

CARL A. HARDING, CHAIRMAN

KIMBERLY CHAUVIN, VICE-CHAIRWOMAN

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DISTRICT 3
CLAYTON VOISIN, JR.
DISTRICT 5
C. K. CHAMPAGNE
DISTRICT 7
DANIEL BABIN
DISTRICT 9
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DISTRICT 2
CARL A. HARDING
DISTRICT 4
JOHN P. AMEDÉE
DISTRICT 6
CLYDE HAMNER
DISTRICT 8
KIMBERLY CHAUVIN
COUNCIL CLERK
TAMMY E. TRIGGS

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ttriggs@tpcg.org www.tpcg.org

May 1, 2025

MEMO TO: Kandace Mauldin
 Chief Financial Officer

FROM: Tammy E. Triggs
 Council Clerk

RE: CDBG – DR Policies and Procedures

Attached is an original certified copy of Resolution No. 25-228 which adopts the required CDBG-DR Program policies and procedures; acknowledges CDBG-DR Program funds be administered in accordance with OCD Grantee Administrative Manual; appoint various coordinators/officers, authorize individuals to execute the request for payment; authorize execution of documents.

By copy of this memo, the appropriate individuals are being advised of this action. Should you have any questions regarding this matter, feel free to contact me.

/tet

Attachment

cc: Terrebonne Parish Council Members
 Mr. Noah Lirette, Chief Administrative Officer
 Mr. Ryan Page, Human Resources and Risk Management Director
 Mrs. Leilani Adams, Chief of Staff
 Council Reading File

OFFERED BY: MR. C. HAMNER
SECONDED BY: MR. J. AMEDEV

RESOLUTION NO. 25-228

RESOLUTION TO ADOPT THE REQUIRED CDBG-DR PROGRAM POLICIES AND PROCEDURES; ACKNOWLEDGES CDBG-DR PROGRAM FUNDS BE ADMINISTERED IN ACCORDANCE WITH OCD GRANTEE ADMINISTRATIVE MANUAL; APPOINT VARIOUS COORDINATORS/OFFICERS, AUTHORIZE INDIVIDUALS TO EXECUTE THE REQUEST FOR PAYMENT; AUTHORIZE EXECUTION OF DOCUMENTS

WHEREAS, Terrebonne Parish Consolidated Government has been awarded Community Development Block Grant Disaster Recovery (CDBG-DR) funds for the Resilient Communities Infrastructure Program administered by the State of Louisiana, Office of Community Development (OCD), and

WHEREAS, the CDBG-DR Program requires the adoption of plans, policies and appointment of individuals for compliance with CDBG-DR program regulations, and

NOW THEREFORE BE IT RESOLVED, that Terrebonne Parish Consolidated Government acknowledges that CDBG-DR Program funds must be administered in accordance with the latest edition, and any amendments thereto of the State of Louisiana OCD Disaster Recovery CDBG Grantee Administrative Manual <https://www.doa.la.gov/Pages/ocd-dru/DRadminManual.aspx>.

BE IT FURTHER RESOLVED, that Terrebonne Parish Consolidated Government as recipient of CDBG-DR funds, does hereby adopt the attached CDBG-DR Program Policies and Procedures as they apply to the administration of the Resilient Communities Infrastructure Program.

BE IT FURTHER RESOLVED, that the following individuals are appointed to various positions related to the CDBG-DR Program as listed:

- | | |
|--|--|
| 1. Labor Compliance Officer: | <u>CSRS, Inc.</u> |
| 2. Fair Housing Coordinator: | <u>Housing and Human Services Assistant Director</u> |
| 3. Section 3 Coordinator: | <u>CSRS, Inc.</u> |
| 4. Section 504 Coordinator: | <u>Housing and Human Services Director</u> |
| 5. Residential Antidisplacement Officer: | <u>Housing and Human Services Director</u> |
| 6. Equal Employment Opportunity Officer: | <u>Human Resources Manager</u> |

BE IT FURTHER RESOLVED, that Parish President, Jason W. Bergeron and CFO, Kandace M. Mauldin are hereby authorized to sign the Requests for Payment related to the CDBG-DR Program.

BE IT FURTHER AND FINALLY RESOLVED, that the Parish President is hereby authorized to execute any and all documents pertaining to the CDBG-DR Program including but not limited to the Cooperative Endeavor Agreement and any Amendments, Project Application and any Amendments, Environmental Review Record, Certifications and Professional Service, Consulting Service and Construction Contracts and any Amendments.

THERE WAS RECORDED:

YEAS: C. K. Champagne, C. Hamner, D. Babin, K. Chauvin, S. Trosclair, B. Pledger, C. Harding, C. Voisin, Jr. and J. Amedev

NAYS: None.

NOT VOTING: None.

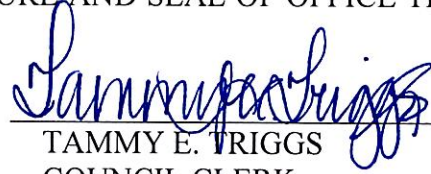
ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this the 28th day of April 2025.

I, TAMMY E. TRIGGS, Council Clerk of the Terrebonne Parish Council, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Assembled Council in Regular Council Session on April 30, 2025, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 1st DAY OF MAY 2025.



TAMMY E. TRIGGS
COUNCIL CLERK
TERREBONNE PARISH COUNCIL



EXECUTIVE SUMMARY

(REQUIRED FOR ALL SUBMISSIONS)

PROJECT TITLE
CDBG-DR Policies and Procedures

PROJECT SUMMARY (200 WORDS OR LESS)
Resolution to adopt the required CDBG-DR program policies and procedures; acknowledges CDBG-DR program funds be administered in accordance with OCD grantee administrative manual; appoint various coordinators/officers, authorize individuals to execute the request for payment; authorize execution of documents

PROJECT PURPOSE & BENEFITS (150 WORDS OR LESS)
See Above

TOTAL EXPENDITURE	
\$0	
AMOUNT SHOWN ABOVE IS: (CIRCLE ONE)	
ACTUAL	<u>ESTIMATED</u>
IS PROJECT ALREADY BUDGETED: (CIRCLE ONE)	
N/A NO YES	IF YES AMOUNT BUDGETED: \$0

COUNCIL DISTRICT(S) IMPACTED (CIRCLE ONE)									
	1	2	3	4	5	6	7	8	9

Signature s/Kandace M. Mauldin, CFO

Date 4/24/25

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RESOLUTION NO. 25-

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**TERREBONNE PARISH CONSOLIDATED GOVERNMENT
CDBG-DR PROGRAM POLICIES AND PROCEDURES**



Version 1.0

April 2025

TERREBONNE PARISH CONSOLIDATED GOVERNMENT

CDBG-DR PROGRAM POLICIES AND PROCEDURES

The following CDBG-DR Policies and Procedures are provided to guide the use of CDBG-DR funds under Terrebonne Parish Consolidated Government (TPCG), as a subrecipient to the Louisiana Office of Community Development-Disaster Recovery (LOCD-DR). The policies and procedures serve as a guide for program staff and subrecipients in implementing and managing Community Development Block Grant - Disaster Recovery (CDBG-DR) grant funds, primarily under the *Resilient Communities Infrastructure Program (RCIP)* allocation as a result of Hurricane Ida and the declared disasters in 2020/2021, and future CDBG-DR allocations. The policies provide guidance regarding the general requirements, as applicable, following the Federal Register Notice, the State’s Action Plan and applicable cross-cutting CDBG-DR requirements. It is the responsibility of TPCG to ensure that subgrantees or subrecipients comply with all provisions of these policies, state and federal rules and regulations, and the grant agreement.

In the case that the policies and procedures require revisions or clarification, the updates will be documented with a subsequent policy version and dated, noting the applicability of the policy change, as approved by the Parish Authorizing Official.

Contents	
POLICIES/PROCEDURES	Page Number
Resolution	3 (tbc)
Citizen Complaint Policy	5
Procurement Policy	7
Contract Administration Policy	15
Duplication of Benefits	20
Fair Housing Policy	22
Section 3 Plan	27
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Section 504 Grievance Procedure	37
Section 504 Communication Policy	38
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Records Management Policy	42
Monitoring Plan	45
Language Access Plan	52
Financial Management Policy	54
Environmental Clearance Policy	56
Equal Opportunity Policy	58



**Terrebonne Parish Consolidated Government
Community Development Block Grant - Disaster Recovery
RESOLUTION for CDBG-DR Projects**

{Insert Final Council Resolution}



**TERREBONNE PARISH CONSOLIDATED GOVERNMENT
CDBG-DR PROGRAM POLICIES AND PROCEDURES**

Revision History	
Details of Revision	Date
Version 1.0 - Final CDBG-DR Policies and Procedures – 2020/2021 Disasters	4/24/25

Terrebonne Parish Consolidated Government – CDBG-DR CITIZEN COMPLAINT POLICY

INTRODUCTION

It is the policy of the Terrebonne Parish Consolidated Government (TPCG) to review all complaints received by the TPCG related to the CDBG-DR funding or funded programs applicable to these policies. Per HUD policy, TPCG will respond to **citizen complaints in writing within 15 business days**, where practicable. The response will address the concerns raised and outline any proposed resolutions. If additional time is needed, TPCG will provide an update on the status of the complaint.

COMPLAINT PROCEDURES

The following procedures will be followed in all complaints received by the TPCG:

1. TPCG shall maintain a process to receive complaints. The initial complaint may be expressed orally or by written correspondence. Comments or complaints will also be received through the Parish website.
2. TPCG CDBG-DR Program staff will investigate the complaint and will respond within five (15) working days to the complainant in writing, via email, or by telephone.
3. If the complainant is aggrieved by the decision, he must forward his disapproval in writing (if previously submitted orally) to TPCG who will forward the complaint and all actions taken to the Terrebonne Parish Chief Elected Official. This will be accomplished within thirty (30) working days of receipt of the written complaint.
4. The Terrebonne Parish Chief Elected Official (Parish President) will have fifteen (15) working days to review the complaint and forward their decision to the complainant in writing.
5. If the complainant is aggrieved with this response/decision, the Complainant may then request to appear before the Terrebonne Parish Consolidated Government Council. The complainant will be placed on the next regularly scheduled Parish Council meeting agenda. The TPCG will notify the complainant in writing of the date of the meeting.
6. Complaints concerning the general administration of the CDBG—Disaster Recovery Program may be submitted in writing directly to the:

Office of the Executive Director
Louisiana Office of Community Development-Disaster Recovery
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

COMPLAINTS ALLEGING DISCRIMINATION

All citizen complaints relating to Equal Opportunity violations alleging discrimination shall be sent by TPCG directly to:

Louisiana Department of Justice Public Protection Division
Post Office Box 94005
Baton Rouge, Louisiana 70804

The complainant will be notified in writing within ten (10) days that, due to the nature of the complaint, it has been forwarded to the Louisiana Department of Justice.

The complainant may contact the Louisiana Department of Justice Public Protection Division directly at its toll-free telephone number, 1-800-273-5718 or 225-326-6438.

FAIR HOUSING

All citizen complaints relative to Fair Housing should be forwarded to:
HUD Regional Office, Fair Housing and Equal Opportunity Division
PO Box 2905
Fort Worth, Texas 76113-2905

FRAUD, WASTE AND ABUSE

Complainants will be advised to contact the ***Louisiana Legislative Auditor (LLA) Hotline*** if they suspect fraud, waste or abuse of public funds by anyone. Information provided to the LLA Hotline may result in an investigation, audit or other review. When providing information to the LLA Hotline, the complainant should include sufficient detail (describing who, what, where, when, why and how) to allow a full evaluation of the information. Although the complaint can be anonymous, providing name and telephone number allows the LLA to contact with any additional questions.

