



OFFICE OF INSPECTOR GENERAL
JEFFERSON PARISH

DAVID N. MCCLINTOCK
INSPECTOR GENERAL



MONITORING MEMORANDUM COVID-19

Date: 09/09/2020

TO: Cynthia Lee Sheng, Parish President
Ricky J. Templet, Councilman At-Large “A,”
Scott Walker, Councilman At-Large “B,”
Marion F. Edwards, Councilman District 1
Deano Bonano, Councilman District 2
Byron Lee, Councilman District 3
Dominick Impastato, Councilman District 4
Jennifer Van Vrancken, Councilwoman District 5

FROM: David McClintock, Inspector General

SUBJECT: JPOIG 2020-0035
Procurement under Emergency Declarations – COVID 19

I. INTRODUCTION

By way of a memorandum the Office of Inspector General (hereinafter "JPOIG") provides comments and recommendations, where applicable, on the processes employed and actions taken by the Parish President and Parish departments under state and local declared emergencies related to procurements in response to COVID-19, also known as the Coronavirus (“COVID”).

II. MONITORING PROCESS OVERVIEW

This memorandum is issued pursuant to the provisions of the Jefferson Parish Code of Ordinances (“JPCO”) 2-155.10. It is important to consider the interim nature of this memorandum in light of a broader monitoring effort. Monitoring efforts are proactive in nature and typically involve long term and complex projects. They are designed to follow the project or issue over a period of time. This permits the JPOIG to address issues when they arise, or are discovered, as opposed to at the events’ conclusion. In this way, it is often possible to maximize public transparency in significant matters while also providing an opportunity take corrective action along the way if necessary.

Therefore, this interim memorandum should not be considered as a final report. It is not intended to address all concerns raised in the various forums, rather it addresses limited areas where the JPOIG believes corrective action should be considered or where a substitute process offers alternatives that support the principals of good governance.

Objective

The JPOIG’s objectives for this monitoring memorandum are to consider and assess the receipt and distribution of cloth masks donated and purchased under a declared health emergency, COVID.

Scope & Methodology

The scope of this monitoring memorandum is limited to the distribution of cloth masks donated and purchased from Hanesbrand, Inc. (“Hanes masks”).

To accomplish this objective within the defined scope, the following actions were undertaken:

- Reviewed documents relative to acquisition of Hanes masks under emergency procedure;
- Reviewed documents relative to distribution of Hanes masks, including those provided by the Governor's Office of Homeland Security & Emergency Management (“GOHSEP”);
- Spoke with Parish Chief Operating Officer and Directors for Departments of General Services and Emergency Operations Center; and
- Reviewed the Governor’s emergency declarations and the Parish President’s emergency proclamations.

III. BACKGROUND

A. Declared Public Health Emergency – State and Parish

The Louisiana Homeland Security and Emergency Assistance and Disaster Act, La.R.S. 29:721 *et seq*, provides for specific authority and power to be exercised by the Governor on behalf of the state, and by Parish Presidents, on behalf of the Parishes, in times of emergency and disaster.

Pursuant to La.R.S. 29:721 *et seq*, Governor John Bel Edwards issued Proclamation No. 25 on 03/11/2020 declaring a statewide public health emergency exists in the State of Louisiana because of COVID-19 and expressly empowering the Governor’s Office of Homeland Security and Emergency Preparedness (“GOHSEP”) and the State Health Officer to take all actions authorized under state law.¹ This empowered GOHSEP to engage in the (1) planning and executing of public health assessment and mitigation; (2) coordinating public health emergency response between state and local authorities; and (3) coordinating recovery operations and mitigation initiatives subsequent to public health emergencies.

By proclamation, Governor Edwards acknowledged that the extraordinary threat posed by COVID-19 was causing a critical shortages of health care equipment, personal protective equipment, and possible shortages in hospital beds, throughout the state.” Section 4 of Proclamation 25 suspends customary procurement restrictions imposed by law:

¹ <https://gov.louisiana.gov/assets/Proclamations/2020/modified/25-JBE-2020-Public-Health-Emergency-COVID-19.pdf>

Pursuant to La.R.S. 27:724(D)(I), the Louisiana Procurement Code (La. R.S. 39:1551, *et seq*) and Louisiana Public Bid Law (La. R.S. 38:2211, *et seq*) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this emergency.²

The Proclamation No. 25 was supplemented by subsequent proclamations. Governor Edwards issued a general stay-at-home order and called for the closure of buildings and businesses.³ Then on 05/14/2020, Governor Edwards signed Proclamation No. 58, State of Emergency for COVID-19 Phase 1 of Resilient Louisiana wherein the Governor set forth the new parameters for the opening of business and places of worship. Finally, on 06/04/2020, Governor Edwards signed Proclamation No. 74, State of Emergency for COVID-19 Phase 2 of Resilient Louisiana.⁴ Each proclamation was issued pursuant to La.R.S. 29:721 *et seq*, the Louisiana Homeland Security and Emergency Assistance and Disaster Act.

Following similar form and content, Parish President Cynthia Lee Sheng, acting pursuant to La.R.S. 29:727, declaring a state of emergency for the Parish due to COVID. On 03/12/2020, Parish President Lee Sheng issued Proclamation No. 1 declaring the emergency. Several proclamations followed under the same authority. Preventive and mitigation measures were clarified by Proclamations Nos. 2 through 4. Then on 05/01/2020, Parish President Lee Sheng issued Proclamation No. 5 which provides in Section 4:

That the provisions of Division 2 and Division 3.1 of Article VII of Chapter 2 of the Code of Ordinances of Jefferson Parish, Louisiana are hereby suspended with respect to the procurement of any goods or services necessary to respond to this emergency. The suspension provided for in this section is retroactive to the commencement of the emergency on March 12, 2020.

B. Donation and Purchase of Hanesbrand, Inc. Cloth Masks

1. Donation of Hanesbrand, Inc. Cloth Masks

Hanesbrand, Inc. initiated a nationwide campaign to donate cloth masks (Hanes masks) in response to the health emergency posed by the COVID. This initiative included a donation of cloth masks to states through the Federal Emergency Management Administration (FEMA). According to GOHSEP, Louisiana received donations of cloth masks from FEMA for state wide distribution. The masks were distributed under staggered initiatives to meet the need and the demand as follows:

1. Distribution of donated masks state-wide to Parishes for distribution public-wide;

² By Proclamation 25, Section 4, the Governor suspended the application of the Louisiana Procurement Code (La.R.S. 39:1551, *et seq*) and the Louisiana Public Bid law (La.R.S. 38:2211, *et seq*), and their corresponding rules and regulations for the purpose of the procurement of any good or services necessary to respond to COVID-19.

