

State of Louisiana



EXECUTIVE DEPARTMENT EXECUTIVE ORDER NUMBER 17-29

EMERGENCY PROCEDURES FOR RESPONSE TO CAMP MINDEN EMERGENCY

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. 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 people of the State of Louisiana; and

WHEREAS, as a result of an explosion at the state installation located at Camp Minden, Louisiana, and the continued threat of detonation of potentially unstable explosives, a state of emergency was declared to exist through Proclamation No. 4 JBE 2016, issued on January 24, 2016, and has continued in effect through monthly executive department proclamations, the most recent being Proclamation No. 111 JBE 2017; and

WHEREAS, during the period of rebuilding and contracting for the disposal of the M6 propellant and other explosives, strict compliance with state procurement and contracting laws may inhibit the ability of the Louisiana Military Department to act as quickly as necessary to address the threat of detonation of other explosives that threaten the lives and property of the people of the state and public property located on Camp Minden.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the power and 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, shall 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 shall monitor all transactions conducted without strict statutory compliance, maintaining copies of all documentation. Documentation shall specify whether the purchase falls into the "emergency" or "permanent" category and whether the purchase relates to the emergency conditions detailed in Proclamation 4 JBE 2016, and all documentation must be maintained and available for audit purposes;
- C. Written competitive quotes and/or offers shall be obtained whenever possible, and agencies shall 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. To the maximum extent possible, such emergency contracts shall be only for the duration of the emergency or to allow the agency time to comply with normal competitive bidding requirements if the goods or services will be required for an extended period of time;
- G. Copies of contracts that would otherwise require approval by the Office of Contractual Review or the Office of State Purchasing and the supporting documentation outlined above shall be provided to these agencies within 30 days or sooner, if practical. Additionally, ISIS agencies shall enter small purchases into the AGPS/CFMS database as soon as practical. The Office of Contractual Review or the Office of State Purchasing shall review the contracts and documentation to determine compliance with this Executive Order; and
- H. Payments to contractors shall 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: This Order is effective upon signature, shall apply retroactively from Friday, August 12, 2016 and shall remain 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 4th day of December, 2017.


GOVERNOR OF LOUISIANA

ATTEST BY THE SECRETARY
OF STATE


SECRETARY OF STATE