



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 - 66

EMERGENCY PROCEDURES FOR CONDUCTING STATE BUSINESS

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency/disaster was declared through Proclamation No. 48 KBB 2005, as amended by Proclamation No. 54 KBB 2005, and Proclamation No. 53 KBB 2005;

WHEREAS, Hurricane Katrina and its aftermath, and Hurricane Rita caused unprecedented and extensive damage in the state of Louisiana and these tragic events has significant consequences on the financial conditions of the state; and

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the state of Louisiana;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: For procurement and contracting, strict compliance with R.S. 39:1481, *et seq.*, and R.S. 39:1551, *et seq.*, shall not be required. However, all state agencies should comply with the following conditions:

- A. An appointed official within the agency, or the equivalent for elected officials in higher education, must determine that the failure to strictly comply with the statutory restriction is necessary due to the emergency;
- B. A centralized point of contact for each agency must monitor all transactions conducted without strict statutory compliance, maintaining copies of all documentation. Documentation should specify whether the purchase falls into the **A**emergency@or **A**permanent@category and whether the purchase relates to Hurricane Katrina or Hurricane Rita;
- C. Competitive quotes and/or offers must be obtained whenever possible and agencies must take the necessary steps to assess that fair and equitable pricing is being offered;
- D. Performance-based contracting should be used where practical;
- E. Statewide contracts should be used where practical;
- F. Copies of contracts which would otherwise require approval by the Office of Contractual Review or the Office of State Purchasing must be provided to those agencies. Additionally, ISIS agencies should enter small purchases into the AGPS/CFMS database. (Note: For CFMS contracts, agencies should use the document type **A**MISC@ and

G. Payments to contractors should be made only after verification that all goods and services meet contract requirements.

SECTION 2: The inspector general is directed and authorized to monitor those transactions conducted outside the scope of regulatory statutes, orders, rules and regulations to insure that those transactions are directly related to the emergency situation and are prudently handled and, if any inappropriate transactions are noted, those situations shall be reported directly to the governor.

SECTION 3: All cabinet members, statewide elected officials and department heads are authorized to transfer the directions, job assignments, personnel, and functions of their departments for the purpose of performing or facilitating emergency services as necessary.

SECTION 4: All available resources of state government should be utilized as reasonably necessary to cope with this emergency.

SECTION 5: Executive Order No. KBB 2005-27, issued on September 3, 2005, is hereby rescinded and terminated.

SECTION 6: This Order is effective upon signature and shall be made applicable from August 29, 2005, and continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 18th day of October, 2005.

/S/ Kathleen Babineaux Blanco
GOVERNOR OF LOUISIANA

ATTEST BY
THE GOVERNOR

/S/ Al Ater
SECRETARY OF STATE