³ <https://gov.louisiana.gov/assets/Proclamations/2020/JBE-33-2020.pdf>

⁴ <https://gov.louisiana.gov/assets/Proclamations/2020/74-JBE-2020-State-of-Emergency-COVID-19-Resilient-Louisiana-Phase-2.pdf>

2. Distribution of donated masks to private industries, such as grocery stores and other essential functions; and
3. Distribution of donated masks to schools.

GOHSEP determined to distribute masks to Parishes based upon population. It was estimated that each Parish received approximately nearly one packet of Hanes masks for every two citizens.⁵ Jefferson Parish was allocated 200,000. The Jefferson Parish Department of Emergency Management received the masks on or before 04/21/2020 for distribution.

GOHSEP did not engage with the Parishes relative to the receipt and distribution of masks to private industries. This initiative was coordinated by GOHSEP and others, exclusive of Parish government.

Finally, GOHSEP engaged with the Parishes relative to the receipt and distribution of masks to schools. The Jefferson Parish Department of Emergency Management coordinated with GOHSEP for purposes of identifying school recipients throughout the Parish. Masks were subsequently transported from a GOHSEP staging location to schools by the National Guard.

2. Purchase of Hanesbrand, Inc. Cloth Masks

On 06/04/2020, the Director of General Services, Anthony Francis, executed a “Emergency Purchase Certification (Director Declared)” for the purchase of 100,000 cloth masks from Hanes Brand, Inc. at cost of \$95,000.⁶ In it, Director Francis declared that a true emergency exists because of “the eminent threat of the spread of the Corona Virus, Jefferson Parish has developed procedures necessary to prevent any type of contamination with parish property and facilities to protect employees and visitors.”⁷ The Chief Administrative Assistant Walter Brooks acknowledged the Declared Emergency by his signature on that same date. Attached to the Director Declared Emergency is a quote from Hanesbrand, Inc. for 20,000 packages of masks, each package containing 5 masks, totaling 100,000 masks at \$.95/mask.

The order was placed for the masks through the Purchasing Department.⁸ The Parish received the masks on or about 06/29/2020, and on 07/22/2020, the Parish was invoiced for the masks.⁹ The invoice has not been paid.

⁵ According to the GOHSEP representative, masks were distributed to Parishes based upon a calculation of 49% of the Parish population.

⁶ Attachment A, JPCO §2-907 thru 908.

⁷ Attachment B, Director Declared Emergency (Masks) and related documents

⁸ Attachment B, Purchase Order #20-0011803.

⁹ Attachment B, Hanesbrand, Inc. invoice, 07/02/2020.

IV. DATA ANALYSIS

A. Receipt and distribution of cloth masks donated by Hanesbrand, Inc.

The Governor’s Office of Homeland Security and Emergency Preparedness (“GOHSEP”) made available to Jefferson Parish, through its Parish President, 200,000 cloth masks donated by Hanesbrand, Inc. According to GOHSEP, these masks were intended for distribution throughout the Parish, without any particular preference or priority.

The masks were received by the Jefferson Parish Department of Emergency Management at the Emergency Operations Center (EOC). According to the Director of Emergency Management, a count was made of the masks received, and the department validated that only 198,000 were received.¹⁰ Between 04/21/2020 and 06/19/2020, the EOC distributed a total of 189,669 masks to primary recipients as follows:

- Parish President and Parish departments, to include the East bank Consolidated Fire Department (Parish Government);
- Parish Councilmembers and Parish Council Clerk (Parish Government);
- Parish Assessor’s Office (Parish-Other);
- Parish Clerk of Court’s Office (Parish-Other);
- Parish District Attorney’s Office (Parish-Other);
- Parish Volunteer Fire Departments (Parish-Other);
- Municipalities, to include Gretna, Harahan, City of Jean Lafitte, Kenner, and Westwego (Parish-Other);
- State Representatives and entities, to include Representatives Kyle Green, Representative John Illg, Representative Rodney Lyons, SELA Flood Protection East and West (State) and
- Non-governmental entities, to include but not limited to Chamber of Commerce, Jefferson Business Council, JEDCO, and Westminster Towers. (Non-Government).

Hanes Masks Donated	
04/21/2020 - 06/29/2020	
Recipients	Total Received
Non-Government	32,785
Parish - Other	30,584
Parish Government	119,890
State	6,410
Total	189,669

Of the 119,890 masks distributed to Parish government, the majority were received by the Office of the Parish President and Parish Councilmembers for distribution to the public through various methods and means.

The JPOIG learned that there were weekly leadership calls during the COVID emergency between the Parish President’s office and stake holders, including Parish elected officials and

¹⁰ Upon receipt of the donated masks, EOC made a count. Subsequently, the EOC maintained records on the distribution of masks by date, recipient, affiliation with government, and quantity. Receipt of masks were acknowledged. In addition to documenting the distribution, the EOC also maintained a running tally of masks distributed and masks on-hand. The data reflected in this memorandum is based upon a review and compilation of information gathered from individual documents evidencing the date, recipient and quantity of cloth masks distributed from the EOC.

other government entities. Through these leadership calls, the Parish Administration sought to ensure that Parish stakeholders were engaged with the changing environment and able to plan and prepare in a prudent manner. There were routine exchanges of information relative to the supply and demand for COVID Personal Protective Equipment (PPE), including masks.

The spread of COVID, and/or a second wave, resulting in the demand for PPE which exceeded the available supply, was an ongoing concern. The Hanes masks were distributed based upon information known at the moment with an awareness that the situation, as well as the supply and demand, remained at great flux. Within the same time period, the Parish transitioned from Phase 1 to Phase 2. The JPOIG also learned that the Parish’s transition from Phase 1 into Phase 2 was one point of consideration for the Parish Administration in terms of assessing demand and supply.

