CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 533

Citations Affected: IC 5-30-6-1.

Synopsis: Design-build public works projects. CONFERENCE COMMITTEE REPORT FOR ESB 533. Requires a public agency that proposes a public project for which a referendum is to be held to wait until after the referendum is completed before issuing a request for proposals for the public project. Provides that a public agency may not require an offeror to appear in person more than three times before the technical review committee for a design-build contract. Provides that a public agency may not issue a request for proposals for a controlled project until the referendum process is completed. Limits the deliverables required for a qualitative proposal submitted in response to a request for proposals. Repeals the provision in current law requiring the governing body of a public agency to give prior authorization to use design-build contracting. Amends the definition of "public agency" to include conservancy districts established for water supply or sewage treatment. Amends the definition of "public project" to include improvements other than buildings. Provides that the meetings of a technical review committee for a public project comprised entirely of employees of the public agency undertaking the public project are not open to the public. Allows a state educational institution to use the combined request for qualifications and request for proposals for all design-build projects (combined request procedure). Allows a public agency other than a state educational institution to use the combined request procedure for public projects having an initial estimated cost that does not exceed $5,000,000. Provides that a technical review committee must give a written comprehensive score for each qualitative proposal received in response to a request for proposals, which includes: (1) an explanation of the scoring methodology; (2) for each factor used in determining the composite score of the qualitative proposal, the scores awarded by each member of the technical review committee, the resulting technical review committee score, and the resulting weighted score, if applicable; and (3) the composite score calculated for the qualitative proposal. **(This conference committee report: (1) provides that a public agency may not issue a request for proposals for a controlled project until the referendum process is completed; and (2) eliminates the requirement that certain preliminary procedures requesting application of the petition and**

remonstrance process be completed before a request for proposals may be issued.)

Effective: July 1, 2011.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 533 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 4, delete lines 4 through 18, begin a new paragraph and insert:

"SECTION 8. IC 5-30-6-1, AS ADDED BY P.L.74-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. **(a) If a separate notice of request for qualifications is issued under IC 5-30-5-1(a),** the public agency shall issue a request for proposals to the potential design-builders selected under IC 5-30-5-6.

(b) Each request for proposals must contain a design criteria package.

(c) If a public project is a controlled project (as defined in IC 6-1.1-20-1.1) for which a referendum is to be held, a request for proposals may not be issued until after the public agency proposing the controlled project has completed the procedures described in IC 6-1.1-20-3.6.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 533 as printed April 12, 2011.)

Conference Committee Report
on
Engrossed Senate Bill 533

Signed by:

Senator Mishler Chairperson	Representative Messmer
Senator Taylor	Representative Bartlett
Senate Conferees	**House Conferees**