Toll-free: 1-844-50 FRAUD (503-7283)

Fax: 1-844-40 FRAUD (403-7283)

Online: ReportFraud.La

U.S. Mail: LLA Hotline, P. O. Box 94397, Baton Rouge, LA 70804

FILE MANAGEMENT

TPCG will maintain a file for the purpose of keeping reports of complaints. TPCG will maintain a Log of complaints received and dates of responses.

COMPLIANCE WITH APPLICABLE LAWS

This policy does not invalidate nor supersede the personnel or other policies of TPCG which are currently adopted, but is intended to serve as a guide for complaints.

**Terrebonne Parish Consolidated Government – CDBG-DR
PROCUREMENT POLICY**

Contents	
COMPONENTS	
Code of Conduct	
Procurement Procedures	
Fair and Open Competition	
Selection Procedures	
Methods of Procurement	
Small Purchase Procedures	
Competitive Sealed Bids/Formal Advertising	
Competitive Negotiation	
Noncompetitive Negotiation/Sole Source	
Contract Pricing	
Procurement Records	
Contract Administration	
Attachment A – RFP/RFQ Outline	

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Community Development Block Grant - Disaster Recovery (CDBG-DR) Program. These guidelines meet the standards established in 2 CFR 200.318-326 and follow state and local Parish requirements. TPCG will review the procurement policies of each subrecipient to ensure compliance with 2CFR200.

CODE OF CONDUCT

No employee, officer, or agent of the Terrebonne Parish Consolidated Government (TPCG) shall participate in the selection or in the award or administration of a contract supported by CDBG-DR funds if a conflict of interest, real or apparent, would be involved. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for the award.

No officer, employee or agent of TPCG shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial, or the gift is an unsolicited item of nominal intrinsic value.

Any alleged violations of these standards of conduct shall be referred to the TPCG Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

PROCUREMENT PROCEDURES

The Director or Supervisor of each department or agency of TPCG responsible for procurement of services, supplies, equipment, or construction obtained with CDBG-DR funds or under the CDBG-DR funded projects shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out into separate purchases to obtain a more economical purchase. However, procurements and purchase should not be split or fragmented to avoid competition thresholds. When determined appropriate by the Director or Supervisor (or designee), an analysis to determine which approach would be the most economical shall be undertaken.

TPCG shall take affirmative steps to ensure that small and minority firms, women's business enterprises, and labor surplus firms are solicited whenever they are potential qualified sources. TPCG may also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority firms, women's business enterprises, and labor surplus firms. Where permitted by regulations, delivery schedules will be developed which will include participation by such businesses. TPCG shall assist the prime contractor(s) whenever possible by providing copies of lists which identify qualified small and minority firms, women's business enterprises, and labor surplus area firms.

Fair and Open Competition. All procurement transactions under the federal award must be conducted in a manner that provides full and open competition and eliminates unfair competitive advantage (2 CFR 200.319).

SELECTION PROCEDURES

All procurements carried out with CDBG-DR funds, where TPCG is a direct party, shall be carried out in a manner that provides maximum free and open competition. Procurement procedures will not restrict or eliminate competition. TPCG shall not place unreasonable requirements on firms in order for them to qualify to do business. Nor will TPCG encourage or participate in noncompetitive practices among firms. TPCG actively identifies and mitigates organizational conflicts which could jeopardize the negotiation process and limit competition. TPCG will not require unnecessary experience or bonding requirements.

Pursuant to state law and federal regulations (2 CFR 200.318), all solicitations of offers shall incorporate a clear accurate description of the technical requirements for the material, service, or product to be procured. In competitive procurements, these descriptions shall not contain features which unduly limit competition. The description may include a statement of the qualitative nature of the material, product, or service and the minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications shall be avoided whenever possible. A “brand name or equal” description may be used to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offerors shall be clearly stated.

All solicitations of offers shall clearly set forth all requirements which offerors must fulfill and all other factors to be used in evaluating bids, proposals, or statements of qualifications. Contracts shall be awarded only to responsible contractors/firms that possess the ability to perform successfully under the terms and conditions of the proposed procurement. Consideration may be given to such factors as the contractor’s/firm’s capacity, integrity, compliance with public policy, record of past performance, and financial and technical resources.

METHODS OF PROCUREMENT

Direct procurement by TPCG shall be made by using one of the following methods depending on the type of service to be procured.

Small Purchase Procedures. Relatively simple, informal procurement procedures will be used where the purchase of materials, single task services, supplies, equipment, and/or other property will not cost in the aggregate more than \$100,000 (or latest approved threshold limit), except where further limited by state law or CDBG-DR policy. The procurement officer must obtain a minimum of three oral or written price or rate quotations from qualified sources. Documentation on all quotations received (whether oral or written) shall be made part of the file. Selections shall be made principally on price. Payment shall be made upon delivery or completion. *Note: the policy of Micro-Purchasing can be followed for purchases below the Small Purchase threshold.*

Competitive Sealed Bids/Formal Advertising. Under this procedure bids are publicly advertised in accordance with the state’s Public Bid Law and all federal procurement regulations. A firm fixed price contract (either lump sum or unit price) shall be awarded to the responsible bidder whose bid is lowest in price and that conforms to all the material terms and conditions of the advertisement for bids. This is considered the “lowest responsive and responsible bidder”.

Competitive sealed bids can be used ONLY when the following criteria are met: (1) there are complete, adequate, and realistic specifications or purchase descriptions; (2) there are two or more responsible bidders who are willing and able to compete effectively; (3) the procurement can be made on a firm fixed price contract and selection of the successful bidder can appropriately be made principally on the basis of price.

When formal advertising is used the following conditions shall be met.

- i. The advertisement for bids shall be publicly advertised in accord with state law.
- ii. The advertisement for bids, including the specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the advertisement.
- iii. All bids shall be opened publicly at the time and place specified in the advertisement for bids.
- iv. A firm fixed-price contract award shall be made by written notice to the lowest responsible bidder whose bid conforms to the advertisement for bids. Where specified in the bid documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts shall only be used to determine low bid when prior experience indicates that such discounts are generally taken.
- v. Notwithstanding the above, any or all bids may be rejected when there are sound documented business reasons in the best interest of the CDBG-DR Program.

Competitive Negotiation: Requests for Proposals/Qualification Statements. The technique of competitive proposals is normally conducted with more than one source submitting an offer. All competitive proposals shall be conducted using a formal RFP/RFQ containing at least the minimum items in the attached RFP/RFQ Outline (See Attachment A). It is generally used when conditions are not appropriate for the use of sealed bids. Architectural and engineering services must be procured via requests for qualification statements and administrative consulting services must be procured via requests for proposals. Other professional services may also be procured by requests for proposals. The following procedures will be used for competitive negotiation:

- i. Requests for proposals or qualification statements must be advertised in a newspaper in the nearest metropolitan area or on-line in accordance with the rules of the CDBG-DR Program and identify all evaluation factors and their relative importance. All submittals will be honored and entered into the competition.
- ii. Request for proposals or qualification statements must be solicited from an adequate number of qualified sources.
- iii. Request for proposals or qualification statements shall contain a detailed list of tasks in the proposed scope of work that is expected to be accomplished.
- iv. The request for proposals or qualification statements shall identify all significant evaluation factors or selection criteria, including the corresponding point system that will be used to rate the proposals/qualification statements. Requests for proposals shall always include cost and at least one non-cost evaluation factor.
- v. The selecting official (or committee, if one is designated) shall review all proposals and statements

received and make a technical evaluation of each. This shall also include a written statement that identifies the basis upon which the selection was made; including the importance of cost (for RFPs).

- vi. Contract award will be made to the most responsive, responsible offeror whose submission is deemed most appropriate to TPCG with consideration for price, qualifications, and other factors set by the local governing body. Unsuccessful offerors shall be notified in writing within ten working days of contract award. Documentation of notification shall be maintained in the contract selection file for the individual project.

TPCG also maintains the right to reject responses that are deemed incomplete or ineligible, noting the reason for rejection and sending a notice of rejection to the respondent.

For qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, the advertisement will be solicited to obtain a suitable number of respondents, preferably 3 or more. Following the review of the qualification statements received, the most qualified competitor will be selected to enter into contract negotiation. This contract negotiation shall include negotiation of price to insure cost reasonableness. At the conclusion of successful negotiation, the competitor shall be invited to enter into a contract.

Noncompetitive Negotiation/Sole Source. Noncompetitive negotiation shall only be used when small purchase, formal advertising, or competitive negotiation procedures are not feasible. Noncompetitive negotiation will involve solicitations of a proposal from only one source. This may also occur if solicitations under the competitive negotiation procedures result in only one proposal or qualification statement and after the steps are followed in line with 2CFR200 to obtain competition. Noncompetitive negotiation shall only be used when written authorization has been obtained from the Louisiana Office of Community Development - Disaster Recovery Unit (LOCD-DR). In order to qualify for this type of procurement, one of the following circumstances must apply:

- i. The item or service is available only from a single source;
- ii. It is determined that a public urgency or emergency exists and the urgency will not permit the delay beyond the time needed to employ one of the other three methods of procurement.
- iii. The recipient or subrecipient requests in writing to use a noncompetitive procurement method, and the Federal agency or pass-through entity provides written approval;
- iv. After solicitation of a number of sources, competition is determined to be inadequate.

CONTRACT PRICING

Cost plus a percentage of cost and percentage of construction cost methods of contracting are prohibited and must not be used. TPCG shall perform cost or pricing analysis in connection with every procurement action including contract modifications in accordance with the requirements of "Cost and Price Analysis for HUD Grantees and Funding Recipients". Costs or prices based on estimated costs for CDBG-DR projects shall be allowed only to the extent that the costs incurred, or the cost estimates included in

negotiated prices are consistent with federal cost principals (2 CFR Part 200.323). Lump sum prices will only be utilized when there is a definable work product and the quantity to be provided is certain and the contractor assumes all the risk for costs incurred. Unit prices can be utilized when there is a definable work product and the contractor assumes all the risk for costs incurred, but the quantity is estimated. Cost reimbursement will be utilized when the task does not result in a definable work product, or the contractor will not assume the risk of incurring the cost to complete the task. Cost reimbursement, unit or lump sum price, or a combination thereof may be utilized as appropriate.

A cost reimbursement type contract is most appropriate when the scope and extent of the work to be performed are not clearly defined, such as a professional services contract. A cost reimbursement contract must clearly establish a cost ceiling which may not be exceeded without formally amending the contract and must identify a fixed dollar profit that may not be increased unless there is a contract amendment that increases the scope of the work.

A fixed price contract is appropriate when the scope of work is very well defined and product oriented. A fixed price contract can only be awarded when fair and reasonable prices can be established through adequate price competition and the solicitation is based principally on price. A fixed price contract must establish a guaranteed price that may not increase unless there is a contract amendment that increases the scope of the work.

PROCUREMENT RECORDS

TPCG shall maintain records that sufficiently detail the history of the procurement. The records shall include the following contract provisions and conditions:

- i. Contracts other than small purchase shall contain provisions that allow for administrative, contractual, or legal remedies if contractors violate or breach contract terms and provide for sanctions and penalties as appropriate.
- ii. All contracts in excess of \$10,000 shall provide for termination for cause and for convenience by TPCG including the manner in which it will be done and the basis for settlement.
- iii. All construction contracts and subcontracts shall include provisions which require compliance with Executive Order 11246, Equal Employment Opportunity, as amended by Executive Order 11375, and as supplemented in DOL regulations (41 CFR Part 60).
- iv. All contracts and subcontracts for construction or repair shall include a provision for compliance with the Copeland "Anti-Kick-Back" Act (18 USC 874) as supplemented by DOL regulations (29 CFR Part 3).
- v. All contracts and subcontracts shall abide by SAM.gov check to confirm no debarment and suspension; Byrd Anti-Lobbying certification; EEO provision, and the prohibition on certain telecommunications and video surveillance equipment or services; recovered materials, and include domestic preference provisions as approved.
- vi. All contracts or subcontracts in excess of \$2,000 for construction or repair shall include a provision for compliance with the Davis-Bacon Act as supplemented by DOL regulations (29 CFR Part 5); including as applicable the requirements of the Contract Work Hours and Safety Standards Act

(40 USC 327-330) as supplemented by DOL regulations (29 CFR Part 5).