B. Emergency Procurement of Hanesbrand, Inc. cloth masks.

On 06/03/2020, the Parish entered Phase 2, falling in-line with Governor Edwards’ declarations and following federal guidance on COVID.¹¹ Phase 2 allowed many more businesses to operate at a reduced capacity with social distancing and required masks be worn for public-facing employees. By early June, the Parish considered the potential that there could be a second wave of COVID-19 while it was simultaneously engaging in hurricane preparedness, including planning for potential evacuations, and assessing the needs presented by variations of school re-opening plans.

In early June 2020, records reflect that the EOC had approximately 10,000 Hanes masks remaining from the donation. On 06/04/2020, the Director of General Services, Anthony Francis, executed a “Emergency Purchase Certification (Director Declared)” for the purchase of 100,000 cloth masks from Hanesbrand, Inc. at cost of \$95,000.¹² In it, he declared that a true emergency exists because of “the eminent threat of the spread of the Corona Virus, Jefferson Parish has developed procedures necessary to prevent any type of contamination with parish property and facilities to protect employees and visitors.”¹³ The masks were ordered, and there were received at the EOC on or about 06/29/2020.

After purchasing and receiving an additional 100,000 masks, the Parish Administration continued to distribute masks, as needed. At the writing of this report, the Parish maintains an open inventory of cloth masks totaling approximately 33,281.¹⁴

The Parish was invoiced \$95,000 for the 100,000 Hanes masks on 07/22/2020.

Hanes Masks	
06/30/2020 - 09/04/2020	
Recipients	Total Received
Non-Government	5,000
Parish - Other	7,000
Parish Government	63,100
Open Inventory	33,281
Total	108,381

¹¹ <https://www.jeffparish.net/press-releases/jefferson-parish-president-cynthia-lee-sheng-outlines-phase-two-for-jefferson-parish-in-response-to-covid-19-/06-03-yyyy>

¹² Hanesbrand, Inc. agreed to honor the government rate on the masks. See HbI Invoice, “Government Mask PS”, dated 07/22/2020.

¹³ Attachment B, Director Declared Emergency.

¹⁴ The JPOIG is informed that a Councilmember returned 5,000 to the EOC, which would change the open inventory total to 38,281.

C. Process and Accountability

Turning to process and accountability relative to the receipt and distribution of Hanes masks, both donated and purchased. The analysis considers the measures employed by the Parish President during the time of the declared emergency.

According to GOHSEP, Hanesbrand donated masks to the states through FEMA for distribution under several initiatives. Under the first initiative, the Parish received 198,000. GOHSEP generally allotted masks based upon population. The masks received by the Parish correlates with approximately 49% of the Parish population. Through the Parish President, Councilmembers, other Parish-wide elected officials, city elected officials and other government and non-government entities, 189,669 Hanes masks were distributed throughout the Parish in just over 60 days. Because the masks were donated for the purpose of mass distribution and were distributed, the JPOIG makes no further analysis.

As the donated masks were rapidly distributed and inventory depleted, the Parish Administration purchased 100,000 cloth masks from Hanesbrand via a Director Declared Emergency. The Jefferson Parish Code of Ordinances (JPCO) §2-907, *Procedure for departments, prior to adoption of a director declared emergency*, sets forth the procedures for a Parish department director to declare an emergency. JPCO §2-907 provides that each director shall include the exact nature of the emergency, the estimated cost of emergency acquisition, and the expected duration of the emergency situation. JPCO §2-907 further provides that the Finance Director and the Parish Attorney shall report to the Parish President who shall recommend adoption of a director declared emergency by the Parish Council. The Parish Council “may adopt such a director declared emergency and make it effectively immediately.” The ordinance is silent as to efficacy of a Director Declared emergency if the Parish Council does not take any action.

JPCO §2-908, *Emergency purchases*, defines emergency purchases to include that which “must be handled immediately in order that lack of materials, supplies and equipment or breakdowns do not seriously hamper the operations of the parish.” The Director of General Services, Anthony Francis, utilized the procedures set forth in JPCO §2-908. When asked, Mr. Francis related a familiarity and general knowledge of a Director Declared Emergency. He had previously relied on the procedure to address emergent needs at Parish facilities.

In the Director Declared Emergency for the purchase of Hanesbrand masks, Director Francis declared that an emergency exists because of “the eminent threat of the spread of the Corona Virus, Jefferson Parish has developed procedures necessary to prevent any type of contamination with parish property and facilities to protect employees and visitors.”

For purposes of compliance with JPCO §2-907, the Parish Attorney related that items are routed through the Parish’s E-docs for consideration and review. The system represents the normal course and conduct for review of items to be considered by the Parish Council. During the routing process, no additional concerns presented regarding the Director Declared Emergency for masks. In due course, the Parish President made a request that the Director Declared Emergency be considered by the Parish Council.

The Director Declared Emergency for Hanes masks appeared as Agenda Item #79 on the 08/26/2020 Parish Council meeting. The meeting was cancelled. The Parish Council met on

09/01/2020. The Director Declared Emergency for Hanes was not placed on the agenda. To date the invoice has not been paid.¹⁵

Pursuant to La.R.S. 29:727, Parish President Lee-Sheng issued Proclamation No. 5 which provided for the suspension of Division 2 of Article VII of Chapter 2 of the Code of Ordinances of Jefferson Parish, Louisiana are hereby suspended with respect to the procurement of any goods or services necessary to respond to this emergency. Importantly, the procedures for a Director Declared Emergency, as discussed above, are included within those procurement procedures suspended by Proclamation No. 5.

However, and notwithstanding the Proclamation, the procedures for a Director Declared Emergency were used for the purchase of COVID related supplies. Notably, the General Services Director made a Director Declared Emergency on 05/21/2020 for the purchase of hand sanitizer. In the Emergency Declaration, he declared that the purchase was necessary to “Provide supplies for the prevention of the spread of Corona Virus to employees of Jefferson Parish and to any person visiting a Parish facility.” The same declaration was made for the purchase of cloth masks from Hanesbrand.

The Director Declared Emergency for hand sanitizer came before the Parish Council on 08/05/2020 as Item #54. Resolution #136157 was passed approving the expenditure to A&L Sales, Inc. for a Director Declared Emergency, to purchase hand sanitizer needed for the prevention of the spread of COVID in the amount of \$32,500.00.

