

STATE OF LOUISIANA
EXECUTIVE DEPARTMENT

BATON ROUGE

EXECUTIVE ORDER NO. EWE - 92-53

WHEREAS, the Louisiana Procurement Code, comprised of R.S. 39:1551-1771, vests the governor with the authority to prescribe procedures for the procurement of small purchases; and

WHEREAS, R.S. 39:1596 in particular reads:

Small Purchases

"Any procurement not exceeding the amount established by executive order of the governor may be made in accordance with small purchase procedures prescribed by such executive order, except that procurement requirements shall not be artificially divided so as to constitute a small purchase under this Section."

NOW THEREFORE I, EDWIN W. EDWARDS, Governor of the State of Louisiana, do hereby order and direct as follows:

Each department, institution, board, commission, budget unit, and any other agency of the executive branch of state government shall observe and be guided by the following specific directives.

Small Purchases: Any procurement not exceeding Five Thousand (\$5,000.00) Dollars shall be made in accordance with the following small purchase procedures, except procurement of those services defined in Section 3(A) and 3(B), which shall be deemed small purchases regardless of price. All purchases that conform to Section 3(B) that exceed an agency's delegated authority must be forwarded to State Central Purchasing for approval.

Section 1: Each agency subject to this order, except those exempted under R.S. 39:1572, is authorized to purchase equipment (anything not defined as consumables) where the total cost does not exceed \$2,000.00 or your delegated authority, whichever is lower, or special delegation by the chief procurement officer. All other equipment must be requisitioned through the State Central Purchasing Agency of the Division of Administration. Any exception to this procedure shall require written permission of the chief procurement officer of State Central Purchasing. This in no way eliminates the requirement of purchasing equipment from competitive state contracts as defined in Section 2(B) in areas where those contracts exist.

Section 2: Each agency subject to the Louisiana Procurement Code, where the cost exceeds \$500.00, regardless of whether purchases are made by the State Central Purchasing Agency, an agency to which purchasing has been delegated, or agencies exempt from State Central Purchasing Agency shall observe the following rules and regulations on small purchases, and maximum competitive bidding shall be obtained in all cases in accordance with R.S. 39:1655. This executive order in no way affects or changes (1) purchasing authority delegated to an agency by the chief procurement officer, (2) purchases from state contracts, or (3) policy and procedure memoranda.

A. Delegated Purchasing Authority - A dollar amount delegated to an agency by the chief procurement officer.

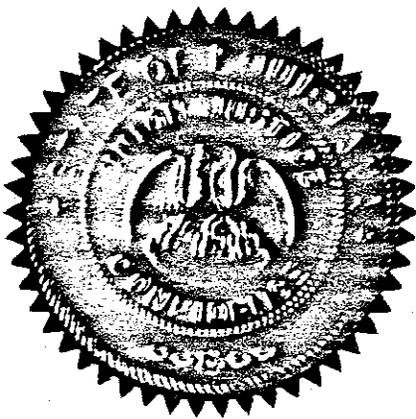
(1) Purchases up to \$500.00. No competitive bidding is required. No purchase order/release order is necessary.

- (2) Purchases over \$500.00 not to exceed \$2,000.00 may be made by telephone or facsimile quotations solicited from at least three (3) bona fide, prospective bidders and purchases made on the basis of the lowest responsive quotation received. Files must be documented listing persons contacted, and the terms and delivery of each bidder solicited and any special comments. Written confirmation of price should be obtained from successful bidder.
 - (3) Purchases over \$2,000.00 but less than \$5,000.00 shall be made by sending out written invitations for bids to at least eight (8) bona fide, qualified bidders. Written invitations for bids shall contain complete specifications, the quantity required, delivery point and other information sufficient for a supplier to make an acceptable bid.
- B. State Contracts - If a competitive statewide contract exists and the amount is above the minimum order quantity, procurement from state contract is mandatory, except agencies exempt from State Central Purchasing.
- C. Printing - Agencies are hereby delegated \$250 purchasing authority to handle all their printing, including custom printing, not covered by a state printing contract or available through the Division of Administration Print Shop.

Section 3: Exceptions to minimum competitive requirements.

- A. No competitive bidding required.
- (1) Parts for repairs to equipment from authorized dealer (not stocking of parts).
 - (2) Repairs to equipment from authorized dealer.
 - (3) Repairs to vehicles in the following order:
 - (a) Utilize fleet management statewide maintenance and repair contract if available, or if not available
 - (b) Authorized dealer or competitive bid.
 - (4) Aircraft repairs, inspection and parts should be obtained from a Federal Aviation Administration certified repair station and using Federal Aviation Administration certified mechanics and approved by the head of the agency or his designee.
 - (5) Vehicle body repairs covered by insurance recovery and in accordance with insurance requirements.
 - (6) Livestock when purchased at public auction sale.
 - (7) Purchasing or selling transactions between state budget units and other government agencies.
 - (8) Publications and copyrighted materials when purchased directly from the publisher; or state library and libraries at colleges and universities when using subscription services.
 - (9) All public utilities and services provided by local government.
 - (10) Prosthetic devices and devices for physical restoration, if not covered by state contract.
 - (11) Educational and related resources (except equipment) and membership in professional organizations.

- (12) Purchases for clients of Blind and Vocational Rehabilitation programs which are federally funded at a rate of at least eighty percent, regulated by Title 34 of the Federal Rules and Regulations, Code of Federal Regulations Part 361, 365, 370 and 395 and in accordance with OMB Circular A-102; not covered by competitive contract, not to exceed \$5,000.
 - (13) Materials and supplies for participation in promotional activities which enhances economic development with the approval of the department secretary, if not available on State Contract.
 - (14) Wire, related equipment, time and material charges to accomplish adds, moves, and/or changes to telecommunications systems up to \$2000.00.
 - (15) Working class animals trained to perform special tasks; such as but not limited to narcotics detection, bomb detection, arson investigation, rescue technique, etc.
 - (16) Food, materials and supplies for home economics courses, other teaching and training where purchasing, preparing, and serving is part of the regularly prescribed course.
- (B) Telephone or facsimile quotations from at least three (3) bona fide, qualified bidders where feasible.
- (1) Farm products which include, but may not be limited to fresh vegetables, milk, eggs, fish, or other perishable foods.
 - (2) Food, materials, and supplies needed for:
 - (a) Operation of boats and/or facilities in isolated localities where only limited outlets of such supplies are available.
 - (b) Juvenile detention homes and rehabilitation facilities/homes where the number of inmates or clients is unstable and unpredictable.
 - (3) Convention and meeting facilities.
 - (4) Gasoline and fuel purchases unless covered by a competitive contract. Gasoline and fuel purchases in excess of \$5,000.00, unless covered by a competitive contract, require prior approval of the chief procurement officer.
 - (5) All equipment for blind operated facilities not covered by competitive state contract.
 - (6) Feed commodities which includes but not limited to soybean meal, cottonseed meal, oats, etc. for use on prison farms.



JN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 23rd day of July, 19 92.

Edouard Edwards

 GOVERNOR OF LOUISIANA

ATTEST BY
 THE GOVERNOR
Joseph H. Keilman

 SECRETARY OF STATE