ADDENDA: (Enter the number the Designer has assigned to each of the addenda that the Bidder is acknowledging) _____.

TOTAL BASE BID: For all work required by the Bidding Documents (including any and all unit prices designated "Base Bid" * but not alternates) the sum of: _____ Dollars (\$ _____)

ALTERNATES: For any and all work required by the Bidding Documents for Alternates including any and all unit prices designated as alternates in the unit price description.

Alternate No. 1 *(Owner to provide description of alternate and state whether add or deduct)* for the lump sum of: _____ Dollars (\$ _____)

Alternate No. 2 *(Owner to provide description of alternate and state whether add or deduct)* for the lump sum of: _____ Dollars (\$ _____)

Alternate No. 3 *(Owner to provide description of alternate and state whether add or deduct)* for the lump sum of: _____ Dollars (\$ _____)

NAME OF BIDDER: _____

ADDRESS OF BIDDER: _____

LOUISIANA CONTRACTOR'S LICENSE NUMBER: _____

NAME OF AUTHORIZED SIGNATORY OF BIDDER: _____

TITLE OF AUTHORIZED SIGNATORY OF BIDDER: _____

SIGNATURE OF AUTHORIZED SIGNATORY OF BIDDER **: _____

DATE: _____

THE FOLLOWING ITEMS ARE TO BE INCLUDED WITH THE SUBMISSION OF THIS LOUISIANA UNIFORM PUBLIC WORK BID FORM:

* The Unit Price Form shall be used if the contract includes unit prices. Otherwise it is not required and need not be included with the form. The number of unit prices that may be included is not limited and additional sheets may be included if needed.

** A **CORPORATE RESOLUTION OR WRITTEN EVIDENCE** of the authority of the person signing the bid for the public work as prescribed by LA R.S. 38:2212(B)(5).

BID SECURITY in the form of a bid bond, certified check or cashier's check as prescribed by LA R.S. 38:2218(A) attached to and made a part of this bid.



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

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LOUISIANA UNIFORM PUBLIC WORK BID FORM UNIT PRICE FORM

TO: _____

(Owner to provide name and address of owner)

BID FOR: _____

(Owner to provide name of project and other identifying information)

UNIT PRICES: This form shall be used for any and all work required by the Bidding Documents and described as unit prices. Amounts shall be stated in figures and only in figures.

DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt # _____			
REF. NO.	QUANTITY:	UNIT OF MEASURE:	UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)

DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt # _____			
REF. NO.	QUANTITY:	UNIT OF MEASURE:	UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)

DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt # _____			
REF. NO.	QUANTITY:	UNIT OF MEASURE:	UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)

DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt # _____			
REF. NO.	QUANTITY:	UNIT OF MEASURE:	UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)

DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt # _____			
REF. NO.	QUANTITY:	UNIT OF MEASURE:	UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)

DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt # _____			
REF. NO.	QUANTITY:	UNIT OF MEASURE:	UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)

DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt # _____			
REF. NO.	QUANTITY:	UNIT OF MEASURE:	UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)

DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt # _____			
REF. NO.	QUANTITY:	UNIT OF MEASURE:	UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)

Wording for "DESCRIPTION" is to be provided by the Owner.

All quantities are estimated. The contractor will be paid based upon actual quantities as verified by the Owner.



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

DO NOT SIGN ANY CONTRACTS

UNTIL YOU HAVE

CONTACTED YOUR PM



Contracts executed prior to the date of the CEA, prior to the date cash was made available for the state appropriation, or prior to FP&C concurrence ARE NOT ELIGIBLE for State participation



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

CHAPTER 10



Construction Contracts



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

Key Points – FP&C Concurrence in Const. Contract Award

❖ Final Construction Documents:

- Have they been previously reviewed for
- Function and intent and possible public bid “fatal flaws”

❖ Ownership of Property :

- Certification by authorized representative required

❖ Current Commitment and Match:

- Certification the entity will provide any funds needed to complete the project

❖ Proof of Advertisement:

- Certified statement by publisher and copy of ad

❖ Public Bid Law Requirements:

- Certification that the procurement meets public bid law

“Fatal Flaws” are discussed with the Louisiana Attorney General’s Office for final verification