- vii. Each contract shall include a notice of requirements and regulations pertaining to reporting and patent rights under any contract involving respect to any discovery or invention which arises or is developed in the course of or under such contract, and of the state requirements pertaining to copyrights and rights in data.
- viii. All negotiated contracts shall include a provision that makes it possible for the LOCD-DR, HUD, the Comptroller General of the United States, or any of their duly authorized representatives, to have access to any books, documents, papers, or records of the contractor/firm that are directly pertinent to the contract, for the purpose of making audit examination excerpts and transcriptions. Further, the contract must include a provision that all required records will be maintained by the contractor/firm for a period of five years after TPCG formally closes out each CDBG-DR program.
- ix. All contracts, subcontracts, and subgrants in amounts in excess of \$100,000 shall contain a provision which requires compliance with the requirements of Section 306 of the Clean Air Act (42 USC 1857 h), Section 508 of the Clean Water Act (33 USC 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).
- x. Contracts shall recognize mandatory standards and policies relating to energy efficiency that are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation Act (P.L. 94-163).
- xi. TPCG will be permitted to require changes, remedies, changed conditions, access and record retention, and suspension of work clauses approved by the OCD/DRU.
- xii. Contracts will meet all requirements stated by LOCD-DR in the associated program manual as relates to building standards, resiliency and mitigation.

CONTRACT ADMINISTRATION

TPCG shall maintain contract administration systems that ensure contractors/firms perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. The performance of contractors/ firms will be a factor in subsequent contract negotiations and awards. Remedial action by TPCG through legal processes shall be considered in instances of identified significant nonperformance.

PROCUREMENT POLICY
ATTACHMENT A – RFP/RFQ OUTLINE

A well-written RFP or RFQ will contain all of the information the proposers need to know in a manner that captures interest and is easy to follow. The RFP or RFQ should consist of an introduction and five sections, each of which is summarized briefly on this page:

1. **Advertisement/Purpose (Introduction)** - Cover letter to summarize the services being solicited and the due date for proposals.
2. **Program Information** - Include an overview of the grant/project status and a summary of the roles and responsibilities of all involved parties to provide the context for the solicited services and capture the interest of potential respondents.
3. **Scope of Services** - Start with an overview of the solicited services, summarize general expectations, specify the anticipated role of the selected firm, and provide a detailed list of tasks to be accomplished. Should be connected to the fee proposal and be detailed enough to be in the final contract.
 - **Statement of Work (RFP only):** List in detail the tasks the selected consultant will be expected to perform. List must be detailed enough for consultant to provide price or estimated cost for the services.
4. **Submission and Evaluation Requirements** - Describe what sections should be included in the proposal (e.g. approach, organization chart or staffing plan, fee proposal (RFP only), etc.) and what information each of those sections should contain. Also describe the criteria the Committee will use to evaluate the proposal and the weights for each criterion. Submission requirements and evaluation criteria should be linked.
 - **Approach section (RFP):** For each task identified in the scope of work, respondent is to describe how they would accomplish the task(s).
 - **Project staffing:** Respondent should include an organization chart, names and roles of principal staff members, time commitments for principal staff members, and attach resumes.
 - **Qualifications:** Respondent shall include project summaries for your team's relevant experience, organized by firm or by type of experience.
 - **Fee proposal (RFP only):** Respondent must include price for services described in the approach, broken out by task.
5. **Evaluation Criteria:** List the criteria on which the proposals will be evaluated (e.g. creativity of approach, reasonableness of fee, quality of relevant qualifications, previous experience, etc.) and give the weighting for each criteria.
6. **Schedule and Required Information** - Provide information about the procurement not related to the actual project. This includes a schedule/timetable for the procurement, information on written questions and pre-proposal conference, contractual obligations, information on conflict of interest, and all other required clauses.
6. **Attachments** - Provide any required forms (e.g. form for fee proposal or Certifications/Assurances), further clarify the expectations by including a sample contract, copies of the roles/responsibilities checklist, and/or scopes of work for other consultants, and include more detailed information on the project (e.g. application or project summary).

**Terrebonne Parish Consolidated Government – CDBG-DR
CONTRACT ADMINISTRATION POLICY**

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Tracking and managing the performance of those with whom Terrebonne Parish Consolidated Government does business is a key function of proper contract management and administration. It follows that the manner in which TPCG manages its business relationships has a great impact on how TPCG meets the needs and expectations of its citizens.

TPCG does business with a variety of entities and persons ranging from cooperative endeavor agreements with small non-profit organizations to intergovernmental agreements with municipalities or large construction projects involving many firms.

The purpose of contract administration policy is to provide a framework and assign responsibilities for ensuring that full and accurate records of procurement activities under CDBG-DR are in accordance with the requirements of 2CFR200, HUD, the State and TPCG. The policy also aims to ensure that the contractor/vendor is performing all duties in accordance with the contract, that the financial interests of TPCG are protected, and that TPCG is aware of and addresses any developing problems or issues on a timely basis. The reason for implementing this policy is to mandate that, when a contract is executed by TPCG, a Parish employee will assume the role of contract administrator and be responsible (with their designee as applicable) for monitoring the contract for proper execution and performance from the start date of the contract through completion and final acceptance.

Please note that the policies and procedures outlined herein are minimum standards and protocol for the role of contract administrator in TPCG; they do not prohibit individual department directors from adopting more stringent requirements.

DEFINITIONS

Contract - is defined as a written agreement between two (2) or more parties intended to have legal effect, including but not limited to Memorandums of Understanding, Cooperative Endeavor Agreements, Intergovernmental Agreements, Grant Contracts, As-needed contracts, Bid Contracts, Contracts derived from Requests for Proposals (RFP) or from Statements of Qualification (SQQ), and Professional Services Contracts. For purposes of this policy the words "contract" and "agreement" are synonymous.

Contractor/Vendor - a person or company that undertakes a contract to provide materials or labor to perform a service to do a job or a person that sells something of value to another based upon the terms of a contract. For purposes of this policy, the term contractor or vendor includes, but is not limited to, that party, association, entity, organization, non-profit, or group with whom TPCG is entering an agreement for some legitimate public purpose. (e.g. a civic association, municipality or an engineer)

Contract Administrator - a Parish departmental employee or other designee of the TPCG that is designated by his/her supervisor or supervising body as the person responsible for administering and monitoring contracts for that Parish department. This person may be a director, an executive assistant to the director, an assistant director, an engineer, or other designated employee with a qualified job description to ensure the employee is not working out of class. It must be somebody in a position with unique knowledge about the workings of contractual relations for the department/office.

GUIDELINES

The policy includes the requirements related to the review the scope of work and other contract terms, including contractor compliance requirements and reporting requirements. All of these requirements are deliverables that the contractor will agree to when the contract is executed or the purchase order is issued. This means to focus the tracking the outcomes that result from the contract. In writing the specification, focus should be on the scope of work and ensuring that the outcomes are specific and measurable.

A key function of proper contract administration is to ensure that the contractor is performing all duties in accordance with the contract and for the contract administrator to be aware of and address any developing problems or issues.

CONTRACT ADMINISTRATION PROCEDURES

Contract administration procedures include the following items:

- a. Reviewing the contractor's progress and performance to ensure goods and services conform to the contract requirements. Depending on the nature of the contract, the contract administrator may need to conduct one or more site visits.
- b. Documenting required contractor visits, tests, and significant events, if relevant.
- c. Comparison of budgeted versus actual costs;
- d. Reviewing required reports submitted by the contractor demonstrating compliance.
- e. Resolving disputes in a timely manner.

- f. Verifying receipt of contract deliverables in accordance with the contract terms and maintaining detailed supporting documentation.
- g. Reviewing contractor invoices, reconciling payments to ensure consistency with the contract terms, and maintaining proper supporting documentation.
- h. Reviewing compliance with applicable laws, regulations, and policies and consulting with the implementing department or subrecipient if there are any concerns.
- i. Providing status reports at reasonable intervals and maintaining a contract folder until contract completion.

The contract administrator needs to consider the following reviews:

- a. Was the item billed used for the purpose of the contract?
- b. Was the item necessary and reasonable for the purpose of the contract?
- c. Was the item of the quality and quantity specified in the contract?
- d. Was the item listed in the contractor's bid, or is the item or service within the scope of work in the contract?

These are items that should also be considered in any type of contract.

RESPONSIBILITIES

The overriding responsibility of the contract administrator is to monitor the contractor's progress and performance to ensure goods, services, or deliverables conform to the contract requirements.

Functions of contract administration:

- a. Ensure adequate procurement policies and procedures and training for involved staff;
- b. Monitor performance to ensure goods and services conform to the contract;
- c. Identify and report violations, and pursue remedies;
- d. Manage contract changes;
- e. Ensure taxpayer dollars are spent wisely (mitigate risk for fraud, waste and abuse);
- f. Perform contract close out responsibilities; and
- g. Maintain contract records.

Contract administrator ensures that goods and services are delivered in a timely manner and that the financial interests of TPCG are protected. It is essential for contract administrators to understand the provisions of the contract. They must be able to communicate with all parties involved and maintain oversight over contract performance.

Additionally, contract administration duties may include:

- Consulting with the Parish Attorney's Office to address any legal concerns and/or issues.
- Contacting the contractor/vendor to obtain up-to-date certificates of insurance.
- Serving as the point of contact for disseminating the instructions regarding the work to the contractor. Contract administrator should be copied on any Notice to Proceed by the director.
- Receiving and responding to communications between TPCG and the contractor.

- Manage, approve, and document any changes to the contract and initiate any necessary amendments by initiating the process to obtain Council approval.
- Managing any Parish property used in contract performance, e.g., computers, telephones, identification badges, etc.
- Identify and resolve disputes with contractor in a timely manner. (This includes contractor protests and appeals).
- Maintaining appropriate records as required by Parish policy and procedures and legal requirements (e.g. Grant agreements, invoices, documentation of deliverables, proof of receipts, material correspondence).
- Documenting significant events.
- Monitoring the budget process to ensure sufficient funds are available, ensure effective use of the financial management system, and monitor contract spending subject to the not-to-exceed cap on each contract.
- Verify accuracy of invoices and authorize payments consistent with the contract terms. Like the director of a Parish department, a contract administrator should also likewise sign-off on invoices and authorize payments.
- Exercising Parish remedies, as appropriate, when a contractor's performance is deficient. (e.g. termination, seeking damages for non-performance, reimbursement, etc.).
- Inspecting and approving the final product/services by submitting a written document accepting the deliverables. This could be done by adding comments on the contract checklist or by narrative report to the file.
- Performing contract closeout process ensuring the contract file contains all necessary contract documentation, formal acceptance documented, and document lessons learned.

All staff and subrecipients are responsible for:

- Complying with 2CFR200 and prescribed procurement policies and procedures;
- Creating full and accurate record of procurement activities, transactions and decisions carried out during the course of daily activity;
- Ensuring records are maintained in the record management system (System of Record) and handling records with care as well as within privacy protocols and protection of personally identifiable information.
- Assist with the review of deliverables and contract compliance.

RECORDKEEPING

The contract administrator is responsible for maintaining a complete contract file. The file provides a basis for settling claims and disputes should they arise. Contract files need to be well organized to allow someone to reconstruct and understand the history of the contract

Recommended Contract File Documents (not all contracts will have all components):

- Determination of the method of procurement;
- Independent cost estimate/cost analysis;

- The solicitation document;
- The contractor's response;
- Contractor selection;
- Award document;
- Specifications, drawings or manuals pertaining to the contract;
- Contract amendments;
- Contract submittals that have been received; including but not limited to certificates of insurance, performance bond and/or payment bond;
- A list of furnished property or services;
- Memorandums and correspondence related to the contract, even if prior to award;
- All routine reports required by the contract;
 - Inspection reports
 - Audit reports
- Any notices to proceed, to stop work, or to correct deficiencies;
- Records and minutes of meetings; and
- Documentation related to payments made under the contract.