The JPOIG learned from the Louisiana Department of Justice, Office of the Attorney General, Civil Division, that there are no published opinions regarding the purchase and distribution of masks in response to the declared health emergency for COVID. By way of analogy, the JPOIG requested whether there were any opinions regarding purchasing and distributing water and food during a declared emergency caused by nature disaster. While no specific opinion could be located, the JPOIG was directed to related opinions. Summarily, the Attorney General’s office related that there are several opinions that avoid potential conflicts with La. Const. art. VII §14 (gratuitous alienation of public funds) and the use of public funds during a disaster. The rationale for these opinions rests upon whether actions would be for the public purpose of promoting the general welfare and fulfilling purposes listed in the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La.R.S. 29:721 *et seq.* Neither state law nor local law clearly anticipates a planned emergency response due to a pandemic. Based upon available information and considering the dynamic nature of the emergency, the JPOIG does not reach any findings or recommendations regarding the use of a Director Declared Emergency for the purchase of cloth masks during the COVID pandemic. The masks were acquired at a government rate. The JPOIG has no way of forecasting the demand and supply for masks during the ongoing pandemic.

Finally, and according to the Director of Accounting, the Parish Administration has been seeking reimbursement in accordance with federal and state guidelines under the CARES Act for covered costs incurred as a result of COVID.¹⁶ The Director of Accounting recalls seeking

¹⁵ Attachment C, Director Declared Emergency (Sanitizer) and related documents

¹⁶ <https://louisianacares.la.gov/>

reimbursement for invoices paid to A&L, the vendor identified in the Director Declared Emergency for sanitizer.

The Parish can seek reimbursement for the Hanes cloth masks purchased under a Director Declared Emergency. However, the Parish cannot seek reimbursement unless the invoice is paid. The deadline for seeking reimbursement under the CARES Act is approaching. Reimbursement under the CARES Act can be made for purchases, e.g. paid invoices, made before 09/30/2020. The Director of Accounting states that CARES Act reimburses at a rate of 100%. If the Parish does not timely seek reimbursement for covered costs under the CARES Act, the Parish may seek reimbursement for covered costs from FEMA public assistance pool. Covered costs and the specific rate of reimbursement is not unknown. However, the rate of reimbursement is not 100%.

IV. RECOMMENDATIONS

None.

Attachment A

JPCO §2-907 thru 908



ARTICLE VII. - FINANCES, CONTRACTS, PURCHASES AND SALES

DIVISION 2. - UNIFORM PURCHASING PROCEDURES

Sec. 2-907. - Procedure for departments, prior to adoption of a director declared emergency.

The following procedures shall be established for all parish departments and prior to a declaration of a director declared emergency:

- (1) Written documentation stipulating the nature of the emergency situation shall be furnished by the director of the affected department to the finance director, parish attorney, parish president, and each member of the parish council;
- (2) The finance director and the parish attorney shall report to the parish president who shall recommend adoption of a director declared emergency by the parish council;
- (3) The parish council, in accordance with provisions of section 2.07(F) of the Charter, may adopt such a director declared emergency and make it effective immediately;
- (4) Each director declared emergency shall include the exact nature of the emergency, the estimated cost of emergency operations and the expected duration of the emergency situation;
- (5) If the estimated cost and/or duration of the emergency are exceeded, the director may be requested to appear before the parish council to explain said cost overruns and/or delays.

(Code 1961, § 2-8(a)(16); Ord. No. 16168, § 1, 8-22-84; Ord. No. 23103, § 16, 7-18-07; Ord. No. 25999, § 7, 5-13-20)

Sec. 2-908. - Emergency purchases.

(a) *Defined.* Emergency purchases covered by this section are those for:

- (1) Materials, supplies and equipment which cost less than the sum set in R.S. 38:2212.1; and for
- (2) Public works which cost less than the state statutes requirement set in R.S. 38:2212 for advertisement; and
- (3) Which must be handled immediately in order that lack of materials, supplies and equipment or breakdowns do not seriously hamper the operations of the parish.

(b) *Authority of purchasing director.* Emergency requisitions should be entered with a full explanation of the emergency. If a true emergency does exist, the purchasing director or chief buyer is authorized to expedite the purchase without delay, exercising as much diligence for the sake of the economy as time will permit.

(c) *Requisition by telephone.* The purchasing department may accept an emergency requisition by the telephone and act immediately as above. The initiating department must

send a written requisition to purchasing within twenty-four (24) hours, with full explanation of the emergency.

- (d) *Authority of department head.* In extraordinary cases, when the purchasing department is closed and the purchasing director or chief buyer cannot be contacted, the head of the initiating department may place the necessary emergency order. The written requisition with a full explanation must be sent to the purchasing department within twenty-four (24) hours.
- (e) Emergency purchases exceeding the amounts established above shall be acquired by following the emergency procedures set forth in R.S. 38:2212.
- (f) All mandatory affidavits required for normal purchases shall still apply to emergency purchases, except that the said affidavits and disclosure forms shall be supplied prior to the issuance of the last payment. The finance director shall be required to verify compliance before the last payment is made.

(Code 1961, § 2-8(a)(17); Ord. No. 15288, § 2, 9-15-82; Ord. No. 16223, § I, 10-3-84; Ord. No. 20327, § 1, 4-15-98; Ord. No. 25999, § 8, 5-13-20)

Director Declared
Emergency (Masks)
and related documents



Emergency Purchase Certification
(Director Declared)

DEPARTMENT NAME: General Services

Date: 6/4/2020

IDENTIFY EMERGENCY SITUATION:

Provide supplies for the prevention of the spread of the Corona

Virus to employees of Jefferson Parish and to any person visiting

a Jefferson Parish facility.

DATE OF EMERGENCY: 6/4/2020 TIME: 1:15 pm

VENDOR CONTACTED:

Name: Hanesbrands, Inc.

Estimate/Quote Received: Check One Yes No if Yes, Amount \$ 95,000.00

DATE CONTACTED: 6/4/2020 TIME CONTACTED: _____

THE DEPARTMENT DIRECTOR MUST COMPLETE THE FOLLOWING:

I, Anthony L. Francis, Jr., HEREBY CERTIFY THAT THE ABOVE INFORMATION IS CORRECT AND THAT A TRUE EMERGENCY EXISTS FOR THE FOLLOWING REASONS: with the eminent threat of the spread of the Corona Virus, Jefferson Parish has developed procedures necessary to prevent any type of contamination with parish property and facilities to protect employees and visitors. I HAVE/WILL ENTER THE FULL EMERGENCY REQUISITION IN THE AS/400 FMS WITHIN 24 HOURS OF THIS EMERGENCY AS REQUIRED PER SECTION 2-910 OF THE CODE OF ORDINANCES.