FACILITY PLANNING AND CONTROL

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*******FP&C must concur prior to the actual Award*******

Request for FP&C Concurrence in Construction Contract Award

Project Number: _____ Entity: _____
Project Name: _____ Contact Person: _____
Phone Number: _____

To be completed by the Entity

The following information is attached and the Entity requests FP&C's concurrence in the award of the construction contract for \$ _____ (Total Bid) to _____ (Contractor)

- Final construction documents (plans and specifications)
- Construction document addenda
- Certification that the cooperative endeavor agreement's ownership of property requirements have been met
- Evidence of current commitment of funds for the project and availability of match and/or in-kind match
- Certified proof of publication of advertisement for procurement
- Certified tabulation of bids or proposals with recommendation for award
- Certification that the procurement was in accordance with the public bid laws
- Other: _____

Entity: _____ Date: _____
(Signature of Authorized Representative) **SIGNATURE REQUIRED**
(Type or Print Name) **AUTHORIZED REP.**

To be completed by FP&C and returned to the Entity

☐ FP&C concurs in construction contract award
(Entity must submit a Request for Disbursement Form to draw from State funds)

☐ FP&C does not concur in construction contract award
Reason: _____
(Entity must resolve and then submit another Request for FP&C Concurrence in Construction Contract Award)

Project Manager: _____ Date: _____
(Signature)

Remit to: Facility Planning & Control
LA Division of Administration
Post Office Box 94095
Baton Rouge, La. 70804-9095

Thank you for your cooperation!

Figure 3. Form Used for Concurrence in Construction Contract Award

* These items can be addressed in a single letter on the Entity's letterhead and signed by the Authorized Representative.

Information Required with Submittal

1. Final Const. Docs
2. Construction Addenda
3. Certification that Ownership of property has been met
4. Evidence of current commitment and availability of match
5. Certified proof of public advertisement
6. Certified tabulation of bids with recommendation for award
7. Certification the procurement was in accordance with the Public Bid Law



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA DIVISION OF ADMINISTRATION

Request for Disbursement

Request No.

Project Number: Grantee: Contact Person:

Phone Number:

Project Name: ***Contract Number:

***PO Number:

WBS Number ***	Invoice Number	Vendor Name	Cost Code *	G/L ***	Invoice Amount	State's % ***	State's Amount ***	Entity's Amount ***	Ineligible Amount ***
Total									

This document will hereby certify that each of these invoices on this list and attached list(s) is in accordance with the terms of the applicable contracts and/or agreements and that the services have been performed or the goods received. Furthermore, this certification also indicates compliance with the terms and conditions of the cooperative endeavor agreement by and between the State of Louisiana and the Grantee.

Certified Correct by Grantee: Date:

(Signature of Authorized Representative)

(Type or Print Name)

*Cost Code	Category	*Cost Code	Category
Real Estate		Design Miscellaneous	
RQ Real Estate		R1 Topo	
Construction		R2 Geo	
CN Construction Services		R3 Environmental	
CN-TS 3rd Party Testing during Construction		R4 Testing Lab Fees	
Equipment		R5 Other Reimbursables	
EQ Equipment		A1 Additional Design Services	
Design		MI-TS 3rd Party Testing/Lab Fees	
F1 Basic Design Services			

*** G/L = Project Expenditure Code (see tables)
*** Areas for FP&C Use Only

Remit to: Facility Planning & Control
LA Division of Administration
Post Office Box 94095
Baton Rouge, LA 70804-9095

Revised 8/31/18



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FACILITY PLANNING & CONTROL- G/L CODES

*** Design - Basic Fee and Construction contracts should use the G/L that best represents the Scope of the Capital Outlay Project

Misc. Capital Outlay Expenditure G/Ls:

5710237	Art Admin
5210020	Travel, Mileage
5310001	Advertising Fees
5620018	Recordation Fees
5310013	Testing Fees - Other (including Lab Fees), lead-based paint testing, Brick Veneer Field Investigative Work, Asbestos Sampling
5510005	Legal Fees for Contractor/Project Dispute
5710232	Works of Art - Capitalized
5710238	Works of Art - Not Capitalized
5710278	Art Fixed to Building/Site