Terrebonne Parish Consolidated Government – CDBG-DR
DUPLICATION OF BENEFITS (DOB)

This policy was created in accordance with:

- Section 312 (42 U.S.C. 5155) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act
- CDBG-DR Appropriations Acts
- HUD Federal Register Notices
- OMB Cost Principles (24 CFR part 570 and 2 CFR 200, subpart E)

Duplication of Benefits (DOB) refers to receiving financial assistance from multiple sources for the same purpose, cost, or loss. This is not allowed under federal disaster recovery programs, including CDBG-DR, because it can lead to a person or entity being overcompensated for their damages or needs.

The purpose of the Terrebonne Parish Consolidated Government DOB Policy:

- **Ensure Compliance with Federal Law:** The Stafford Act prohibits the duplication of benefits and CDBG-DR requires written procedures to detect and prevent DOB.
- **Prevent Overcompensation:** Recipient/entity should not receive more financial assistance than necessary for the same recovery purpose.
- **Promote Program Accountability:** A clear DOB policy provides consistent rules and processes for identifying and addressing DOB.
- **Maximize Use of Resources:** By avoiding DOB, funds can be redirected to address additional recovery needs and serve more beneficiaries.
- **Standardize Calculations and Documentation:** Establishes how to assess recovery needs, account for other sources, and document DOB determinations in the file.
- **Protect Grant Recipient and Subrecipients:** Prevents situations where individuals or organizations may be required to repay funds due to improper or excessive disbursement
- **Minimize Fraud and Abuse:** Vigilance in preventing a DOB helps to safeguard against fraudulent or abusive practices, ensuring assistance reaches those who genuinely require it and deterring misuse of resources.

Duplication of Benefits (DOB) occurs when:

- A beneficiary receives assistance for a recovery purpose, and
- The assistance is from multiple sources for the same recovery purpose (i.e. private insurance, FEMA, NFIP, non-profits, State, etc.), and
- The assistance amount exceeds the need for the recovery purpose.

To identify and assure that CDBG-DR assistance does not duplicate other funds received for the same activity (i.e. does not replace other funds received), TPCG will use the following process/steps to prevent a DOB from occurring:

1. Identify the total need for assistance prior to any assistance being provided.

2. Identify all potentially duplicative assistance received or to be received.
3. Deduct any assistance determined to be duplicative.
4. Calculate the maximum eligible award based on the adjusted unmet need.
5. Apply any applicable program cap (if applicable).
6. Determine final award.

Since disaster recovery needs are calculated at one point in time, subsequent circumstances may occur that affect need. If, after the assistance has been calculated and/or a CDBG-DR award has been made, an applicant can demonstrate a change in circumstances. The award calculation may be subsequently reevaluated to take the increased need into consideration. Such changes in circumstances may include vandalism, contractor fraud, an increase in the cost of materials and labor, a change in local zoning law and building codes, or subsequent damage to a home or business that was partially repaired. However, the reevaluation must be made before the initial need for which assistance was granted has been fully met (e.g. before a damaged house is fully repaired).

Once funds are awarded, minus any determined DOB, the applicant/entity is required to notify TPCG of the receipt of any additional funds received for the same activity. If additional funds are determined to be a DOB, funds will be withheld from future pay requests. If all funds have been expended, and a DOB is identified, the applicant will be required to repay the funds.

Terrebonne Parish Consolidated Government - CDBG-DR
FAIR HOUSING POLICY

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The Fair Housing Act requires all grantees, subrecipients, and/or developers funded in whole or in part with HUD financial assistance to certify that no person was excluded from participation in, denied the benefit of, or subjected to discrimination in any housing program or activity because of their age, race, color, creed, religion, familial status, national origin, sexual orientation, military status, sex, disability or marital status. Terrebonne Parish Consolidated Government (TPCG) enforces the Fair Housing Act by ensuring that all grantees, subrecipients, and/or developers meet the applicable Fair Housing and Affirmative Marketing requirements and provide a marketing plan and report on compliance in accordance with the Fair Housing Act where applicable. The Affirmative Marketing Plan must be in compliance with applicable Fair Housing Laws and demonstrate how the Applicant will affirmatively further fair housing throughout applicable TPCG programs.

SECTION 1: POLICY

It is the policy of TPCG to provide, within constitutional limitations, fair housing throughout TPCG's jurisdiction.

SECTION 2: DEFINITIONS

1. " Dwelling means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.
2. " Family" includes a single individual.
3. " Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, organizations, trustees in bankruptcy, receivers, and fiduciaries.
4. " To rent" includes leasing, to sublease, to let and otherwise to grant for a consideration the right to occupancy premises owned by the occupant.
5. " Discriminatory housing practice" means an act that is discriminatory under sections 4, 5, or 6.

SECTION 3: DISCRIMINATORY PRACTICE

Discrimination in the sale or rental of housing in TPCG's jurisdiction is strictly prohibited. TPCG is committed to affirmatively furthering fair housing and ensuring that all residents have equal access to housing opportunities, regardless of race, color, national origin, religion, sex, disability, or familial status. In particular, the condemnation of discriminatory practices in the sale or rental of housing units in TPCG's jurisdiction shall apply to:

- a. Any single-family house sold or rented by an owner: Provided, that such private individual owner does not own more than three such single-family houses at any one time: Provided further, That in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period: Provided further, That such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time: Provided further, that the sale or rental of any such single-family house shall be excepted from the application of this title only if such house is sold or rented (A) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person and (B) without the publication, posting or mailing, after notice of any advertisement or written notice in violation of section 4(3) of this policy, but nothing in this provision shall prohibit the use

- of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title, or
- b. rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner maintains and occupies one of such living quarters as his residence.
2. A person shall be deemed to be in the business of selling or renting dwellings if:
 - a. he or she has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or
 - b. he or she has, within the preceding twelve months, participated as agent, other than in the sale of his or her own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or
 - c. he or she is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

SECTION 4: DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING

It shall be discriminatory:

1. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make available or deny, a dwelling to any person because of race, color, religion, or national origin.
2. To discriminate against any person in terms, conditions, privileges or sale or rental of dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, or national origin.
3. To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, or national origin, or an intention to make any such preference, limitation, or discrimination.
4. To represent to any person because of race, color, religion, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
5. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representatives regarding the entry or prospective entry into neighborhood of a person or persons of a particular race, color, religion, or national origin.

SECTION 5: DISCRIMINATION IN THE FINANCING OF HOUSING

It shall be discriminatory for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists as a whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance because of the race, color, religion, or national origin of such person or of any person associated with them in connection with such loan or other financial assistance,

or of the present or prospective owners, lessees, tenants, or occupants of the dwellings in relation to which such loan or other financial assistance is to be made or given.

SECTION 6: DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES

It shall be discriminatory to deny any person access or membership or participation in any multiple-listing service, real estate brokers organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in terms or conditions of such access, membership, or participation, on account of race, color, religion or national origin.

SECTION 7: EXEMPTION

Nothing in this policy shall prohibit a religious organization, association, or society, or any nonprofit institution or organization that operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such account of race, color, or national origin. Nor shall anything in this policy prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its member or from giving preference to its members.

SECTION 8: ADMINISTRATION

1. The authority and responsibility for administering this policy shall be the Chief Elected Official/Parish President of TPCG.
2. The Chief Elected Official of TPCG may delegate any of these functions, duties, and powers to employees of TPCG or to boards of such employees, including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business, or matter under this policy.
3. All executive departments and agencies shall administer their programs and activities relating to housing and urban development in a manner designed to further the purposes of this policy and shall cooperate with the Chief Elected Official of TPCG to further such purposes.

SECTION 9: EDUCATION AND CONCILIATION

The Chief Elected Official of TPCG shall support and promote such educational, collaborative and conciliatory activities that advance the purposes of this Policy. This includes encouraging the convening of stakeholders in the housing industry and other interested parties to increase awareness of the policy's provisions and recommended implementation strategies. The Chief Elected Official shall endeavor, in consultation with these groups, to address and resolve problems related to voluntary compliance.

SECTION 10: FAIR HOUSING COMPLIANCE AND COMMUNITY ENGAGEMENT

TPCG posts a Fair Housing Week public service announcement on TPCG's webpage and Facebook for the entire month of April (National Fair Housing Month). The post has links to Fair Housing videos, HUD's

Fair Housing and Equal Opportunity and Report Housing Discrimination pages (<https://url.usb.m.mimecastprotect.com/s/hn8OCqAWBguxGDqsZfEUEkSRG?domain=tpcg.org>).

SECTION 11: SEPARABILITY OF PROVISIONS

If any provision of this policy, or its application to any person or circumstance, is found to be invalid or unenforceable, such invalidity shall not affect the remaining provisions or applications of the policy that can be given effect without the invalid portion. To this end, the provisions of this policy are declared to be severable.

Terrebonne Parish Consolidated Government - CDBG-DR
SECTION 3 PLAN

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Terrebonne Parish Consolidated Government is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. Section 3 is a provision of the HCDA of 1968 that is regulated by 24CFR75. Section 3 regulations ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, be directed to low and very low-income persons, particularly those who are recipients of government assistance for housing. The plan outlines how TPCG and its subrecipients, contractors and subcontractors will comply with HUD’s Section 3 requirements in implementing the CDBG-DR programs, to the greatest extent feasible.

For CDBG-DR financial assistance, this plan applies to public construction contracts that exceed \$200,000 of CDBG-DR funds. Applicability is determined at the project level.

Terrebonne Parish’s Chief Financial Officer (or Designee) will serve as the **Section 3 Coordinator** to coordinate the Parish’s Section 3 efforts, to advise and assist key personnel and staff on Section 3, to officially serve as the point of contact for Section 3 complaints and facilitate the on-site monitoring of prime contractors and subcontractors to ensure the implementation and enforcement of the Section 3 plan. The implementation of this Section 3 plan is the responsibility of the TPCG Chief Financial Officer (or Designee). All necessary documentation will be retained on file in the appropriate office for monitoring by local, state and federal partners as required.

DEFINITIONS

Section 3 of the Housing and Urban Development Act of 1968 mandates that recipients of federal funds prioritize employment and contracting opportunities for low- and very-low-income persons and businesses.

A **Section 3 Worker** is any worker who currently fits, or when hired within the past five years fit, at least one of the following categories, as documented:

- The worker's income for the previous or annualized calendar year is below the income limit established by HUD (see FAQ ID 3783);
- The worker is employed by a Section 3 business concern (see FAQ ID 3782); or
- The worker is a YouthBuild participant.

A **Targeted Section 3 Worker** for Housing and Community Development Financial Assistance projects is a Section 3 worker who:

- Is employed by a Section 3 business concern; or
- Currently fits or when hired fit at least one of the following categories, as documented within the past five years:
 - Living within the service area or the neighborhood of the project, as defined in [24 CFR § 75.5](#); or
 - Service area or the neighborhood of the project means an area within one mile of the Section 3 project, or if fewer than 5,000 people live within one mile of a Section 3 project, within a circle centered on the Section 3 project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.
 - A YouthBuild participant.

A **Section 3 business concern** is a business that meets at least one of the following criteria, documented within the last six-month period:

- At least 51 percent owned and controlled by low- or very low-income persons;
- Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
- A business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

YouthBuild is an academic and occupational skills training program serving youth ages 16–24 who have dropped-out of high school, or previously dropped-out and re-enrolled. The criteria for individuals to become a YouthBuild participant are:

- Not less than age 16 and not more than age 24 on the date of enrollment and

- A school dropout or an individual who was a dropout and has subsequently re-enrolled and
- Be one or more of the following:
 - A member of a low-income family and/or
 - A youth in foster care (including youth aging out of foster care) and/or
 - A youth or adult offender and/or
 - A youth with a disability and/or
 - The child of an incarcerated parent and/or
 - A migrant youth

Professional Services: Professional services are non-construction services that require an advanced degree or professional licensing, including, but not limited to, contracts for legal services, financial consulting, accounting services, environmental assessment, architectural services, and civil engineering services and do not need to comply with Section 3.

