

\_\_\_\_\_  
Person routing check list

\_\_\_\_\_  
Telephone number

**CHECKLIST FOR EMERGENCY PURCHASES**

Documentation stipulating the nature of the public emergency necessitating the suspension of public bid laws shall be attached hereto.

Additionally, motion for consideration by the City Council shall be attached. For further information, refer to Section 70-428 and 70-429 of the City Code, Ordinance No. 15926 M.C.S., and Policy Memorandum No. 42 (R).

Submitted by

Date

1. \_\_\_\_\_  
DEPARTMENT HEAD

\_\_\_\_\_

Approved by:

Date

2. \_\_\_\_\_  
DIRECTOR OF FINANCE

\_\_\_\_\_

3. \_\_\_\_\_  
CITY ATTORNEY

\_\_\_\_\_

4. \_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

\_\_\_\_\_

5. \_\_\_\_\_  
EXECUTIVE ASSISTANT FOR INTER-  
GOVERNMENTAL RELATIONS

\_\_\_\_\_

\_\_\_\_\_  
Initials of councilmember sponsoring motion

Budget code from which expenditure will be made \_\_\_\_\_

ORDINANCE  
CITY OF NEW ORLEANS

CITY HALL: November 10, 1977  
CALENDAR NO. 7219

NO. 6586 MAYOR COUNCIL SERIES  
BY: COUNCILMAN GIARETUSO

AN ORDINANCE to amend Chapter 2 of Ordinance No. 828 M.C.S., known as the Code of the City of New Orleans, by adding thereto two new sections, to be designated as Section 2-50.3 and 2-50.4 relative to procedures for certain purchases; to require the securing of bids; to require certain advertising; to require award of contracts to low bidders; to provide certain exceptions; to repeal all conflicting ordinances; and otherwise to provide with respect thereto.

1. SECTION 1. THE COUNCIL OF THE CITY OF NEW
2. ORLEANS HEREBY ORDAINS, That Sections 2-50.3 and 2-50.4 of
3. Chapter 2 of Ordinance No. 828 M.C.S., known as the Code of
4. the City of New Orleans, be and the same are hereby ordained
5. to read as follows:
6. "Section 2-50.3. Purchases of Less Than \$1,000.
7. The Bureau of Purchasing shall secure at least
8. three bids, if possible, for all purchases of movable property
9. or for public works amounting to less than \$1,000.
10. The provisions of this section shall not apply
11. to purchases of \$100 or less.
12. "Section 2-50.4. Purchases of \$1,000 or More Not
13. Regulated by State Law.
14. Purchases of movable property or public works not
15. subject to the provisions of state law amounting to \$1,000
16. or more shall be made in the following manner:
17. (a) The Bureau of Purchasing shall secure at
18. least three written bids for purchases regulated by this section
19. (b) A public notice and invitation to bid on the
20. public work or purchase shall be advertised by the posting

20. of a written notice at the Office of the Bureau of Purchasing.  
21. The notice shall be posted for not less than eight days prior  
22. to opening of bids excluding Saturdays, Sundays and legal  
23. holidays.  
24. (c) If the necessity arises to issue an  
25. addendum to the public notice and invitation to bid modifying  
26. plans and specifications within 72 hours prior to the advertised  
27. time for opening of bids, then the opening of bids shall be  
28. extended exactly five days, excluding Saturdays, Sundays and  
29. other legal holidays.

30. (d) All purchases shall be awarded to the lowest  
31. responsible bidder who had bid according to the contract, plans  
32. and specifications.

33. (e) All purchases shall be only by written  
34. contract.

35. (f) The provisions of this Section shall not  
36. apply to the purchase of unique or non-competitive articles or  
37. professional services.

38. (g) The provisions of this Section shall not  
39. apply to emergency purchases authorized by the Council."

1. SECTION 2. All ordinances or parts of ordinance  
2. in conflict herewith are hereby repealed.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS NOV 17 1977

JOSEPH C. PETERSON  
PRESIDENT OF COUNCIL

Delivered to the Mayor on NOV 17 1977

Approved: DEC 2 1977

MOON LANDRIEU  
MAYOR

Returned by the Mayor on

DEC 2 1977 at 4-05 PM

JOSEPH C. PETERSON  
CLERK OF COUNCIL

JOSEPH C. PETERSON, COUNCIL CLERK  
CITY OF NEW ORLEANS

*Joseph C. Peterson*

THIS FORTHGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY.