Design Reimbursable Expenses:

5710603	Capital Projects - Environmental Services, Air Monitoring, Archaeology Monitoring
5710604	Capital Projects - Geotechnical Services
5710605	Capital Projects - Survey (Topographic) Services, Elevation Certificate, Subsurface Infrastructure Survey
5510400	Prof Services - Other, AV Commissioning, Structural Investigation, Printing, Permit fee, RPR Inspection, Electronic Plan Dist., Radiation Testing

Capital Outlay Scope of Work G/Ls:

5310041	Pollution Remediation - All expenditures associated with Pollution Remediation
5330001	Maintenance - Expenditures associated with the maintenance of buildings. This includes HVAC replacements and re-roofing of buildings
5710210	Land Acquisitions - Expenditures associated with the purchase of land, right-of-ways, etc. Includes taxes, survey fees, legal fees, and other purchase related costs
5710180	Capitalized Buildings - Expenditures associated with the construction of new buildings expected to costs at least \$100,000.00
5710275	Construction - Expenditures associated with the construction of new buildings expected to costs less than \$100,000.00.
5710181	Infrastructure - Expenditures associated with the construction or maintenance of infrastructure including levee systems improvements, ferry landing improvements, oxidation pond improvements, water wells, sewer/wastewater improvements, drainage canals, exterior lighting systems, traffic signal installation, radio/TV towers, roads, interstates, highways, railroad tracks, airport runways and taxiways, bridges, tunnels, boat ramps, boat docks, piers, wharfs, boardwalks. *Infrastructure is not associated with a building.
5810001	Major Land Improvements - Expenditures associated with the cost of repairs or improvements to land, this physically alters the land. Included would be landscaping projects, improving and repairing roadways, parking lots, sidewalks, paths and trails, playgrounds, erosion control
5810002	Major Building Renovations - Expenditures associated with renovations or major repairs which physically alter existing buildings and facilities



FACILITY PLANNING AND CONTROL

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FP&C GL CODING REQUIREMENTS FOR EQUIPMENT PURCHASED WITH CAPITAL OUTLAY FUNDS

5710221	ACQ-COMPUTER HARDWARE
5710223	ACQ-COMMUNICATIONS EQUIP
5710224	ACQ-OFFICE FURNITURE & EQUIPMENT
5710225	ACQ-JANITORIAL/HOUSEHOLD EQUIPMENT
5710226	ACQ-CONSTRUCTION & OTHER EQUIPMENT
5710227	ACQ-MEDICAL EQUIPMENT
5710228	ACQ-FARM, AGRICULTURAL, RESEARCH EQUIPMENT
5710229	ACQ-SECURITY/LAW ENFORCEMENT EQUIPMENT
5710230	ACQ-EDUCATIONAL/RECREATIONAL EQUIP
5710231	ACQ-MOBILE STRUC/PORTABLE BLDGS
5710233	ACQ-LIBRARY
5710234	ACQ-ANIMALS & LIVESTOCK
5710235	ACQ-DATA COMMUNICATIONS NETWORK EQUIPMENT
5710236	ACQ-OTHER
5710250	ACQ-AUTOMOBILES & OTHER VEHICLES
5710251	ACQ-BOATS
5710252	ACQ-AIRCRAFT
5710253	ACQ-COMPUTER SOFTWARE
5710609	OTHER PROFESSIONAL SERVICES (INSTALLATION OF EQUIPMENT)
5510400	PROFESSIONAL SERVICES TO MOVE EQUIPMENT

***** IMPORTANT NOTE *****

If the equipment cost over \$5,000.00 and should be capitalized, include "FPCXCAPEQUIP" with a G/L from the list above to the purchase order and invoice; otherwise ADD "Equipment should not be Capitalized" to the purchase order and invoice.



