

Senate Bill 323

By: Senators Pearson of the 51st, Mullis of the 53rd, Rogers of the 21st and Williams of the 19th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 32-2-80 of the Official Code of Georgia Annotated, relating to the
2 evaluation of private participation in the financing of transportation projects, so as to require
3 local and small business participation in such projects; to provide for related matters; to
4 provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 32-2-80 of the Official Code of Georgia Annotated, relating to the evaluation
8 of private participation in the financing of transportation projects, is amended by revising
9 paragraph (2) of subsection (a) as follows:

10 "(2) For projects that are funded or financed in part or in whole by private sources, the
11 department shall be authorized to issue a written request for proposal indicating in
12 general terms the scope of the project, the proposed financial participations in the project,
13 and the factors that will be used in evaluating the proposal and containing or
14 incorporating by reference other applicable contractual terms and conditions, including
15 any unique capabilities or qualifications that will be required of the contractor. Any final
16 contract awarded under the provisions of this Code section shall designate local
17 contractors as recipients of at least 30 percent of the total value of the contract and shall
18 designate small businesses, as defined in paragraph (2) of Code Section 50-5-121, as
19 recipients of at least 30 percent of the total value of the contract. Public notice of such
20 request for proposal shall be made at least 90 days prior to the date set for receipt of
21 proposals by posting the legal notice on a single website that shall be procured and
22 maintained for such purposes by the Department of Administrative Services or in
23 substantially the same manner utilized by the department to solicit requests for
24 proposals."

25 **SECTION 2.**

26 This Act shall become effective upon its approval by the Governor or upon its becoming law
27 without such approval.

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.