

November 23, 2022

Ms. Nanette Cook
City of Lafayette Council Chair
705 W. University Ave.
Lafayette, LA 70506

Via Hand Delivery

Re: PRR submitted on behalf of Faulk & Winkler for Investigation

Dear Chairwoman Cook:

As stated in my email of November 15, 2022, your request converted the Data Request of Faulk and Winkler to a Public Records Request (PRR). You responded on November 16th that you were going to resend the request as a request from the Council. To date, I have not received a request from the Council. In order to maintain the timeframe set forth in my email, I am responding with documents responsive to a PRR.

I note that much of the requested documentation was produced in the binders previously provided to the City Council and available on the Lafayette Consolidated Government Webpage (front page, scroll down to the quick links and the three PDF binders are there). To respond to the PRR, we have included a table below with the specific page numbers responsive to your PRR inquiry. We are also supplementing the previously produced information with a few additional documents.

Additionally, I note that there is a request for attorney's opinions in section 1.a. of the request. These are not subject to a PRR. However, we are gathering and reviewing all opinions on these projects and they will be produced subject to a confidentiality agreement.

Request No. 1:

All contracts or engagement letters for vendors identified on pages 3,294 to 3,301.

- a. Include all public bid documentation or bid considerations related to these expenditures. Other considerations are documentation of public bid exemption or attorney's opinions concerning related bid requirements.
- b. Include any change orders.
- c. Please provide the schedules listed on the pages above in excel electronic format.

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- d. Please provide scoring methodology for Construction Management at Risk services contract between Rigid Constructors and Lemoine.

Response to Request No. 1.a & 1.b:

Please see the attached Spreadsheets labeled “Payments to Rigid Constructors Schedule” (Bates Numbers 3294-3296), “Drainage Ordinance Schedule” (Bates Numbers 3297-3301) and 2022 Vegetative Debris Reduction by Burning Contract with Rigid Constructors, LLC (Bates Numbers 3358-3371). Please refer to the following pages from the three binders previously provided:

Bates Numbered

1-33	262-329	709-734	816-927	1010-1035	1303-1320
34-169	330-422	735-756	921-958	1036-1038	1321-1335
170-184	423-482	757-766	928-958	1139-1156	1336-1369
185-192	483-513	767-792	959-976	1157-1271	1370-1384
193-212	514-686	793-815	977-1009	1272-1290	1385-1783
213-261	687-708				

Response to Request No. 1.c.:

The Electronic Version of the Schedules in Excel Format is on the flash drive being delivered herewith.

Also, please see attached the January 21, 2022 Scoring Report for the Construction Management at Risk Services for the Bayou Vermilion Flood Control Project in response to Request 1.d.

Request No. 2:

A copy of the City’s current procurement policy as it relates to capital projects.

Response to Request No. 2:

Please see the attached Lafayette Consolidated Government Construction Project Procedure effective January 24, 2000 identified as Bates Numbers 3373-3374.

Request No. 3:

Any documentation related to preliminary cost estimates or budgets prepared on Bayou Vermillion Flood Control project, including any change orders.

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Response to Request No. 3:

Please see attached documents identified as Bates Numbers 3375-3507.

Request No. 4:

Budget to actual revenue and expenditure financial statement for the period November 1, 2021, to October 31, 2022, for funds: 401, 127, 441, 275.

Response to Request No. 4:

Please see attached documents identified as Bates Numbers 3508-3561.

Request No. 5:

Any payroll documentation demonstrating compliance with Davis-Bacon Act and Copeland Act for payments made on pages 3,294 to 3,296 and any subcontractors used related to these payments where applicable.

Response to Request No. 5:

These projects were not federally funded, so the Davis-Bacon Act and the Copeland Act are inapplicable.

Request No. 6:

Provide a map identifying locations of projects related to Bayou Vermilion Flood Control.

Response to Request No. 6:

Please see Bates Number 3307 previously provided. Also being delivered is a 24 x 36 paper copy of the said map.

Request No. 7:

A copy of the City's current policy on dignitary security detail. Also include a report of wages paid for the period 2020 through the current date for police dignitary payroll expenses. The report should be compiled as follows:

- a. Hours works,
- b. Description of dignitary security detail and individual served,

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- c. Payroll journal or similar report depicting dignitary security detail paid by payroll period for the dates listed above.

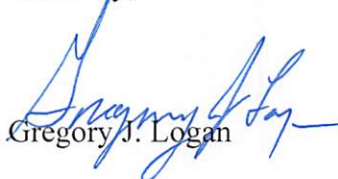
Response to Request No. 7:

The requested documents do not exist in the format suggested or implied by your request. Nevertheless, LCG staff is researching and compiling records that may be potentially responsive to your request. Our preliminary estimate is that it will take approximately fifteen (15) additional working days, until approximately December 16, 2022, to collect, segregate, examine, review, and redact any documents potentially responsive to your request. I will make a supplemental response to your request, either to advise that we are ready for complete or partial production of non-exempt responsive documents, or with a revised estimate of any additional time necessary to fulfill your request, no later than December 16, 2022.

We will decline to produce records, or will redact information therein, that would reveal deployment information of law enforcement investigatory personnel, security procedures of LCG, investigative training information or aids, investigative techniques, investigative technical equipment or instructions on the use thereof, physical security information, electronic security information, operational plans, and the analysis of any such information. These records are exempt from production pursuant to La. R.S. 44:3(A)(3) and/or La. R.S. 44:3.1(A).

Additionally, your request seeks the creation of a “report” that does not presently exist, poses questions or inquiries, and the subtopics (a), (b), and (c) do not seek records. LCG declines to answer questions, as these are beyond the scope of LCG’s responsibilities under the Louisiana Public Records Law. The Louisiana Public Records Law does not require LCG to answer questions or inquiries or create records to respond to a public records request. See e.g., *Stevens v. St. Tammany Parish Govt.*, 2017-0959 (La. App. 1st Cir. 7/18/18), 264 So.3d 456; *Lacour v. City of Alexandria*, 2018-151 (La. App. 3rd Cir. 10/3/18), 2018 WL 4778203; *Cox v. Bello*, 2014-0759 (La. App. 1st Cir. 12/23/14), 2014 WL 7332041; *Williams Law Firm v. Board of Supervisors of Louisiana State University*, 2003-0079 (La. App. 1st Cir. 04/02/04), 878 So.2d 557, citing *Nungesser v. Brown*, 95-3005 (La. 2/16/96), 667 So.2d 1036, 1037.

Sincerely,


Gregory J. Logan

GJL/rps
Enclosures