CRS 77-1132

ATTACHMENT B

SAMPLE MOTION FOR EMERGENCY PURCHASES

MOTION  
M-79-

CITY HALL: \_\_\_\_\_

BY: COUNCILMEMBER

This paragraph should recite the exact nature of the emergency.

WHEREAS, a vehicular accident on January 3, 1979 has destroyed a support pillar in the City Hall garage and immediate repairs are necessary to prevent the destruction of life or property; and

This paragraph should recite the estimated cost and completion date of the emergency work or purchase.

WHEREAS, the Division of Public Buildings has estimated that repairs to the garage will cost approximately \$35,000 and can be completed by January 27, 1979; and

If vendors have been contacted and costs obtained, include a paragraph such as this.

WHEREAS, Ace Construction Company, 100 Canal Street and Smith Brothers Construction Company, 232 Bourbon Street, have been contacted regarding these repairs, and Ace Construction has indicated their ability to perform the repairs for \$34,000 and Smith Brothers Construction offered to perform the repairs for \$36,000; and

This paragraph indicates approval of the motion by the Administration.

WHEREAS, the City Attorney, the Director of Finance, and the Chief Administrative Officer have certified this situation as an emergency; now, therefore

This paragraph should declare an emergency.

BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That the destruction of the support pillar in the City Hall garage is an imminent threat to life and property and is a public emergency.

This paragraph should authorize Purchasing to seek informal bids for the emergency work or purchase.

BE IT FURTHER MOVED that the Director of Finance and the Bureau of Purchasing be and they are hereby authorized to secure informal bids for repairs to the City Hall garage at a cost not to exceed \$35,000.

This report is required  
by the City Code and  
must be submitted by the  
Agency requesting the  
emergency purchase.

BE IT FURTHER MOVED that the Director of Property  
Management shall file a written report with the Council  
within 21 days indicating the progress of the emergency  
work, the name and address of the vendor performing the  
work, and the exact cost of the work.

THE FORGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION  
THEREOF AND RESULTED AS FOLLOWS:

YEAS:

NAYS:

ABSENT:

AND THE MOTION WAS ADOPTED.

**Sec. 70-428. Emergency purchases.**

The council may suspend the requirements of law for the advertising and letting to the lowest responsible bidder for certain public work and purchases in emergencies in accordance with the provisions of this section. The following provisions shall apply to all departments, commissions, boards and agencies of the city, except as may be otherwise provided by applicable and preemptive law:

- (1) Written documentation stipulating the nature of the emergency shall be submitted to the chief administrative officer, the city attorney, and the director of the department of finance by the head or executive officer of the department, board, commission, or agency affected.
- (2) The chief administrative officer, the city attorney and the director of the department of finance shall give the council their recommendations regarding the emergency situation. The chief administrative officer or his designated representative shall provide the council with a written report regarding the emergency, the recommendation of the department of law, department of finance, and the chief administrative office, and all the information required by subsection (4) of this section. If the cost of the emergency exceeds \$25,000.00, the chief administrative officer or his representative shall attempt to give immediate verbal notification to each member of the council.
- (3) If the nature of the emergency requires immediate action prior to the next scheduled regular or special council meeting, the chief administrative officer shall be notified before other action is taken.
- (4) A proposed motion declaring an emergency shall be submitted to the council at the next scheduled regular or special meeting following the emergency by the affected department or agency. The motion shall recite the exact nature of the emergency, list all contractors who have been contacted or will be contacted for an informal bid on the necessary work, specify the amounts of any bids offered by contractors who have been contacted, the source of funds, the estimated cost of the emergency and the estimated completion date of the work or delivery date of the movable to be purchased.
- (5) After consideration of the evidence and recommendations submitted, the council may adopt the motion declaring an emergency and authorize the emergency purchase or public work.
- (6) The director of the department of finance shall report

any deviations from the procedure established by this section to the council. The official responsible for the deviation shall be required to appear before the council and provide an explanation of the deviation.

