

ORDINANCE NO. _____ OF 2019

AN ORDINANCE TO ADD SECTION 26-220 AFFIDAVIT ATTESTING THAT CITY CONTRACT WAS NOT SECURED THROUGH EMPLOYMENT OR PAYMENT OF SOLICITOR TO CHAPTER 26 FINANCE, ARTICLE VI CONTRACTS, DIVISION 1 GENERALLY OF THE CITY OF SHREVEPORT, LOUISIANA, CODE OF ORDINANCES RELATIVE TO REQUIREMENT OF AN AFFIDAVIT FOR CITY CONTRACTS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER: JOHN NICKELSON

WHEREAS, Louisiana Revised Statutes Title 38 § 2224 ([La. R.S. 38:2224](#)), requires all architects, landscape architects, engineers, contractors, subcontractors, or any person, corporation, firm, association, or other organization receiving value for services rendered in connection with a contract for the construction, alteration or demolition of a public building or project to execute an affidavit regarding the employment of a solicitor in the acquisition of the contract; and

WHEREAS, the City wishes to codify the requirement of La. R.S. 38:2224 into its ordinances and to expand the requirement to all contracts.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana in due, legal and regular session convened, that Section 26-220 be added to Chapter 26, Article VI, Division 1 to read as follows:

ARTICLE VI. – CONTRACTS

DIVISION 1. – GENERALLY

Sec. 26-220 – Affidavit attesting that City contract was not secured through employment or payment of solicitor.

- (a) All persons, corporations, limited liability companies, firms, associations, or other organizations, including, but not limited to, architects, landscape architects, engineers, contractors, and subcontractors, receiving value for services rendered in connection with a contract for the construction, alteration or demolition of a public building or project shall execute an affidavit attesting:
- (1) That affiant employed no person, corporation, firm, association, or other organization, either directly or indirectly, to secure the public contract under which he received payment, other than persons regularly employed by the affiant whose services in connection with the construction, alteration or demolition of the public building or project or in securing the public contract were in the regular course of their duties for affiant; and
 - (2) That no part of the contract price received by affiant was paid or will be paid to any person, corporation, firm, association, or other organization for soliciting the contract, other than the payment of their normal compensation to persons regularly employed by the affiant whose services in connection with the construction, alteration or demolition of the public building or project were in the regular course of their duties for affiant.
- (b) All persons, corporations, limited liability companies, firms, associations, or other organizations, including, but not limited to, architects, landscape architects, engineers, contractors, and subcontractors, receiving value for services rendered in connection with a contract with the City, that is not subject to the requirement in subsection (a) above, shall execute an affidavit attesting:
- (1) That affiant employed no person, corporation, firm, association, or other organization, either directly or indirectly, to secure the contract under which he received payment, other than persons regularly employed by the affiant whose services in connection with contract were in the regular course of their duties for affiant; and
 - (2) That no part of the contract price received by affiant was paid or will be paid to any person, corporation, firm, association, or other organization for soliciting the contract, other than the payment of their normal compensation to persons regularly employed by the affiant whose services in connection with the contract were in the regular course of their duties for affiant.
- (c) No contract shall be granted to any person, corporation, firm, association, or other organization refusing to execute the affidavit required by subsection (a) or (b) above.
- (d) The submission of a materially false affidavit shall be grounds for disbarment from contracting with the City under the procedures set forth in Section 26-265.

State Law reference La. R.S. 38:2224

Secs. 26-221—26-225. - Reserved.

BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective in accordance with the provisions of [Shreveport City Charter Section 4.23](#).

THUS DONE AND ORDAINED by the City Council of the City of Shreveport, Louisiana.

APPROVED AS TO LEGAL FORM:

City Attorney's Office