Anthony L. Francis, Jr.
SIGNATURE OF DEPARTMENT DIRECTOR

DATE: 06/04/2020

Walter Brooks
SIGNATURE OF CAA

DATE: 6/4/2020

Departments are responsible for scanning and attaching all necessary documentation, including this form, to the requisition in the AS/400 System (FMS). This form must also be scanned and attached to the Hummingbird route ratifying director declared emergency and subsequent procurement.

1000 East Hanes Mill Road
Winston-Salem, NC 27105

HANES *Brands Inc*

June 2nd, 2020

RE: Request for Quote

To Jefferson Parish Team

Please use this letter as our official pricing for your masks request.

QTY 100k Masks

Style GMSK5 – Color White - \$.95 per unit

Invoice will reflect 20k packages containing 5 masks per package at \$4.75 each.

Order total \$95,000, plus any applicable shipping and taxes. Taxes removed when exemption is submitted

If you have any questions, please let me know.

Thank you.

Ray Randazzo

Ray Randazzo

Director of Business Development

HANES *Brands Inc*

M. 312.519.7965

1000 E Hanes Mill Road, Winston-Salem, NC 27105

Email: ray.randazzo@hanes.com

SHIP TO:/INVOICE TO:

GS Surplus Property
920 David Dr
DEsteves@jeffparish.net
Metairie LA 70003

PARISH OF JEFFERSON
PURCHASING DEPARTMENT
P.O. BOX 9
GRETNA, LA. 70054-0009



504 394 3606

PURCHASE ORDER # 20-0011803

CONTACT:
Dale Esteves
(504)736-8485

6/25/20

21964
A & L SALES
111 DOCTOR BOWEN STREET
BELLE CHASSE, LA 70037

F.O.B.

DELIVERY **REQ#: 600687284**
5/21/2020 **CONT#:**
 BID#: 5000131132

This order is placed subject to instructions and conditions attached hereto

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
500.0000	CS	<p>*** DIRECTOR DECLARED EMERGENCY *** *** COVID-19 ***</p> <p>0010 - HAND AID HAND SANITIZE, 12/16OZ., ITEM #: ABC-660518SA-CS</p> <p>NEEDED FOR PARISH-WIDE DEPARTMENT DISTRIBUTION AT SURPLUS PROPERTY (COVID-19 RELATED)</p> <p>A&L SALES HAS THIS ITEM IN STOCK & ABLE TO SUPPLY IMMEDIATELY.</p> <p>*** ADDITIONAL VENDORS WILL NOT PROVIDE A QUOTE BECAUSE THEY DO NOT HAVE THIS ITEM IN STOCK.</p> <p>REF NO. 5761 20</p> <p>ORDERED BY/FOR: COMEAUX/FRANCIS</p> <p>QUOTE ATTACHED</p> <p>DELIVER TO: J.P. GENERAL SERVICES ATTN: ANTHONY FRANCIS SURPLUS PROPERTY 920 DAVID DRIVE METAIRIE, LA 70003</p> <p>EPO ISSUED 5/22/2020 NMW</p>	65.0000	32500.00

TOTAL 32500.00

PHONE: 504-364-2678
EMAIL: PURCHASING@JEFFPARISH.NET
WEB SITE: WWW.JEFFPARISH.NET/BIDS

INSTRUCTIONS AND CONDITIONS

FREIGHT AND OTHER CHARGES MUST BE PREPAID

THIS ORDER NUMBER MUST APPEAR ON ALL INVOICES & DRAY RECEIPTS,
DRAY RECEIPT MUST ACCOMPANY INVOICE.

The right reserved to cancel all or any part if not shipped promptly. No charges will be allowed for packing or cartage unless specified in quotation. This order must not be filled at a higher price than quoted. If there is a price difference please contact the Purchasing Division.

INSPECTION: By accepting this order you hereby warrant that the merchandise to be furnished hereunder will be in full conformity with specifications, drawing or sample and agree that this warranty shall survive acceptance of the merchandise and that you will bear the cost of inspecting merchandise rejected.

REJECT: All rejected goods will be held at seller's risk and expenses, subject to seller's prompt advice as to disposition. Unless otherwise arranged, all rejected goods will be returned and charged back including all transportation and handling cost.

FEDERAL EXCISE TAX: Not applicable to Parish Purchases. Vendor must furnish Federal Excise Tax Exemption Certificates.

USE AND SALES TAX: Parish purchases are exempt from Use Tax, Louisiana State Sales Tax, and Jefferson Parish Sales Tax, as per Act 616, amending Title 47 of the Louisiana Revised Statutes, by addition of Section 305.29 and Parish Ordinance No. 14572.

MSDS: Material safety data sheets (MSDS) must accompany all deliveries on products requiring MSDS.



INVOICE

REMIT TO:
HANESBRANDS INC. 21692 Network Place Chicago, IL 60673-1216
DUNS 62-145-4722

Customer Purchase Order Number	
20-0012804	
Invoice Date	Due Date
07/22/2020	08/06/2020
Ship Date	Dept No.

Send Correspondence To:
P.O. Box 2996
Winston Salem, NC 27102

Remittance Must Include Invoice No.

INVOICE NO. 9047892023

B	Cust No. 257607
I	JEFFERSON PARISH
L	200 DERBIGNY ST
L	GRETNA LA 70053
T	
O	

S	Cust No. 257607
H	JEFFERSON PARISH
I	200 DERBIGNY ST
P	GRETNA LA 70053
T	
O	

No. Cartons: 00012		Weight: 159.840		Payment Terms: Net 15 DOI		Shipping Terms: FOB RURAL HALL NC	
STYLE	DESCRIPTION	COLOR/SIZE	UNITS	UOM	UNIT PRICE	AMOUNT (USD)	
OTHER GMSKP5	GOVERNMENT MASK P5 Material# 1479841 UPC#: 194959072581	WHITE NO SIZE	20,000	EA	4.75	95,000.00	
	PRODUCT SUB-TOTAL		20000	EA		95,000.00	
Page 1 of 1	DETAILED INVOICE			Total Units	Sub-Total ->	95,000.00	
SEE TERMS AND CONDITIONS ON LAST PAGE OF THIS INVOICE				20000	Taxes ->		
					GRAND TOTAL	US\$	95,000.00

JEFFERSON PARISH COUNCIL MEETING
Wednesday, August 26, 2020
GENERAL GOVERNMENT BUILDING
GRETNA, LOUISIANA

SPECIAL PRESENTATIONS BY:

Mr. Brian DeJean representative of RiverBirch to give an update on Landfill Gas Collection.

