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March 18, 2013

Mr. Louis Gruntz, Chairman  
Jefferson Parish Charter Advisory Board  
200 Derbigny Street, 6<sup>th</sup> Floor  
Gretna, LA 70053

Dear Mr. Gruntz:

At its March 4 meeting, the Jefferson Parish Charter Advisory Board asked BGR for its thoughts on charter amendments in the area of contracting. We welcome the opportunity to comment on this important topic.

Generally speaking, a home rule charter should set the basic framework for the organization and operation of government. The details should be left to ordinance or administrative procedure, which can be more easily amended to meet changing or unforeseen circumstances. However, this approach carries the risk that prudent ordinances and procedures will either never be enacted, or, once adopted, be abandoned when they become politically inconvenient.

Recognizing this tension, BGR recommends that the Jefferson Parish charter be amended to:

- Assign responsibility for the contracting process – from solicitation to evaluation, selection and the eventual signing of the contract – to the executive branch. Currently, although the parish president is responsible for delivering services and infrastructure in the parish, the Parish Council controls the process for seeking, selecting and signing contracts with the private providers that help perform much of that work. This level of council involvement is highly unusual, particularly for a government that has a popularly elected executive. It creates a misalignment between contracting powers and responsibility for the day-to-day administration of parish government. The proposed amendment would end this atypical arrangement by granting administrative and decision-making authority to the branch of government responsible for the work to be performed.
- Require the Parish Council to establish a competitive, transparent contracting process for the executive branch to follow. The amendment should require that evaluation committees comprised of individuals with relevant expertise score proposals according to published, weighted criteria. It should also require that the administration either award the contract to the respondent scoring highest on the evaluation or terminate the procurement.

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This amendment would end the discretion-laden processes currently allowed under the parish's code of ordinances.

Thank you for asking for BGR's thoughts on this important issue. If the advisory board has any questions about our recommendations, or would like assistance in drafting the specific charter language needed to achieve them, please do not hesitate to contact me at (504) 525-4152, ext. 107, or at [janethoward@bgr.org](mailto:janethoward@bgr.org).

Sincerely yours,

Janet R. Howard  
President & CEO

cc: Members of the Jefferson Parish Charter Advisory Board