

Office of State Procurement
State of Louisiana
Division of Administration

JOHN BEL EDWARDS
GOVERNOR



JAY DARDENNE
COMMISSIONER OF ADMINISTRATION

MEMORANDUM OSP 17-04

TO: Superintendent of Education, Department of Education In-House
Counsel, Louisiana Public School Boards

FROM: Paula Tregre *Paula Tregre*
Interim Director

DATE: September 28, 2016

RE: Executive Order JBE 16-39 Exemption

Executive Order JBE 16-39 prescribes small purchases procedures in accordance with La. R.S. 39:1596 of the Louisiana Procurement Code (La. R.S. 39:1551 et seq.). In Sections 5(A)(7) and (8), the Executive Order allows for the procurement of publications and/or copyrighted materials purchased directly from the publisher or copyrighted holder without competition up to \$10,000, and of publications and/or copyrighted materials purchased by libraries or text rental stores from either subscription services or wholesale dealers which distribute for publishers and/or copyrighted holders without competition up to \$15,000. Prior to the effective date of the Executive Order, no monetary cap was set for the noncompetitive procurement of these materials. These newly established caps were not contemplated by public institutions of higher education, the State Library, and local school boards prior to establishing their respective procurement budgets for FY-17. These newly established caps have created an unexpected hardship on these entities' abilities to manage their contracts on behalf of their faculty and students.

In accordance with requests from the Board of Regents, the State Library, and local public school boards, and pursuant to the authority delegated to me by the Commissioner of Administration, the following exemption from the caps set forth in Sections 5(A)(7) and (8) of E.O. JBE 16-39 is hereby issued:

Public Institutions of Higher Education, the State Library, and local public school boards are hereby exempt for Fiscal Year 2016-2017 from the monetary caps set forth in Sections 5(A)(7) and (8) of E.O. JBE 16-39 with respect to the procurement of publications and/or copyrighted materials purchased directly from the publisher or copyright holder, and publications and/or copyrighted materials purchased by libraries or text rental stores from either subscription services or wholesale dealers which distribute for publishers and/or copyright holders.