**Facility Planning & Control**

**13. QUALIFICATION OF BIDDERS FOR HISTORIC RESTORATION PROJECTS**

**The Division of Administration is authorized to qualify bidders** prior to bidding (*pre-qualify*) for projects that involve State owned buildings that are on the National Register of Historic Places or that are qualified to be on it. In accordance with this authorization, this Department has published the following rule in the State Register. If this project involves a qualified building and if instructed to do so by Facility Planning & Control, the Designer shall proceed according to this rule.

*Designer to always check latest version*

**Title 34**

**GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY CONTROL**

**Part III. Facility Planning and Control**

**Chapter 1. Capital Improvement Projects**

**Subchapter B. Historic Restoration**

§151. Historic Restoration Projects

A. This rule applies to the repair, renovation or reconstruction of any state-owned building that is listed on the National Register of Historic Places or any state-owned building which is eligible to be included on this register. When required, eligibility shall be determined by the State Office of Historic Preservation. For these projects, Facility Planning and Control may require the designer of the project to assess the structure and proposed scope of work and recommend if it will be in the best interest of the state to prequalify the bidders for the project. The items for consideration in this determination shall include but not be limited to the following:

1. historic significance of the structure;

2. extent of the work to be performed;

3. condition of the structure before renovation;

4. previous renovations;

5. program objectives of the owner and user;

6. effect of law, codes, regulations and ordinances;

7. environmental impact;

8. long and short-term economic impact.

B. Based on the results of this determination, the designer shall recommend to Facility Planning and Control whether or not the bidders for the specific project should be prequalified and justify his recommendation when required by Facility Planning and Control.

C. If Facility Planning and Control determines that it is in the best interests of the state to prequalify the bidders it shall instruct the designer of the project to prepare a contractor's qualification statement and make it available to prospective bidders. The designer shall also be instructed to administer the prequalification process including receipt and evaluation of complete qualification forms and recommendations to Facility Planning and Control regarding which contractors are qualified to submit bids for the work. The contractor's qualification statement shall be prepared using AIA Document A305. The requirements of this document shall be supplemented by requirements that will require the bidders to demonstrate actual, verifiable experience with projects of similar type and scope and may require the demonstration of actual, verifiable experience in specific required trades.

D. The advertisement for bids for any project requiring prequalification shall state this requirement and the last date for the submittal of contractor's qualification statements. Any statements received after this date will not be considered.

E. With the approval of Facility Planning and Control the designer shall notify every applicant whether or not he or she has been determined to be qualified and allowed to bid. This notification shall be provided within a time specified in the advertisement for bids.

F. The designer shall be responsible for answering reasonable requests for justification of his or her determinations within a reasonable time and shall provide such a response at least five working days prior to the bid date provided the request for justification is received no later than three working days after the time the prospective bidder has been notified that he or she is not qualified. Unless these time requirements are met the designer shall not be responsible for providing justifications or changes of determination in time to allow prospective bidders to bid. The designer's decisions in these matters shall be final.

G. After the prequalification process is complete only prequalified bidders may submit bids on those designated projects and the contracts on those designated projects shall be awarded to the prequalified bidder submitting the lowest responsible bid.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and R.S. 38:2212.4.4.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Facility Planning and Control, LR 19:488 (April 1993).