NUMERIC GOALS & QUALITATIVE EFFORTS

Section 3 reporting goals are dependent on the type of assistance being received. For housing and community development financial assistance projects, the benchmark for Section 3 workers is set at 25% or more of the total number of labor hours worked by all workers on a Section 3 project. The benchmark for Targeted Section 3 workers is set at 5% or more of the total number of labor hours worked by all workers on a Section 3 project. This means that the 5% is included as part of the 25% threshold.



$\frac{\text{Section 3 labor hours}}{\text{Total labor hours}} = 25\% \quad \text{AND} \quad \frac{\text{Targeted Section 3 labor hours}}{\text{Total labor hours}} = 5\%$
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When reporting Section 3 worker and Targeted Section 3 worker labor hours, it is important to note that the count of Targeted worker labor hours is contained within the count of the overall Section 3 worker labor hours as illustrated in the following chart. Therefore, the total percentage of total labor hours that need to be performed by a combination of Section 3 workers and Targeted Section 3 workers is 25 percent, with at least 5 percent of the total labor hours performed by Targeted Section 3 workers.



If reporting indicates that the agency has not met the Section 3 benchmarks, the agency must report in a method prescribed by HUD program offices on the qualitative nature of its activities and those its contractors and subcontractors pursued per 24 CFR § 75.15(b) and § 75.25(b).

Such qualitative efforts may, for example, include but are not limited to the following:

- Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.
- Provided training or apprenticeship opportunities.
- Provided technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).
- Provided or connected Section 3 workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services.
- Held one or more job fairs.
- Provided or referred Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, childcare).
- Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
- Assisted Section 3 workers to obtain financial literacy training and/or coaching.
- Engaged in outreach efforts to identify and secure bids from Section 3 business concerns.
- Provided technical assistance to help Section 3 business concerns understand and bid on contracts.
- Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.
- Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.

- Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.
- Outreach, engagement, or referrals with the state one-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.

SECTION 3 & TARGETED SECTION 3 WORKERS

The Section 3 regulations outline the types of documentation that workers may submit to verify eligibility as a Section 3 worker or Targeted Section 3 worker. To ensure effective program implementation, recipient agencies must establish a clear process for determining and documenting worker eligibility. A *Section 3 Worker Certification Form* serves as the primary tool for this purpose. This form collects essential information such as the individual's name, address, contact details, income sources, participation in public assistance programs, education level, work experience, and relevant skills.

For a worker to qualify as a **Section 3 worker**, *one* of the following must be maintained:

1. A worker's self-certification stating that their income is below the income limit from the prior calendar year;
2. A worker's self-certification of participation in a means-tested program such as public housing or Section 8-assisted housing;
3. A worker's self-certification that the worker is a YouthBuild participant;
4. Certification from a PHA, the owner or property manager of Project-Based Section 8-assisted housing, or the administrator of Tenant-Based Section 8-assisted housing that the worker is a participant in one of their programs;
5. An employer's certification that the worker's income from that employer is below the income limit when based on an employer's calculation of what the worker's wage rate would translate to if annualized on a full-time basis; or
6. An employer's certification that the worker is employed by a Section 3 business concern.

For a worker to qualify as a **Targeted Section 3 worker**, one of the following must be maintained:

1. A worker's self-certification of participation in public housing or Section 8-assisted housing;
2. Certification from a PHA, or the owner or property manager of project-based Section 8-assisted housing, or the administrator of tenant-based Section 8-assisted housing that the worker is a participant in one of their programs;
3. An employer's confirmation that a worker's residence is within one mile of the work site or, if fewer than 5,000 people live within one mile of a work site, within a circle centered on the work site that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census;
4. An employer's certification that the worker is employed by a Section 3 business concern; or
5. A worker's self-certification that the worker is a YouthBuild participant.

TRACKING WORKER HOURS

The most recent Section 3 final rule tracks and reports labor hours instead of new hires as previously required. The final rule's focus on labor hours seeks to measure total actual employment and the proportion of the total employment performed by low- and very low-income workers. In addition, the change to labor hours emphasizes continued and potentially long-term employment. A full-time job sustained over a long period of time allows a low- or very low-income worker to gain skills and is a strong indicator of progress towards self-sufficiency. The focus on labor hours creates an incentive for employers to invest in and retain their newly hired workers.

Recipient agencies and contractors must collect the following information:

- The total number of labor hours worked
- The total number of labor hours worked by Section 3 workers
- The total number of labor hours worked by Targeted Section 3 workers

Employers are not required to acquire a time-and-attendance system in order to comply with the Section 3 rule. The “good faith assessment” found in § 75.15(a)(5) and § 75.25(a)(5) is a limited exception to be used by employers who do not have systems in place to track labor hours. This is not a permanent exception and if in the future the contractor or subcontractor is required to track labor hours under a third-party authority or begins to voluntarily track labor hours, the exception would no longer apply.

SECTION 3 BUSINESSES

A more challenging aspect of implementing an effective Section 3 program for many covered recipients is awarding contracts to eligible and capable businesses. The Section 3 coordinator should work closely with the residents and establish a rapport with procurement staff to reach Section 3 employment and contracting goals. To reach and/or exceed the benchmark goals, recipient agencies should take proactive measures such as clearly communicating Section 3 requirements at pre-bid and pre-award meetings and working to ensure eligible businesses can fulfill all contract requirements.

Section 3 Business Concerns may self-certify to claim that they meet the requirements as defined in the regulations in § 75.5. Once a business is certified as a Section 3 business concern it will retain that status for as long as it continues to meet the definition outlined in § 75.5. Recipients should require a self-certified Section 3 business concern to submit some type of certification form during the bidding or contracting process for businesses bidding on a Section 3 activity or project.

The determination of certification as a Section 3 business concern is made in the initiation stage of developing a contract or subcontract and prior to its execution. Information submitted by businesses must be verified for Section 3 compliance before awarding contracts or subcontracts to those businesses who self-certified.

PROFESSIONAL SERVICES EXEMPTION & CREDIT

HUD clarified in the professional services definition that only non-construction services that require an advanced degree or professional licensing (e.g., legal, accounting, and engineering), rather than all non-construction services, are excluded from Section 3. HUD wants to ensure this emphasis encapsulates the statutory requirement to prioritize low- and very low-income workers and provides this category of exempted workers from reporting given the challenge to hire low- and very low-income workers in jobs that require such degrees and licensing.

However, HUD gives credit in the reporting for opportunities that are created in the professional services context by including professional services labor hours in the numerator, and not in the denominator, of the reported outcome ratios. The reporting structure allows a recipient to count as Section 3 labor hours and as Targeted Section 3 labor hours for any work performed by a Section 3 worker or a Targeted Section 3 worker (i.e., in the numerator of the calculation), even when the professional services as a whole are not counted in the baseline reporting (i.e., in the denominator of the calculation). The effect of this reporting structure is to give a recipient a bonus if they are able to report Section 3 hires in the professional services context.

CERTIFICATION OF PRIORITIZING EFFORTS FOR EMPLOYMENT, TRAINING, AND CONTRACTING

Employment and Training

Under the TPCG Section 3 plan, contractors and subcontractors should make best efforts to provide employment and training opportunities to Section 3 workers within the Parish (or metropolitan area) in which the project is located in the priority listed below:

1. Section 3 workers residing within the service area or the neighborhood of the project, and
2. Participants in YouthBuild programs.

Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization of effort requirements prior to the beginning of work and after work is completed.

Contracting

- (a) TPCG will compile a list of business, suppliers and contractors located in Terrebonne Parish.
- (b) These vendors will be contacted whenever TPCG requires supplies, service, or construction to solicit bids or quotes.
- (c) Preference will be given to small local businesses. This means if identical bid/quotes are received from a small business located within Terrebonne Parish and one from outside the Parish, the contract will be awarded to the business located within the community.

CONTRACT LANGUAGE AND SECTION 3 PROVISIONS

Recipients must include language applying Section 3 requirements in any subrecipient agreement or contract for a Section 3 project and shall include the following Section 3 language.

- (a) The work to be performed under this contract is on a project assisted under a program providing direct Federal financial assistance from the Department of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given lower income of the project area and contracts for work in connection with the project be awarded to business concerns residing in the project area.
- (b) The parties to this contract will comply with the provisions of said Section 3 and the regulation issued pursuant thereto by the secretary of Housing and Urban Development set forth in 24 CFR and all applicable rules and orders of the Department issued there under prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual obligation or other disability which would prevent them from complying with these requirements.
- (c) The contractor will send to each labor organization or representative or workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or worker's representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- (d) The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of, federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR and will not let any subcontract unless the subcontractor has first provided it with the requirements of these regulations.
- (e) Compliance ahead the provisions of Section 3, the regulations set forth in 24 CFR, and all applicable rules and orders of the Department, issued there under prior to execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors, and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors, and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by CFR. 135.

TPCG shall require each contractor to prepare a written Section 3 plan upon award. All Section 3 plans shall be reviewed and approved by the Parish's Section 3 Coordinator (or designee) and maintained in the program contract files.

The Parish of Terrebonne will maintain all necessary reports and will ensure that all contractors and subcontractors submit required reports.

HUD REPORTING

For Section 3 Covered contracts, contractors are required to submit the Section 3 Performance and Summary Report to the TPCG Coordinator on a monthly or quarterly basis (as required by LOCD).

A. Quarterly Reporting

Contractors are required to submit quarterly activity reports by the 15th day of the month following the end of the quarter.

B. Annual Reporting

1. Once a program is completed, contractors must submit a final Section 3 cumulative report for the program year or for the project.
2. Upon completion of a project, TPCG Coordinator will conduct a final review of the project's overall performance and compliance.

TPCG will ensure that all reporting requirements are met per the latest HUD and other federal program specifications.

Terrebonne Parish Consolidated Government – CDBG-DR
SECTION 504 ASSURANCE

ASSURANCE

The Terrebonne Parish Consolidated Government does hereby assure the State of Louisiana Office of Community Development, that, as a recipient of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds, all activities of this grant will be operated in compliance with requirements of Section 504 of the Rehabilitation Act of 1973, as amended.

As a local government with 15 or more employees, TPCG further assures the Office of Community Development, that it has appointed a designated the Chief Financial Officer (or Designee) as the Section 504 Coordinator as and adopted a Section 504 Grievance Procedure (24 CFR 8.53), and made initial and continuing notices in the local newspaper as well as posting of notices in public places as a means of providing for continuing notification of participants, beneficiaries, applicants, and employees that it does not discriminate on the basis of handicap in its federally assisted programs (24 CFR 8.54).

Name and Title of Chief Elected Official

Date

Terrebonne Parish Consolidated Government – CDBG-DR

SECTION 504 GRIEVANCE PROCEDURE

Terrebonne Parish Consolidated Government has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the regulation of the U.S. Department of Housing and Urban Development, 24 CFR Part 8, implementing Section 504 of the Rehabilitation Act of 1973, as amended (Public Law 93-112). Section 504 states, in part: "No otherwise qualified handicapped individual shall, solely by reason of his handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

To further assist those who may have grievance concerning Section 504 Compliance, TPCG has designated the Chief Financial Officer (or Designee) as the Section 504 Coordinator to coordinate the efforts of TPCG to comply with requirements of Section 504 and implementing regulation 24 CFR Part 8.

