

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7618

ORDINANCE COUNCIL SERIES NO.: 24-

COUNCIL SPONSOR: MR. IMPASTATO

PROVIDED BY: PROCUREMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 6TH DAY OF JUNE, 2024

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES SEC. 2-274 RELATIVE TO PARISH PROFESSIONAL SERVICES.

WHEREAS, it is necessary to amend the St. Tammany Parish Code of Ordinances Section 2-274 to reflect changes to parish policies; and

WHEREAS, it is further necessary to amend said sections of the Parish Code of ordinances to reflect the current makeup and operations of parish government as it relates to parish procurement.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Code of Ordinances shall be amended as follows:

Sec. 2-274. Same—Professional services, real property, or public works.

(a) The parish shall follow the purchasing procedures in accordance with R.S. 38:2181 et seq. (Public Contracts) and this section.

(b) The director and assistant director of the department of procurement have the authority to issue, amend, administer and/or terminate purchase orders on behalf of the parish upon receipt of a properly authorized requisition or written notice of cancellation from a parish department. The director of procurement will ensure that requisitions meeting the following criteria are reviewed and approved as indicated prior to initiating any contract action:

(1) *Contracts for professional services.*

a. *Establishment of professional service list.*

1. The department of procurement will advertise for the submission of requests for qualifications from all interested service vendors every four years. Additional vendors may submit their qualifications annually, at which time the department of procurement will revise the professional service list and distribute to all departments. In order for the vendor to be added to the Pre-Qualified Professional Service List, or PPSL, the vendor submitting their qualifications will be evaluated and must score 75 points or higher. Vendors may also submit in writing to the department of procurement if they wish to be removed or to update any other information that is on file.

2. Upon receipt of the scored submittals, the department of procurement will separate the vendors into specific categories, prepare the official "Professional Service List" and shall make the list available to all parish departments.

b. *Selection of vendor for professional service contract.*

1. The director of the awarding department shall identify the project and verify that same is an approved expense under the current year operating and capital budgets, if applicable.

2. Projects estimated between \$20,001.00 and ~~\$350,000.00~~ 500,000.00 shall utilize the Pre-Qualified Professional Services List (PPSL) of the category of

service for the work to be performed applicable to the project. The director of the awarding department shall choose three vendors from the PPSL and submit to the CAO for the President's selection. The CAO shall provide the council administrator with a copy of the recommendation upon which the council administrator shall notify the appropriate councilmembers and advise the CAO of any issues of concern.

(32) For projects exceeding ~~\$350,000.00~~ 500,000.00 the director of the awarding department shall choose five vendors from the PPSL for solicitation of proposals by the department of procurement. RFPs or RFQs, as applicable, shall be reviewed by an evaluation committee made up of the director of the awarding department or designee, the CAO or designee, and the council administrator or designee. The ratings will be submitted to the parish president recommending the top-rated vendor no more than two weeks from receipt by the committee. Should a member of the committee not return their scores within the required timeframe, their scores will be considered forfeited and the remaining two scores will be tallied. (3) *Real property*. Purchase of land and buildings must be approved by the parish council.

(43) *Public works contracts*. The term "public works contracts" are defined as the erection, construction, alteration, improvement or repair of any public facility or immovable property owned, used or leased by the parish must be approved as indicated:

- a. Public works projects (excluding roads and bridges) up to \$250,000.00 shall be approved by the parish president. Projects exceeding this amount must be approved by the parish council, unless specifically identified in the capital outlay budget adopted by the council.
- b. Public works roads and bridges improvements (excluding minor repair) must be on the current capital improvement list as approved by the parish council.
- c. If the estimated cost is less than \$20,001.00 then the project has no requirement for competition and cost reasonableness will be determined based on experience with similar or like transactions. Cost reasonableness will be documented by a price analysis. Any estimated cost over \$5,000.00 shall be let by standard parish contract through the parish's contracting system.
- d. If the estimated cost is at least \$20,000.00 but less than \$250,000.00, the lowest price is awarded by attempting to obtain a minimum of three written, faxed, or emailed quotes and shall be let by standard parish contract through the parish's contracting system.
- e. If the estimated costs is \$250,000.00 or greater, it must be advertised in the official journal and opened by sealed bid by the public entity and let by standard contract through the parish's contracting system. Contracts will be awarded to the lowest responsible and responsive bidder who bid according to the bidding documents.

(54) *Notice of contract approval*.

- a. Upon approval of any professional services or public works contract as authorized by this section, written notice of the contract and its approval shall be provided to the parish council office.
- b. Dividing or splitting purchase requirements in order to circumvent the monetary limitations imposed by state law and this section is strictly prohibited. The director of procurement shall monitor and challenge such request and report any violations to the parish president for appropriate action.
- c. The act of an employee who orders and/or accepts supplies and services prior to the submission of an approved requisition and in advance of a purchase order being

issued is deemed as an unauthorized commitment. Such a commitment is not legal and does not obligate the parish to pay for the supplies or services rendered. A personal liability may be levied against the individual making the unauthorized commitment. The parish president has the authority to ratify unauthorized commitments which do not require council approval, however, they will not be routinely approved. A review shall be implemented prior to determining the appropriate action.

- d. The parish president will appoint department heads and/or individuals having the authority to review, approve, or submit requisitions for supplies, materials and services in writing and assign monetary limitations of approval as appropriate. Those appointees will ensure that there is a valid requirement and that sufficient funding within their budget is available for requisitions that are submitted. Unfunded requirements must be approved in accordance with budgeting procedures within this Code.
- e. The parish president may implement internal controls, purchasing procedures, and amplify this section as deemed necessary to prevent fraud, waste, and abuse of public funds.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____

SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 11TH DAY OF JULY, 2024; AND BECOMES ORDINANCE COUNCIL SERIES NO. 24-
_____.

ARTHUR A. LAUGHLIN , COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: MAY 29, 2024

Published Adoption: _____, 2024

Delivered to Parish President: _____, 2024 at _____

Returned to Council Clerk: _____, 2024 at _____

Administrative Comment

May 20, 2024

Procurement

Please refer to Staff Comment made on Ordinance Number 7067.