Mr. Louis Lauricella – Chairman Jefferson Community Foundation – re: Hope Haven vision needed for a Master Plan.

Ms. Margaret Ether from CASA Jefferson Parish.

BUSINESS MEETING BEGINS AT 10:00 AM

MEETING CALLED TO ORDER

INVOCATION AND/OR PLEDGE OF ALLEGIANCE

ROLL CALL - COUNCIL MEMBERS AND PARISH PRESIDENT

PARISH PRESIDENT TO ADDRESS COUNCIL

PERSONS WISHING TO APPEAR BEFORE THE COUNCIL REGARDING A RESOLUTION(S) ON AGENDA/ADDENDUM AGENDA

All persons wishing to appear before the Council shall submit to the Parish Clerk a completed and signed request to speak card. All request to speak cards must be received prior to the conclusion of the agenda item designated for such public comment. A person who submits a request to speak card shall be allowed not more than three (3) minutes to speak regarding items on the agenda.

PROFESSIONAL SERVICES

1. **Resolution - selecting firms to provide miscellaneous environmental services related to technical and administrative aspects of environmental management and preservation, including, but not limited to services such as Phase I and Phase II site assessments; corrective action plans; risk assessments; brownfields redevelopment; research of regulations, available technologies, and permitting and planning in the areas of air, water, waste management and energy and other services, at a cost not to exceed \$100,000.00 per job, not to exceed \$300,000.00 per firm annually, for a two (2) year term, on an as-needed basis for the Department of Environmental Affairs. (Parishwide)**



TEC Minutes for Res No 135503

TEC Score Sheets - Resolution No. 135503

2. **Resolution - selecting from firms interested in providing periodic arbitrage rebate compliance reports on each applicable outstanding bond issue of Jefferson Parish. (Parishwide)**



Arbitrage Evaluation Letter 08.06.2020

3. **Resolution - selecting all qualified individuals and/or firms interested in providing legal services for the Parish in the fields in which they submitted. (Parishwide)**

78. Resolution - approving an Intergovernmental Agreement between the Jefferson Parish District Attorney's Office and the Parish of Jefferson to support and maintain the Truancy Assessment Services Center at a cost not to exceed \$45,000.00. (Parishwide)

79. Resolution - approving the expenditure to Hanesbrands, Inc., for a Director Declared Emergency, to purchase face masks needed for the prevention of the spread of Covid-19, in the amount of \$96,870.31, for the Department of General Services. (Parishwide)

 Affidavit

80. Resolution - approving a three (3) year agreement between Jefferson Parish and West, a Thomson Reuters business, to begin on October 1, 2020 to provide online legal research to assist the Parish Attorney's Office in the practice of law not to exceed \$78,852.00 annually. (Parishwide)

81. Resolution - authorizing the Purchasing Department to advertise for Request for Proposals (RFP) from firms interested and qualified to provide security guard services for a period of two (2) years for various locations throughout the Parish of Jefferson for the Department of Security. (Parishwide)

82. Resolution - approving the First Amendment to the Cooperative Endeavor Agreement between the Parish of Jefferson and Aymond Enterprises, Inc., dba Prime Steps I Daycare and Learning Center to provide for Jefferson Community Action Programs Head Start Birth to Five Program (JeffCAP HS B-5) early childcare education services which First Amendment corrects the term of the Agreement to begin on September 1, 2019 in accordance with the intent of the parties. (Council District 4)

 Prime Step 1 Aff

83. Resolution - approving Amendment 5 with the Administrators of The Tulane Educational Fund to provide additional services of the Tulane School of Architecture, Small Center for Collaborative Design (formerly the Tulane Regional Urban Design Center (TRUDC)) for academic architectural guidance and investigation for the Lafreniere study area, and continued architectural guidance on planning studies and the development review process, extending the term of the agreement to December 31, 2021, and increasing the fee by \$35,000.00 for a total amount not to exceed \$116,000.00. (Council District 4)

 Tulane - Affidavits

84. Resolution - approving the First Amendment to the Agreement with Carlie Care Kids to provide for Jefferson Community Action Programs Head Start Birth to Five Program (JeffCAP HS B-5) early childcare education services which First Amendment corrects the term of the Agreement to begin on September 1, 2019 in accordance with the intent of the parties. (Council District 1)

 Carlie Care Kids AFF

On motion of **M.**, seconded by **M.**, the following resolution was offered:

RESOLUTION NO.

A resolution approving the expenditure to Hanesbrands, Inc., for a Director Declared Emergency, to purchase face masks needed for the prevention of the spread of Covid-19, in the amount of Ninety-Six Thousand Eight Hundred Seventy Dollars Thirty-One Cents (\$96,870.31), for the Department of General Services. (Parishwide)

WHEREAS, A director declared emergency was necessary; and

WHEREAS, to control of immediate threats to public health and safety there is a need for masks; and

WHEREAS, In order to acquire needed products a director declared emergency was deemed necessary to allow the shipment of products in a timely manner; and

WHEREAS, products purchased where used for personal protection of employees.

NOW, THEREFORE, BE IT RESOLVED by the Jefferson Parish Council of Jefferson Parish, Louisiana, acting as governing authority of said Parish:

SECTION 1. That the expenditure to Hanesbrands, Inc., for a Director Declared Emergency, to purchase face masks needed for the prevention of the spread of Covid-19, in the amount of Ninety-Six Thousand Eight Hundred Seventy Dollars Thirty-One Cents (\$96,870.31), for the Department of General Services, be and is hereby approved.

SECTION 2. That the Purchasing Department, be and is hereby authorized, empowered, and directed to approve the expenditure to Hanesbrands, Inc., in the total amount of Ninety-Six Thousand Eight Hundred Seventy Dollars Thirty-One Cents (\$96,870.31), to purchase face masks needed for the prevention of the spread of Covid-19, for the Department of General Services.