1. A complaint should be in writing, contain the name and address of the person filing it, and briefly describe the action alleged to be prohibited by regulation.
2. A complaint should be filed in the office of the Section 504 Coordinator within a reasonable time after the person filing the complaint became aware of the action alleged to be prohibited by the regulation.
3. The Section 504 Coordinator or his/her designee shall conduct such an investigation of a complaint as may be appropriate to determine its validity. These rules contemplate informal but thorough investigations, affording all interested people and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
4. The Section 504 Coordinator shall issue a written decision determining the validity of the complaint no later than thirty (30) days after its filing.
5. The Section 504 Coordinator shall maintain the files and records of TPCG relating to complaints filed hereunder. The Section 504 Coordinator may assist people with the preparation and filing of complaints, participate in the investigation of complaints and advise TPCG's Chief Elected Official concerning their resolution.

6, The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Department of Housing and Urban Development or other Federal or State Agencies. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies. Complaints may be forwarded for disposition to the:

Department of Housing and Urban Development
Regional Office
Fair Housing and Equal Opportunity Division
P.O. Box 2905
Fort Worth, TX 76113-2905

7. Determinations made under these procedures shall be liberally constructed to protect the substantial rights of interested people, to meet appropriate due process standards and to assure the compliance of TPCG with Section 504 and its implementing regulations.

Terrebonne Parish Consolidated Government – CDBG-DR
SECTION 504 COMMUNICATION POLICY

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Persons with Visual Impairments	
Persons with Manual Impairments	

In accordance with HUD’s Section 504 regulations Terrebonne Parish Consolidated Government will take appropriate steps to ensure effective communication with applicants, beneficiaries, and members of the public (24 C.F.R. § 8.6). TPCG will work with State and local organizations that serve or represent persons with disabilities to ensure information about programs are disseminated in a manner that is accessible to persons with disabilities. By working with State and local organizations that serve or represent persons with disabilities, TPCG will provide appropriate auxiliary aids and services as needed to ensure persons with disabilities have an equal opportunity to participate in and benefit from federally assisted programs and activities.

POLICY

TPCG will take such steps as are necessary to ensure that qualified handicapped persons, including those with impaired sensory skills, receive effective notice. All aids needed to provide this notice, e.g., sign-language interpreters, readers, etc., are provided without cost to the person being served.

PERSONS WITH HEARING IMPAIRMENTS

1. Qualified sign-language interpreter

For persons who are hearing-impaired and who use sign-language as their primary means of communication, the following procedure has been developed and resources identified for obtaining the services of a qualified sign-language interpreter to communicate both verbal and written information:

TPCG will provide qualified sign language interpreters on an as needed basis. Such an interpreter will be used at job interviews, large meetings, explanations of policies and procedures, etc. A minimum advance notice for such use is four (4) days unless circumstances or conditions dictate lesser time. In that case, the minimum time will be that required to notify the organization furnishing the interpreter as well as the time required for that organization to act. When time permits, the request is to be in writing. If request is made orally, written documentation must be prepared and placed in the appropriate file.

The following organization(s) will be contacted when an interpreter is needed:

Deaf Action Center Interpreting Services

557 Redbud Lane

Slidell, LA 70460

(504) 442-3354

Website link: www.deafactioncenter.org

Link to request an interpreter:

<https://url.usb.m.mimecastprotect.com/s/RUScCP6qync2yvT0hDUxDaAv?domain=deafactioncenter.org/>

Information to be furnished by TPCG when requesting an interpreter:

- Reason for using interpreter services.
- Date and time services are needed.
- Place where interpreter is to report and directions if needed.
- Name and title of person requesting services.
- Name, address and telephone number of TPCG.
- How is cost for services to be billed? Understanding of cost (cost/hour, travel cost, etc.)
- How is interpreter to be notified in case of cancellation or change in time or place?
- How TPCG will be notified if services cannot be furnished as agreed to.

2. Written Materials

All program information will be provided to hearing-impaired persons in writing. Printed materials and writing materials are available.

3. Telecommunication Device for the Deaf (TDD)

TPCG participates in the Louisiana Relay System. A hearing-impaired individual may access this system by calling:

TTY:	800-846-5277
Voice:	800-947-5277
Speech-to-Speech:	888-272-5530

4. Any other auxiliary aids should be discussed.

PERSONS WITH VISUAL IMPAIRMENTS

1. Reader: Staff will communicate the content of written materials by reading them aloud to visually impaired persons.
2. Large print, taped, and Braille materials.
3. Any other available aids should be discussed.

PERSONS WITH MANUAL IMPAIRMENTS

1. Personal Assistance
2. Typewriters
3. Other adaptive self-help devices

Terrebonne Parish Consolidated Government – CDBG-DR
RESIDENTIAL ANTIDISPLACEMENT PLAN

The Terrebonne Parish Consolidated Government acknowledges the waiver for replacement housing under the CDBG-DR Federal Register Notice.

Consistent with the goals and objectives of activities assisted under the Act, TPCG will take the following steps to minimize the displacement of persons from their homes:

1. All public facilities projects (water, sewer, gas, etc.) will be designed so that there will be no displacement of any residences or businesses
2. No homes will be demolished that can be rehabilitated; and
3. There will be minimal displacement of any residential or business occupants on CDBG-DR projects. If displacement occurs, it will follow URA requirements.

Terrebonne Parish Consolidated Government – CDBG-DR
RESIDENTIAL ANTIDISPLACEMENT CERTIFICATION

CERTIFICATION

The Terrebonne Parish Consolidated Government hereby certifies that it is following a residential anti-displacement and relocation assistance plan and that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as required under S570.606(a) and HUD implementing regulations at 24 CFR Part 42; the requirements in S570.606(b) governing the residential anti-displacement and relocation assistance plan under Section 104(d) of the Housing and Community Development Act of 1974; the relocation requirements of S505.606(c) governing displacement subject to Section 104(d) of the Act; and the relocation requirements of 505.606(d) governing optional relocation assistance under Section 105(a)(11) of the Act.

Name and Title of Chief Elected Official

Date

**Terrebonne Parish Consolidated Government – CDBG-DR
RECORDS MANAGEMENT POLICY**

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Section 7: Monitoring and Review	
Section 8: CDBG-DR Program	

SECTION 1: POLICY

The purpose of this policy is to provide a framework and assign responsibilities for ensuring that full and accurate records of the activities related to Terrebonne Parish Consolidated Government CDBG-DR Program are created in accordance with the requirements of the U.S Department of Housing and Urban Development and the State of Louisiana, Office of Community Development (LOCD-DR). The policy aims to ensure that these records are managed and maintained for as long as they are required to support the functions, activities and accountabilities required in accordance with TPCG’s Cooperative Endeavour Agreement with the State of Louisiana, Office of Community Development (LOCD-DR).

SECTION 2: SCOPE

This policy applies to all staff of TPCG whether permanent or temporary, including consultants, contractors and volunteers. This policy applies to all CDBG-DR activities performed by or on behalf of TPCG, in whatever manner they are conducted. This includes all written correspondence, whether paper or electronic, and all spoken transactions, including meetings and telephone calls. Equally, it covers all records of these activities regardless of the media in which they are captured.

SECTION 3: POLICY STATEMENT

TPCG is subject to the Public Records Law found in La. R.S. 44:1, et seq., which provides for the maintenance and disclosure of public records and to the record keeping requirements of the federal

CDBG-DR regulations found in 24 CFR 570.490. This requires the creation and maintenance of full and accurate records that support the day-to-day functions and activities of TPCG related to the CDBG-DR Program. These records provide evidence of these functions and activities and form part of the public record.

SECTION 4: GUIDELINES

1. Records Management System

The Grantee maintains an electronic files records management system for the management of all records related to the CDBG-DR Program. The key processes managed by this system include:

- a. the capture of all records;
- b. the storage of all records; and
- c. security and access to such records.

TPCG is utilizing an electronic file and process flow management system called *Terrebonne Parish Infrastructure Development Enterprise System (T-RIDE)* to serve as the Parish system of record (SOR) for the RCIP program. The Chief Elected Official (or Designee) is ultimately responsible for the operation and maintenance of the records management system.

2. Recordkeeping Principles

TPCG expects that:

- a. All staff will create and maintain full and accurate records of all activity.
- b. All public records will be captured into the central recordkeeping system in accordance with the best practice guidelines issued by the State of Louisiana Office of Community Development and according to the HUD Model Record Keeping Requirements Guide.
- c. Staff may not keep public records in separate, individual filing systems or on their hard drive.
- d. All records will be named in accordance with the approved CDBG-DR classification scheme.
- e. No staff member will dispose of public records unless authorized to do so.
- f. Records must be retained for a minimum period of five (5) years after close-out of the program.

SECTION 5: REGULATORY FRAMEWORK

Relevant legislation with which this policy complies includes:

- a. La. R.S. 44:1, et seq.
- b. 24 CFR 570.490
- c. Louisiana Office of Community Development Policies and Procedures

SECTION 6: RESPONSIBILITIES

As a recipient of CDBG-DR funds, TPCG is ultimately responsible for:

- 1) Ensuring compliance with legislative and regulatory requirements for recordkeeping;

- 2) Authorizing the recordkeeping policy;
- 3) Assigning responsibilities for record keeping;
- 4) Supporting recordkeeping within the CDBG-DR Program;
- 5) Ensuring that TPCG policies support the creation and maintenance of full and accurate records of the CDBG-DR program's functions and activities;
- 6) Ensuring that the recipient's recordkeeping policies and procedures will meet recommended practice guidelines and stand up to external scrutiny;
- 7) Ensuring that no illegal records disposal takes place;
- 8) Ensuring that all new staff receive records management induction; and
- 9) Monitoring staff compliance with the Grantee's recordkeeping systems.

All TPCG staff and designated personnel are responsible for:

- 1) Complying with TPCG's documented records management policies and procedures;
- 2) Creating full and accurate records of activities, transactions, and decisions carried out during the course of daily activity;
- 3) Ensuring that such records are maintained by being captured into TPCG's records management system and by handling records with care and respect so as not to damage them or compromise their integrity;
- 4) Preventing unauthorized access to records; and
- 5) Ensuring that no records are destroyed or removed unless permitted by a current disposal authority.

SECTION 7: MONITORING AND REVIEW

This policy will be regularly monitored and reviewed to ensure that it remains relevant to the aims and requirements of the CDBG-DR program. Staff compliance with the policy and associated procedures will be monitored on an ongoing basis through staff self-assessment and by the Chief Elected Official or his or her designee.

SECTION 8: CDBG-DR PROGRAM

TPCG will follow the guidelines as described in the CDBG-DR Grantee Manual regarding record keeping.

**Terrebonne Parish Consolidated Government – CDBG-DR
MONITORING PLAN**

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Use Checklists to Monitor	
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Follow Up	

The federal requirement found in 2 CFR § 200.328-333 states that the non-Federal entity is responsible for the oversight of the operations of the Federal award-supported activities and that monitoring by the non-Federal entity must cover each program, function or activity. TPCG as the subrecipient of federal CDBG-DR funds may implement programs directly which will be monitored by the Grantee agency, LOCD-DR, or where granting to other subrecipients, is responsible to monitor activities in both cases to ensure that federal funds are expended in accordance with all program and cross-cutting federal requirements. In the case of CDBG-DR grants, HUD may issue waivers or make modifications applicable to the grantee/subrecipients and those changes are published in a Federal Register Notice.

TPCG has established this Monitoring Plan to:

- Gauge the overall progress and effectiveness of the project implementation.
- Serve as a management tool to identify issues that may compromise program integrity, funding, and service delivery for corrective action and resolution.
- Serve as a technical assistance tool whereby the entity identifies areas in which to strengthen program capacity and quality of service delivery.

- Ensure compliance with monitoring requirements prior to closeout¹.

HUD requires that all programs be monitored at least once within their implementation and prior to closeout. Subrecipient is required to maintain files of monitoring events and to report to Grantee of monitoring status for Grantee reporting in the HUD system of quarterly reporting (DRGR). All monitoring findings must be resolved as reflected in program records prior to closeout.