FACILITY PLANNING AND CONTROL

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DO NOT SIGN ANY CONTRACTS

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Contracts executed prior to the date of the CEA, prior to the date cash was made available for the state appropriation, or prior to FP&C concurrence ARE NOT ELIGIBLE for State participation



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

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CHAPTER 11



Multi-Year Appropriations



FACILITY PLANNING AND CONTROL

STATE OF LOUISIANA

DIVISION OF ADMINISTRATION

HB 2 Multi-Year Appropriations

FY 2015-2016

50/MZZ MARAIS

Fire Station Expansion, Acquisition,
Planning & Construction

Priority 2 \$750,000 (*was not funded*)

FY 2017-2018

50/MZZ MARAIS

Fire Station Expansion, Acquisition,
Planning & Construction

Priority 2 \$200,000 (*rec'd CLOC*)

Priority 5 \$550,000 (*rec'd NLOC*)

Total \$750,000

FY 2019-2020

50/MZZ MARAIS

Fire Station Expansion, Acquisition,
Planning & Construction

Priority 1 \$750,000 (*rec'd CLOC*)

25% Match Required = \$250,000

Total Project Budget = \$1,000,000



FACILITY PLANNING AND CONTROL

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CHAPTER 12



Furniture, Fixtures & Equip. Purchases



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Key Points – Equipment Purchases

Includes Moveable Equipment and Construction Materials

❖ Equipment Purchase and Concurrence Form

- Prior to procurement, submit the equipment list (with specifications if applicable) to FP&C for review and confirmation of eligible items.
- Actual and reasonable costs can be eligible for State participation
- All equipment purchases must be done under written contracts or purchase orders

❖ Public Bid Law Requirements (R.S. 38:2212.1)

- Purchases > \$30,000 shall be publicly advertised to lowest bidder
- Published two times first ad not on a Saturday, Sunday, or legal holiday
- First ad at least 15 days prior to bid opening
- \$10,000 - \$30,000 must have (3) quotes
- <\$10,000 PBL does not require (3) quotes (FP&C prefers)

❖ FP&C Concurrence in Equipment Purchase

- Contracts executed prior to Concurrence are not eligible for State participation



FACILITY PLANNING AND CONTROL

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*******FP&C must concur prior to the actual Award*******

Information Required with Submittal

1. Equipment List with Specs if applicable
2. Certified proof of public advertisement for procurement
3. Certified tabulation of bids or quotes with recommendation for acceptance
4. Certification that the procurement was in accordance with the Public Bid Law
5. Evidence of commitment of funds and availability of match

Request for FP&C Concurrence in Equipment Purchase
(Required if equipment is to be procured through a bidding process)

Project Number: _____ Entity: _____
Project Name: _____ Contact Person: _____
Phone Number: _____

To be completed by the Entity

The following information is attached and Entity requests FP&C's concurrence in purchasing equipment
from _____ in the amount of \$ _____
(Supplier) (Total Bid)

1. Equipment list (with specifications, if applicable)
2. Certified proof of publication of advertisement for procurement
3. Certified tabulation of bids or quotes with recommendation for acceptance
4. Certification that the procurement was in accordance with the public bid laws
5. Evidence of current commitment of funds for the project and availability of match and/or in-kind match.

Entity: _____ Date: _____
(Signature of Authorized Representative)

(Type or Print Name)

SIGNATURE REQUIRED

To be completed by FP&C and returned to the Entity **AUTHORIZED REP.**

☐ FP&C concurs with the equipment purchase
(Entity must submit a Request for Disbursement Form to draw from State funds)

☐ FP&C does not concur with the equipment purchase
Reason: _____

(Entity must resolve and then submit another Request for FP&C Concurrence for the equipment purchase)

☐ FP&C concurs with the equipment purchase, with exceptions (see attachment)

Project Manager: _____ Date: _____
(Signature)

Remit to: Facility Planning & Control
LA Division of Administration
Post Office Box 94095
Baton Rouge, La. 70804-9095

Thank you for your cooperation!

Figure 4. Form Used for Concurrence in Equipment Purchase (when procured by bidding)



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FACILITY PLANNING AND CONTROL

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CONCLUSION

*It is easier to ask for forgiveness than
to ask for permission*



FACILITY PLANNING AND CONTROL

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JUST REMEMBER



WE'RE WITH THE GOVERNMENT AND WE'RE
HERE TO HELP



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? CONFUSED ?



? ANY QUESTIONS ?