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 Sections 70-428 and 70-429 of the City Code, Ordinance No. 15926 M.C.S., and Policy Memorandum No. 42(R).

Submitted by	<u>Date</u>
1.	
DEPARTMENT HEAD	
Approved by:	Date
2	
DIRECTOR OF FINANCE	
3.	
CITY ATTORNEY	
4.	
CHIEF ADMINISTRATIVE OFFICER	
5.	
EXECUTIVE ASSISTANT FOR INTER- GOVERNMENTAL RELATIONS	
6	· ·
Initials of Councilmember Sponso	ring Motion
Budget Code from which expenditure wil	l be made

#### ORDINANCE

# CITY OF NEW OFFANS

CITY HAI	Τ. <u>γ</u> ο	ovember	TO.	1977
CALENDAI				

NO. 6596 MAYOR COUNCIL SERIES

BY: COUNCILMAN GIARRUSSO

AN OFFINANCE 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 HERESY 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 Sureau 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. Pagulated by State Law.
- 14. Purchases of movable property or public works not
- 15. subject to the provisions of state law amounting to \$1,000
- 15. or more shall be made in the following manner:
- 16. (a) The Europa of Purchasing shall secure at
- 17. least three written bids for purchases regulated by this section
- 19. (b) A public notice and invitation to bid on the
- 19. public work or greences shall be advertised by the ponting

	20.	or a martissu dotr	de at the Cilles of the Eureau of Auronalis.
	27.	The notice shall	be posted for not less than eight days prior
	22.	to opening of bid	s excluding Saturdays, Sundays and legal
	23.	bolidays.	•
	24.	(0	c) If the necessity arises to issue an
	25.	addendum to the	mublic notice and invitation to bid modifying
	25.	plans and specifi	cations within 72 hours prior to the advertised
	27.	time for opening	of bids, then the opening of bids shall be
	29.	extended exactly	five days, excluding Saturdays, Sundays and
	29.	other legal holic	lays.
	.30 <b>.</b>	( (	i) All purchases shall be awarded to the lowest
	31.	responsible bidds	er who had bid according to the contract, plans
÷	<u> 32.</u>	and specification	· · · · · · · · · · · · · · · · · · ·
•	<del>33</del> .	( e	e) All purchases shall be only by written
	3 <sup>4</sup> ·	contract.	•
	<i>3</i> 5.	(:	f) The provisions of this Section shall not
	<del>3</del> 6.	spply to the pur	chase of unique or non-compatitive articles or
	37.	professional ser	rices.
	₹8:	(;	S) The provisions of this Section shall not
	<del>3</del> 9.	sbbll to emergen	of purchases authorized by the Council."
	1.	S	ECTION 2. All ordinances or parts of ordinance
	2.	in conflict here	with are hereby repealed.
		ארט משוים C	CUNCIL OF THE CITY OF NEW ORITANS NOV 17 1977
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\$<	37	8√	BH-PITPING OF COUNCIT
SEPI			Delivered to the Mayor on NOV 17 1977
SEPH C. PETERSON, COUNCIL CLERK	\$	AND CORRECT COPY.	Approved: DEC 2 1977
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ATTACHMENT B

#### SAMPLE MOTION FOR EMERGENCY PURCHASES

MOTION M-79-

CITY	HALL:		
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#### BY: COUNCILMEMBER

This paragraph should recite the exact nature of the emergency.

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

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

This paragraph indicates approval of the motion by the Administration.

This paragraph should declare an emergency.

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

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

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

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

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

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.

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.
- 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)

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#### CITY OF NEW TRICKLES

	<u>- 327</u>	30.	1363	
CALENDAR	NO.	3	. 627	

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

BY: COUNC!LMEMBER SINGLETON, ( BY REQUEST )

AN ORDINANCE to amend reordain Section 3-50.1 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 an 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 be 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 b paragraph (d) herein. If the cost of the emergency excee \$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 small 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 bee 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 emeryency or public work.

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

OOROTHY MAE TAYLOR
PRESIDENT OF THE COUNCIL  Delivered to the Mayor on JUN 04 1993
Approved: JUN 0 7 1003
SIDNEY I BARTHELEMY MAYOR
Returned by the Mayor on JUN 1) 7 1993 At 7-3 0 0M
CLERK OF COUNCIL

# ROLL CALL VOTE

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

THE FUREGOING IS CERTIFIED TO BE A TRUE AND CORRECT COPY

Emma J. Williams
CI FRK OF COUNCIL