MONITORING OVERVIEW

Terrebonne Parish Consolidated Government has established this Monitoring Plan to:

1. Gauge the overall progress and effectiveness of the project implementation.
2. Serve as a management tool to identify issues that may compromise program integrity, funding, and service delivery for corrective action and resolution.
3. Serve as a technical assistance tool whereby the Grantee identifies areas in which to strengthen program capacity and quality of service delivery.

TPCG Chief Financial Officer (or designee) with the assistance of its grant management contractor will serve as the Monitoring Coordinator for TPCG.

The Monitoring Coordinator is responsible for:

1. Ensuring that a risk assessment is executed for all projects (CDBG-DR Risk Assessment Sample);
2. Setting the Monitoring Schedule that prioritizes reviews based on risk;
3. Ensuring proper documentation and tracking of all monitoring efforts;
4. Notifying the OCD/DRU of severe issues;
5. Engaging the OCD/DRU for necessary technical assistance; and,
6. Ensuring Monitoring occurs as outlined within the Plan.

GRANT MANAGEMENT

TPCG is utilizing a consultant as grant manager of the CDBG-DR projects within the Resilient Communities Infrastructure Program and to assist with projects managed within TPCG and its agencies.

Additionally, TPCG will utilize subrecipients for the implementation of select CDBG-DR projects.

MONITORING CHECKLISTS

The tools described within this section, obtained from the LOCD-DR Disaster Recovery *CDBG-DR Grantee Management Manual*, provide guidance in developing monitoring plans. A sample monitoring plan is included as Exhibit 12-1. The Exhibits included as 12-2 through 12-5 may be tailored for monitoring implemented programs and projects, or Subrecipients.

¹ Note that monitoring requirements are separate from audit requirements which are governed by the subrecipient agreement and federal regulations. A single audit is required if subrecipient expends \$750,000 or more in Federal awards from all sources during its fiscal year.

The Core Checklist, (Grantee Manual - Exhibit 12-3 or as updated), will be used to monitor Subrecipients. The Project Checklist, (Grantee Manual - Exhibit 12-4 or as updated), will be used to review Grantee Projects. Supplemental worksheets will be used in conjunction with Exhibit 12-4 to review the procurement, contracting, labor and financial management compliance. The Contract Administration Checklist, (Grantee Manual - Exhibit 12-5 or as updated), will be used to monitor professional services.

TYPES OF MONITORING

At least one On-Site Review will be conducted of all projects prior to closeout. This review will occur early enough in the project life cycle to allow time for technical assistance and/or the resolution of any corrective actions that may be identified.

A Desk Review will be performed for each subrecipient/partner agency soon after the binding agreement has been executed to verify initial performance and identify any technical assistance needs. A Desk Review is a limited review of programs, subrecipients and contractors/vendors and is conducted on a pre-determined basis (quarterly, annually, twice a year). The goal of a Desk Review is to clarify specific uncertainties that cannot be resolved through subrecipient or contractor/vendor reports, and to identify any areas where technical assistance may be required. Additionally, Desk Reviews are an integral part of the initial steps for on-site monitoring as they show an insight into the program

Additional reviews may be performed to monitor consultants, Subrecipients, and/or projects, as necessary.

Vendors/Contractors

During the Desk Review of vendors/contractors, contract terms and conditions are reviewed by the CDBG-DR Project Manager. Contractors and vendors are required to submit as part of their initial response and review such documents as:

- Copies of Insurance documentations, i.e., liability and professional liability;
- Copies of Bonding documentation;
- Section 3 Plan;
- EEO Utilization Plan; and
- Financial Statement of Condition.

Additionally, the desk review can be used to review reports documenting progress on the overall project as well as more specific reports on program components such as Section 3, Davis-Bacon and EEO which are submitted to the recipient.

Subrecipients

During a desk review of a subrecipient, the CDBG-DR Program Manager can review the status of subrecipient agreements, and other documents or areas including but not limited to the following:

- Subrecipient’s Programmatic Policies and Procedures
- Subrecipient’s documentation of procurement transactions;
- Subrecipients accounting system and documentation of financial transactions;
- Previous invoices submitted to the recipient;
- Procurement policies and procedures;
- Reporting processes;
- Grant/subrecipient agreement terms;
- Reporting and supporting documents such as insurance, certifications and other documentation required by the grantee

Subrecipient Implemented Programs

During a desk review, the CDBG-DR Monitoring Coordinator/Program Manager will take the time to review the following items and assess if there are areas where the program needs additional assistance. Additionally, if there are other areas in the program which need assistance, the Program Manager should review those as well.

- Program policies and procedures
- Grantee’s Programmatic Policies and Procedures;
- Grantee’s documentation of procurement transactions;
- Previous invoices submitted to the grantee;
- Procurement policies and procedures, reporting processes;
- Grant/subrecipient agreement terms;
- Reporting and supporting documents such as insurance, certifications, and other documentation required by the grantee.
- Program Quarterly Reports

MONITORING PROCESS

TPCG’s steps to the monitoring process are listed below and described in the subsequent sections:

1. Execute Risk Assessment
2. Set Monitoring Schedule
3. Use Checklists to Monitor
4. Draft Monitoring Report
5. Provide Technical Assistance as Needed
6. Repeat steps 3 through 5 for each Monitoring Review

1. Execute Risk Assessment

TPCG will conduct an annual risk assessment on all entities / projects to be monitored, including all programs, contractors, and subrecipients to identify those entities and programs that are most susceptible to risk, fraud, abuse, or mismanagement. It is to be noted that through the competitive process for procuring vendors, many if not all of the risk assessment factors are assessed.

The risk assessment provides critical information to effectively target resources toward entities and programs that pose the greatest risk to the integrity of TPCG’s CDBG-DR funding, including identification of the subrecipients to be monitored on-site and remotely, the program areas to be covered, and the depth of the review. The selection process results in identifying subrecipients and activities that represent the greatest vulnerability to fraud, waste, abuse, and mismanagement. This assessment will allow TPCG to minimize potential risk as it administers its allocation. TPCG may adjust the sample outlined below to reflect new criteria or risk factors as identified.

TPCG will make necessary adjustments in preparing the monitoring strategies and revising them based on new information, such as declining or improvement in participant performance, budget constraints, reprogramming of resources or other unanticipated events. Below is an overview of the TPCG monitoring risk assessment.

Figure 2-2 **Terrebonne Parish Consolidated Government CDBG-DR Risk Assessment Sample**

Criteria	Description	High Risk	Medium Risk	Low Risk
Funding	Total Funds allocated to the Project	10	5	2
		Over \$1,000,000	\$500,000-\$1,000,000	\$500,000 and below
Complexity	The multiple types of resources and activities associated with the project	10	5	2
		Construction Projects	Demolition only; Loan or Grant Program	Single source funded projects. Buyouts without Construction
Implementation Method	The use of subrecipients, vendors, or internal staff to carry out the programs/project	10	5	2
		Sub-recipient	Vendor implementation	Grantee Staff with vendor Program Management support
Relevant Experience	The experience of grantee/subrecipient/vendor administering CDBG funds.	10	5	2
		No Experience	1-3 years of experience	4+ years of experience
		10	5	2
Compliance History	The grantee or subrecipient’s past compliance with federally funded programs.	Past monitoring visits revealed severe deficiencies; or no evidence of any prior monitoring	Evidence of prior monitoring; deficiencies noted, but none severe	Evidence of prior monitoring; no deficiencies noted
Project Timeline	The projected and defined timeline for project completion, per the agreement.	10	5	2
		12-24+ months	6-12 months	Completion in under 6 months

2.Set Monitoring Schedule

At least one On-Site review will be conducted of all projects prior to closeout. This review will occur early enough in the project life cycle to allow time for technical assistance and/or the resolution of any corrective actions that may be identified.

- a. Projects requiring follow-up activities and/or corrective actions will take precedence over those not requiring such actions.
- b. The project risk will also be taken into account when scheduling additional reviews.

3.Use Checklists to Monitor

As described within the Monitoring Schedule, the review will be completed by executing the appropriate checklist. Checklist responses will include comments that detail any issues identified. The executed Checklist will be maintained within the Project file.

4.Draft Monitoring Report

Upon completion of the review, the Monitor will draft a Monitoring Report that identifies the checklist sections used to complete the monitoring review, the results of the review. Generally, the report identifies if there are any types of deficiencies (ie. Finding, Concern, Observation) and may also highlight areas of merit and any Technical Assistance provided. The Report will explain the basis for the conclusions. The Monitoring Report should also include possible corrective actions and a timeline for resolution of deficiencies. The Monitoring Report will be maintained within the appropriate file. If a Subrecipient is monitored, the Monitoring Report will be provided to the Subrecipient.

5.Provide Technical Assistance as Needed

TPCG and its contractor may also periodically conduct Technical Assistance (TA) sessions with subrecipients, contractors/vendors, and/or direct beneficiaries to enable them to understand expectations for program compliance and prepare for monitoring. TPCG may provide technical assistance throughout the life of a grant on numerous topics as it relates to the implementation of CDBG-DR funded projects. Technical Assistance can come in numerous different forms such as:

- Verbal or written advice;
- Formal training; and/or,
- Documentation and guidance.

Technical Assistance can be for new subrecipients/vendors to introduce them to the requirements of CDBG-DR funds. However, Technical Assistance can also include other more technical areas which are tailored to one specific program, subrecipient or vendor or to all entities who have a role in administering the CDBG-DR dollars.

As part of Technical Assistance visits, monitoring and compliance staff will answer any questions and provide guidance on the monitoring and compliance process. TPCG will visit the risk assessment, desk monitoring and onsite monitoring to determine the Technical Assistance need of a program, vendor/contractor, or subrecipient.

Areas commonly covered through Technical Assistance:

- Program Eligibility Criteria
- Procurement
- Financial Management Requirements and timely expenditure of funds
- Labor Requirements (Davis Bacon)
- Section 3 Requirements
- Environmental Review Requirements
- FHEO (LEP, Equal Employment Opportunities, Fair Housing, ADA, Section 504)
- Monitoring and Compliance
- Recordkeeping
- Closeout

6. Follow-up

In the event that issues are identified for corrective action, follow-up actions will be scheduled to address the progress of the resolution. The timing and frequency of the follow-up communication will be determined at the discretion of the Monitor and Monitoring Coordinator and will be based on the severity of the deficiency. All follow-up actions will be documented.

Resources

LOCD-DR Grantee Management Manual – found on OCD website: [Administrative Manual - Louisiana Division of Administration](#)

Exhibit	Description
Exhibit 12-1	Sample Grantee Monitoring Plan
Exhibit 12-2	Project/Program Risk Assessment Template
Exhibit 12-3	Core Checklist Template
Exhibit 12-4	Project Checklist Template and Project Worksheets
Exhibit 12-4b	Supplemental Worksheets for Project Checklist
Exhibit 12-5	Contract Administration Form

**Terrebonne Parish Consolidated Government - CDBG-DR
LANGUAGE ACCESS PLAN**

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INTRODUCTION

The Language Access Plan has been prepared to address Terrebonne Parish Consolidated Government (TPCG) programs’ responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. It is the policy of TPCG to take reasonable steps to provide meaningful access to its programs and activities for persons with Limited English Proficiency (LEP). This policy is to ensure that staff will communicate effectively with LEP individuals and the LEP individuals will have access to important programs and information.

Federal law prohibits discrimination based on national origin. National origin discrimination includes discrimination based on a person’s inability to speak, read, write or understand English. Recipients of federal funds must provide meaningful access to LEP persons in federal and federally assisted programs and activities.

On August 11, 2000, Executive Order 13166, titled, “Improving Access to Services by Persons with Limited English Proficiency,” was issued. Executive Order 13166 requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP cannot fully and equally participate in or benefit from those programs and activities. Section 2 of the Executive Order 13166 directs each federal department or agency “to prepare a plan to improve access to federally conducted programs and activities by eligible LEP persons”.