(Code 1956, § 2-50.1)

**Sec. 70-429. Reports following emergency purchases.**

(a) A department or agency head who has requested an emergency purchase or procurement of public work shall file a written report with the council within 21 days following the adoption of the motion authorizing the emergency purchase or work.

(b) The report shall indicate whether or not the movable purchased has been delivered or whether the work has been completed, the name and address of the vendor or contractors selected, the names of all vendors or contractors contacted, and the exact cost of the emergency or public work.

(Code 1956, § 2-50.2)

CITY HALL May 20, 1991

CALENDAR NO. 13,627

15926

NO. \_\_\_\_\_ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER SINGLETON, ( BY REQUEST )

AN ORDINANCE to amend reordain Section 2-50.1 and 2-50.2 of the Code of the City of New Orleans, relative to procedures for emergency purchases; and to provide otherwise with respect thereto.

Section 1. The Council of the City of New Orleans hereby Ordains, that subsections 2-50.1 and 2-50.2 of the City Code a hereby amended and reordained to read as follows:

Section 2-50.1. Emergency Purchases

The Council may suspend the requirements of law for the advertising and letting to the lowest responsible bidder for certain public work and purchases in emergencies in accordance with the provisions of this section. The provisions of this section shall apply to all departments, commissions, boards and agencies of the City, except as may be otherwise provided by applicable and preemptive law.

(a) Written documentation stipulating the nature of the emergency shall be submitted to the Chief Administrative Officer, the City Attorney, and the Director of Finance by the head or executive officer of the department, board commission, or agency affected.

(b) The Chief Administrative Officer, the City Attorney the Director of Finance shall give the Council their recommendations regarding the emergency situation. The Chief Administrative Officer or his designated representative shall provide the Council with a written report regarding the emergency, the recommendation of the Department of Law, Department of Finance, and the Chief Administrative Office, and all the information required by paragraph (d) herein. If the cost of the emergency exceeds \$25,000, the Chief Administrative Officer or his representative shall attempt to give immediate verbal notification to each member of the Council.



(c) If the nature of the emergency requires immediate action prior to the next scheduled regular or special council meeting, the Chief Administrative Officer shall be notified before other action is taken.

(d) A proposed motion declaring an emergency shall be submitted to the Council at the next scheduled regular or special meeting following the emergency by the affected department or agency. The motion shall recite the exact nature of the emergency, list all contractors who have been contacted or will be contacted for an informal bid on the necessary work, specify the amounts of any bids offered by contractors who have been contacted, the source of funds, the estimated cost of the emergency and the estimated completion date of the work or delivery date of the movable to be purchased.

(e) After consideration of the evidence and recommendation submitted, the Council may adopt the motion declaring an emergency and authorize the emergency purchase or public work.

(f) The Director of Finance shall report any deviations from the procedure established by this section to the Council. The official responsible for the deviation shall be required to appear before the Council and provide an explanation of the deviation.

Section 2-50.2 Reports Following Emergency Purchases. A Department or Agency head who has requested an emergency purchase or procurement of public work shall file a written report with the Council within 21 days following the adoption of the motion authorizing the emergency purchase or work.

The report shall indicate whether or not the movable purchased has been delivered or whether the work has been completed, the name and address of the vendor or contractor selected, the names of all vendors or contractors contacted, and the exact cost of the emergency or public work.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS JUN 03 1993

DOROTHY MAE TAYLOR

PRESIDENT OF THE COUNCIL

Delivered to the Mayor on JUN 04 1993

Approved:

JUN 07 1993

SIDNEY L. BARTHELEMY

MAYOR

Returned by the Mayor

On JUN 07 1993 At 5:30 PM

EMMA J. WILLIAMS

CLERK OF COUNCIL

ROLL CALL VOTE

YEAS Boissiere, Clarkson, Giarrusso, Jackson, Singleton, Taylor, Wilson - 7  
NAYS: 0  
ABSENT: 0  
RECUSED:

THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY

*Emma J. Williams*

CLERK OF COUNCIL