SECTION 3. That all expenditures shall be charged to Account No. 10010-1415 (2020C.002).

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

The resolution was declared to be adopted this the **26th day of August, 2020**

Director Declared
Emergency
(Sanitizers) and related
documents



Emergency Purchase Certification
(Director Declared)

DEPARTMENT NAME: General Services

Date: 5/21/2020

IDENTIFY EMERGENCY SITUATION:

Provide supplies for the prevention of the spread of the Corona
Virus to employees of Jefferson Parish and to any person visiting
a Jefferson Parish facility.

DATE OF EMERGENCY: 5/21/2020 TIME: 10:00 am

VENDOR CONTACTED:

Name: A & L Sales

Estimate/Quote Received: Check One Yes No if Yes, Amount \$ 32,500.00

DATE CONTACTED: 5/19/2020 TIME CONTACTED: 10:00 am

THE DEPARTMENT DIRECTOR MUST COMPLETE THE FOLLOWING:

I, Anthony L. Francis, Jr., HEREBY CERTIFY THAT THE ABOVE INFORMATION IS CORRECT AND THAT A TRUE EMERGENCY EXISTS FOR THE FOLLOWING REASONS: with the eminent threat of the spread of the Corona Virus, Jefferson Parish has developed procedures necessary to prevent any type of contamination with parish property and facilities to protect employees and visitors. I HAVE/WILL ENTER THE FULL EMERGENCY REQUISITION IN THE AS/400 FMS WITHIN 24 HOURS OF THIS EMERGENCY AS REQUIRED PER SECTION 2-910 OF THE CODE OF ORDINANCES.


SIGNATURE OF DEPARTMENT DIRECTOR

DATE: 05.22.2020


SIGNATURE OF CAA

DATE: 5-22-20

Departments are responsible for scanning and attaching all necessary documentation, including this form, to the requisition in the AS/400 System (FMS). This form must also be scanned and attached to the Hummingbird route ratifying director declared emergency and subsequent procurement.

A&L SALES INC

"The Professional's Choice"



A&LSales, Inc.
111 Doctor Bowen Street
Belle Chasse, LA 70037
504-394-3840 985-727-6049
504-394-3606

Quotation

Page 1 of 1

JEFFERSON PARISH GENERAL SERVICES
1221 ELMWOOD PARK BLVD
SUITE 509
HARAHAN LA 70123

Date 20-May-2020 **Valid Until** 23-May-2020
Salesman 5464JC **Quote** 7103782
Terms 1 - NET 30

Merch Total	\$32,500.00
Taxable Sales	\$32,500.00
Tax	\$0.00
Ship/Handling	\$0.00
Ppd Deposit	\$0.00
Total	\$32,500.00

Description	Item Code	Quantity	Price	Amount
12/16oz HAND AID HAND SANITIZE	ABC-660518SA-CS	500	65.00	\$32,500.00

SHIP TO:/INVOICE TO:

**GS Surplus Property
920 David Dr
DEsteves@jeffparish.net
Metairie LA 70003**

**PARISH OF JEFFERSON
PURCHASING DEPARTMENT
P.O. BOX 9
GRETNA, LA. 70054-0009**



**CONTACT:
Dale Esteves
(504)736-8485**

PURCHASE ORDER # 20-0012804

6/04/20

319889
HANESBRANDS INC

1000 E. HANES MILL ROAD
WINSTON SALEM, NC 27105

**F.O.B.
PriceSepar**

N/30

**DELIVERY
6/05/2020**

**REQ#: 600688377
CONT#:
BID#: 5000131285**

This order is placed subject to instructions and conditions attached hereto

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
20000.0000	PK	<p>*** DIRECTOR DECLARED EMERGENCY ***</p> <p>0010 - MASKS, STYLE: GMSK5, COLOR: WHITE (5 MASKS PER PACKAGE)</p> <p>NEEDED FOR PARISH-WIDE DISTRIBUTION TO PROTECT AGAINST COVID-19</p> <p>REF NO. 6114 20</p> <p>ORDERED BY/FOR: DUFRENE/FRANCIS</p> <p>QUOTE ATTACHED</p> <p>DELIVER TO: J.P. GENERAL SERVICES ATTN: ANTHONY FRANCIS SURPLUS PROPERTY 920 DAVID DRIVE METAIRIE, LA 70003</p>	4.7500	95000.00

TOTAL 95000.00

**PHONE: 504-364-2678
EMAIL: PURCHASING@JEFFPARISH.NET
WEB SITE: WWW.JEFFPARISH.NET/BIDS**

INSTRUCTIONS AND CONDITIONS

FREIGHT AND OTHER CHARGES MUST BE PREPAID

THIS ORDER NUMBER MUST APPEAR ON ALL INVOICES & DRAY RECEIPTS,
DRAY RECEIPT MUST ACCOMPANY INVOICE.

The right reserved to cancel all or any part if not shipped promptly. No charges will be allowed for packing or cartage unless specified in quotation. This order must not be filled at a higher price than quoted. If there is a price difference please contact the Purchasing Division.

INSPECTION: By accepting this order you hereby warrant that the merchandise to be furnished hereunder will be in full conformity with specifications, drawing or sample and agree that this warranty shall survive acceptance of the merchandise and that you will bear the cost of inspecting merchandise rejected.

REJECT: All rejected goods will be held at seller's risk and expenses, subject to seller's prompt advice as to disposition. Unless otherwise arranged, all rejected goods will be returned and charged back including all transportation and handling cost.

FEDERAL EXCISE TAX: Not applicable to Parish Purchases. Vendor must furnish Federal Excise Tax Exemption Certificates.

USE AND SALES TAX: Parish purchases are exempt from Use Tax, Louisiana State Sales Tax, and Jefferson Parish Sales Tax, as per Act 616, amending Title 47 of the Louisiana Revised Statutes, by addition of Section 305.29 and Parish Ordinance No. 14572.

MSDS: Material safety data sheets (MSDS) must accompany all deliveries on products requiring MSDS.

JEFFERSON PARISH COUNCIL MEETING
Wednesday, August 5, 2020
1221 ELMWOOD PARK BOULEVARD
JEFFERSON, LOUISIANA

MEETING CALLED TO ORDER

INVOCATION AND/OR PLEDGE OF ALLEGIANCE

EXECUTIVE SESSION

1. Resolution #136114 - authorizing the Council to go into executive session to discuss legal matters concerning the lawsuit entitled Debbie Dyer vs. Clinton "C.J." Gibson, Jefferson Parish and/or Jefferson Parish Government, Jefferson Parish Department of Parks and Recreation and Jefferson Parish Department of Risk Management, 24th JDC No. 787-264, Div. "F". (Parishwide)
1. Resolution #136115 - authorizing a settlement in the lawsuit entitled Debbie Dyer vs. Clinton "C.J." Gibson, Jefferson Parish and/or Jefferson Parish Government, Jefferson Parish Department of Parks and Recreation and Jefferson Parish Department of Risk Management, 24th JDC No. 787-264, Div. "F" and to provide for related matters. (Parishwide)
2. Resolution #136116 - authorizing the Council to go into executive session to discuss legal matters concerning the seventeen (17) landfill lawsuits that have been filed. (Parishwide)
3. Resolution #136117 - authorizing the Council to go into executive session to discuss legal matters concerning the lawsuit entitled Shane Salathe, et al vs. Parish of Jefferson, et al, 24th JDC No. 749-298, Division "M", Fifth Circuit Court of Appeal, No. 19-C-427 c/w 19-C-303. (Parishwide)
4. Resolution #136118 - authorizing the Council to go into executive session as authorized by LA RS 46:1073(B) to discuss and/or develop marketing strategies and strategic plans for Jefferson Parish Hospital and Health Services District No. 2, and to provide for related matters. (Parishwide) (Ms. Van Vrancken)

PUBLIC APPEARANCE AGENDA

ORDINANCES SCHEDULED FOR FINAL ADOPTION THIS DAY

49. Resolution #136153 - approving an Agreement with WSP USA, Inc., to provide professional engineering services for Bonnabel Boulevard Roadway Improvements (Metairie Road to I-10) at a fee of \$272,816.00, with this cost not to be exceeded by a factor of more than ten (10) percent without an amendment to the contract. (Council District 5)
50. Resolution #136154 - approving Amendment 3, which amends the existing Engineering Agreement with Design Engineering, Inc., to provide professional engineering services for the design of Southbound Causeway Boulevard Bridge over Veterans Boulevard Widening, Public Works Project No. 2017-011-RBP, Contract No. 55-00015281, to establish a new termination date of September 15, 2022, which does not increase the total \$250,603.00 cost of the Agreement with this cost not to be exceeded by a factor of more than ten (10) percent without an amendment to the contract. (Council District 5)
51. Resolution #0 - (DEFERRED TO 8/26/20) - approving Amendment 3 with Pivotal Engineering, LLC for engineering services related to the Design, Construction Administration, and Inspection of Rehabilitation of Belt Presses at the East Bank Wastewater Treatment Plant, Project No. D5119 to add supplemental design services which increases the total value of the contract by \$59,000.00 from \$355,337.69 to \$414,337.69, with this cost not to be exceeded by a factor of more than ten (10) percent without an amendment to the contract, and to establish a new contract termination date of October 14, 2022. Sewerage Capital Improvement Program, Project No. D5119 be and is hereby deferred until August 26, 2020. (Council District 2)

OTHER RESOLUTIONS

52. Resolution #136155 - approving the First Amendment with KBMC, INC. (dba) Spring Ridge Academy, Inc. to provide for Jefferson Community Action Programs Head Start Birth to Five Program (JeffCAP HS B-5) early childcare education services which First Amendment corrects the term of the Agreement to begin on September 1, 2019 in accordance with the intent of the parties. (Council District 3)
53. Resolution #136156 - authorizing the Purchasing Department to advertise for Request for Proposals to provide livestock keeping services to the Animal Shelter Department for a period of two years. (Parishwide)
54. Resolution #136157 - approving the expenditure to A & L Sales, Inc., for a Director Declared Emergency, to purchase hand sanitizer needed for the prevention of the spread of Covid-19, in the amount of \$32,500.00, for the Department of General Services. (Parishwide)
55. Resolution #136158 - authorizing a cap increase with Beacon Air Conditioning, Heating & Refrigeration, Inc., to provide a three (3) year labor only contract to troubleshoot and repair Heating, Ventilation, Air Conditioning (HVAC) Systems and Air-Cooled Chiller Systems on an "as needed" basis, for the Department of General Services; increasing the contract cap by \$50,000.00, for a new contract cap of \$370,000.00. (Parishwide)

On motion of **Mr. Walker**, seconded by **Mr. Templet**, the following resolution was offered:

RESOLUTION NO. 136157

A resolution approving the expenditure to A & L Sales, Inc., for a Director Declared Emergency, to purchase hand sanitizer needed for the prevention of the spread of Covid-19, in the amount of Thirty-Two Thousand Five Hundred Dollars (\$32,500.00), for the Department of General Services. (Parishwide)

WHEREAS, A director declared emergency was necessary; and

WHEREAS, In order to acquire needed products a director declared emergency was deemed necessary to allow the shipment of products in a timely manner; and

WHEREAS, products purchased where used for personal protection of employees; and

NOW, THEREFORE, BE IT RESOLVED by the Jefferson Parish Council of Jefferson Parish, Louisiana, acting as governing authority of said Parish:

SECTION 1. That the expenditure to A & L Sales, Inc., for a Director Declared Emergency, to purchase hand sanitizer needed for the prevention of the spread of Covid-19, in the amount of Thirty-Two Thousand Five Hundred Dollars (\$32,500.00), for the Department of General Services, be and is hereby approved.

SECTION 2. That the Purchasing Department, be and is hereby authorized, empowered, and directed to approve the expenditure to A & L Sales, Inc., in the total amount of Thirty-Two Thousand Five Hundred Dollars (\$32,500.00), to purchase supplies needed for the prevention of the spread of Covid-19, for the Department of General Services.

SECTION 3. That all expenditures shall be charged to Account No. 10010-1415 (2020C.002).

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 7

NAYS: None

ABSENT: None

The resolution was declared to be adopted this the **5th day of August, 2020.**

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY



EULA A. LOPEZ
PARISH CLERK

JEFFERSON PARISH COUNCIL