FRAMEWORK FOR DECIDING WHEN LANGUAGE SERVICES ARE NEEDED

TPCG will take steps to ensure meaningful access to its programs, services and activities for LEP individuals in a manner that balances the following four factors:

- 1) **Four-Factor Analysis:**The number or proportion of LEP persons eligible to be serviced or likely to be encountered by TPCG: TPCG staff reviewed the U.S. Census Report and determined that in TPCG’s jurisdiction 8.7% of the population speak a language other than English. No immediate

accommodations are required at this time. However, TPCG will continue to monitor demographic trends and adjust services as necessary.

- 2) The frequency in which LEP persons come in contact with TPCG programs, activities or services:** TPCG assessed the frequency in which staff have or could have contact with LEP persons. To date, zero requests have been made to the Parish's provider to translate information regarding the department's HUD programs in Spanish.
- 3) The nature and importance of TPCG programs, activities, or services provided to the LEP population:** TPCG provides a variety of services and programs to its citizens. To date, TPCG staff members have not yet been put in a situation in which language barriers prevented a service from being provided. In the event that a program beneficiary does not speak English very well, s/he has typically been accompanied by a friend or family member that serves as an interpreter. In the event that a person of limited English proficiency is in need of service and is not accompanied by an interpreter, TPCG staff will provide translation services of vital documents and free language assistance services as requested.
- 4) The resources available to TPCG, and the costs associated with different language options:** Most residents of TPCG and recipients of TPCG program funds within Terrebonne Parish are English speakers. TPCG has worked to provide interpreters and translations when possible, and has not received any additional requests for translation services. Therefore, meaningful access is most likely being currently provided to the LEP population in Terrebonne Parish.

MONITORING, EVALUATING, AND UPDATING PLAN

TPCG will review and update this plan yearly, or in the event of a marked influx of LEP persons to the area. The review and update will consist of the following:

1. The number and nature of request received from LEP persons annually.
2. Determination of LEP population in the service areas.
3. Review any complaints that have been received concerning the department's failure to meet the needs of LEP persons.
4. Determine whether TPCG has fully complied with the goals of Language Access Plan.
5. Access the sufficiency of staff training and budget for language assistance.

DISSEMINATION OF THE LANGUAGE ACCESS PLAN

TPCG will post signs in public spaces notifying LEP persons of the Language Access Plan and how to access language services.

**Terrebonne Parish Consolidated Government – CDBG-DR
FINANCIAL MANAGEMENT POLICY**

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TPCG’s Financial Management System	
Procedures for Financial Administration	
Accounting Records	
Support Documents	
Record Keeping	
System of Internal Controls	

The fundamental purpose of Terrebonne Parish Consolidated Government’s Financial Management Policy is to ensure the appropriate, effective, timely and honest use of funds.

TPCG ensures that:

- Internal controls are in place and adequate;
- Documentation is available to support accounting record entries;
- Financial reports and statements are complete, current, reviewed periodically; and,
- Audits are conducted in a timely manner and in accordance with applicable standards.

In establishing its financial management policy as it relates to the CDBG-DR funds, TPCG will follow its existing parish financial management plan related to its financial management system. For the CDBG-DR funds, TPCG follows 2 CFR Part 200.300 “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” as well as Disaster Recovery CDBG Regulations which are governed by both 2 CFR Part 200 and 24 CFR Part 570, OCD-DRU requirements and Treasury Circular 1075. TPCG understands that the failure to account for and manage CDBG-DR funds accordingly may result in sanctions imposed by the OCD-DRU and/or HUD.

TPCG’s financial management system ensures:

- Accurate, current, and complete disclosure of financial results;
- Records that identify adequately the source and application of grant funds;
- Comparison of actual outlays with amounts budgeted for the grant;
- Procedures to minimize the amount of time elapsed between the transfer of funds from the awarding agency and the disbursements by the subrecipient;
- Procedures for determining reasonableness and allowable costs;
- Accounting records that are supported by appropriate source documentation; and,
- A systematic method to assure timely and appropriate resolution of audit findings and recommendations.

Additionally, the functions served by TPCG's financial management system, are:

- Recording of all financial transactions;
- Ensuring all expenditures are related to allowable activities in the CEA approved by the OCD-DRU;
- Ensuring all expenditures of CDBG-DR are compliant with applicable laws, rules, and regulations.

Procedures for Financial Administration

TPCG ensures that all grant funds are documented appropriately to establish that funds have not been used in violation of the restrictions and prohibitions of applicable statutes (2 CFR 200.300).

Accounting Records

The accounting for the CDBG-DR program is on a modified accrual basis. TPCG's system provides the functionality to track receipts and expenditures and generate financial statements on a regular schedule and on an as-requested basis. Additionally, TPCG tracks and reports on each project within each program of the grant separately.

Support Documents

Accounting records are supported by cancelled checks, paid bills, invoices, purchase vouchers, payrolls, deposit slips, time and attendance records, CEA and sub-grant award documents, etc. (2 CFR 200.300). Payments are not made without invoices and vouchers received and documented. TPCG's documentation explains the basis of the costs incurred and the actual dates of the expenditure.

Record Keeping

Financial records will be retained for a period of five years after final closeout of the State's CDBG-DR grant by HUD, with access guaranteed to state officials, their representatives, and HUD representatives.

System of Internal Controls

TPCG incorporates internal controls such as the development of policies, procedures, defined job responsibilities, personnel, and records that allow TPCG to maintain adequate oversight and control of its cash, property, and other assets. Through these tools TPCG ensures the following:

- Effectiveness and efficiency of operations;
- Reliability of financial reporting;
- Resources are used for authorized purposes and in a manner consistent with applicable laws, regulations, and policies;
- Resources are protected against waste, mismanagement or loss; and,
- Information on the source, amount, and use of funds is reliable, secured, and up-to-date and information is disclosed in reports and records.

TPCG has designated Chief Financial Officer, as the responsible party for financial management of its CDBG-DR projects.

Terrebonne Parish Consolidated Government – CDBG-DR
ENVIRONMENTAL CLEARANCE POLICY

Environmental

Under 24 CFR Part 58, the term “responsible entity” (RE) means the Unit of General Local Government receiving CDBG-DR assistance. Terrebonne Parish Consolidated Government (TPCG), acting as the responsible entity, must ensure completion of the environmental review process.

TPCG may procure contractors to assist with the environmental review process. The responsible entity must complete the environmental review process. The RE is responsible for ensuring compliance with NEPA and all applicable federal laws and authorities, issuing required public notifications, submitting the Request for Release of Funds and Certification when applicable, and ensuring that the Environmental Review Record (ERR) is complete and properly maintained.

In order to fulfill its obligations under 24 CFR Part 58, the RE should designate two responsible parties:

- **Certifying Officer:** The Certifying Officer – the signatory who confirms that compliance with the National Environmental Policy Act (NEPA) and the Federal laws and authorities cited at section 58.5 has been achieved. This person is usually the chief elected official, or other official designated by formal resolution with signatory authority. The certifying officer must have the authority to assume legal responsibility for certifying that all environmental requirements have been followed. This function may not be assumed by consultants.

- **Preparer/Environmental Officer:** The Preparer/Environmental Officer is responsible for conducting the environmental review including such tasks as: writing the project narrative, obtaining maps of the project area, soliciting comments from appropriate local, state and federal agencies, and facilitating responses to comments received on the environmental findings.

TPCG, acting as the responsibility entity, and when needed, through contractors with environmental review and compliance expertise, will complete the environmental review process.

Environmental Review – Tiered Approach

Under the RCIP Program, the Parish is not funding housing. However, some projects such as a “façade improvement program” may follow the same approach as that used for housing – the Tiered approach. The Parish may employ a tiered approach to NEPA compliance for the program. With a tiered approach, the “action” is evaluated at various stages in the development process as more information is available for environmental assessment or review. This approach is consistent with and detailed in the “Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities”, 24 CFR 58, specifically 24 CFR 58.15 (Tiering)¹ and 24 CFR 58.32 (Project Aggregation).

The first step of the Tier I review is to identify suitable neighborhoods typically based at the Tract or Multi-Tract Census Geography. The Tier I Environmental Assessment will be prepared by TPCG as the responsible entity and/or a contractor as needed and submitted to LOCD-DR.

Consistent with the tiered process, Tier 2 environmental reviews will be conducted for each property being evaluated under the program. The Tier 2 reviews will be conducted by the environmental contractor and will include a site-specific review including a desktop review. The Tier 2 reviews will identify sites with specific environmental issues requiring a site visit or additional Parish consultation and will be documented in the Environmental Review Record (ERR). The Tier 2 reviews will be conducted in a manner that satisfies the requirements of NEPA and HUD's NEPA implementing regulations (24 CFR 58). In addition, the reviews will address compliance with all other relevant Federal environmental laws, regulations, and Executive Orders (EO) such as the National Historic Preservation Act, EOs 11988 – Floodplain Management, EO 11990 – Protection of Wetlands, and EO 12898 – Environmental Justice. Relevant State regulations and permitting requirements will also be addressed.

The environmental review may identify the need for environmental mitigation measures to be incorporated into the Scope of Work for the proposed action, or for the action to be redesigned to avoid certain environmental impacts. No reconstruction, rehabilitation, elevation or mitigation work, or reimbursement can begin until the Tier 2 environmental reviews have been completed, and the Tier 2 ERR has been completed for the subject property.

**Terrebonne Parish Consolidated Government – CDBG-DR
EQUAL OPPORTUNITY POLICY**

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Terrebonne Parish Consolidated Government (TPCG) is committed to ensuring equal opportunity and nondiscrimination in all CDBG-DR programs, activities, and services, in accordance with applicable federal laws and regulations.

As a recipient of federal funding through the U.S. Department of Housing and Urban Development (HUD), TPCG prohibits discrimination on the basis of:

- Race
- Color
- National origin
- Religion
- Sex (including gender identity and sexual orientation)
- Age
- Disability
- Familial status
- Marital status
- Citizenship status
- Income source
- Limited English proficiency

This policy is pursuant to and in compliance with the following federal civil rights authorities:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Title II of the Americans with Disabilities Act of 1990 (ADA)
- Section 109 of the Housing and Community Development Act of 1974
- Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)

- Age Discrimination Act of 1975
- Executive Order 13166 – Improving Access to Services for Person with Limited English Proficiency

This policy shall be publicly posted, incorporated into applicable program documents, and communicated to all staff, contractors, partners, and subrecipients to ensure awareness and compliance.

Inclusion of Equal Employment Opportunity (EEO) Provisions in Construction Contracts

All hiring, contracting, and procurement related to CDBG-DR funding will be conducted in a nondiscriminatory manner and in compliance with federal equal opportunity and affirmative action requirements, including those outlined in Section 3 of the Housing and Urban Development Act of 1968. Recipients and subrecipients are required to include applicable equal opportunity provisions and certifications in the bid packages and contracts. These are included in the Sample Bid Package. A list of guidelines for construction contractors regarding equal opportunity is included as Equal Opportunity Guidelines for Construction Contractors (see below). These guidelines should be discussed with the construction contractor during the preconstruction conference.

Equal Opportunity Guidelines for Construction Contractors:

1. The offeror or bidder must comply with the "Equal Opportunity Clause" and the "Standard Federal Equal Opportunity Construction Contract Specifications."
2. It is the construction contractor's responsibility to provide an environment free of harassment, intimidation, and coercion to all employees and to notify all foremen and supervisors to carry out this obligation, with specific attention to minority or female individuals
3. Separate facilities for men and women must be provided on all sites. Two or more women should be assigned to each site when possible. , all facilities and company activities are non-segregated except for bathrooms or changing facilities to insure privacy.
4. Construction contractors must establish a current list of Section 3, minority and female recruitment sources. Notification of employment opportunities, including the availability of on-the-job training and apprenticeship programs, should be given to these sources. The efforts of the construction contractors should be kept on file.
5. Records must be maintained to include a current list of names, addresses and telephone numbers of all Section 3, minority and female applicants. The documentation should also include the results of the applications submitted and the attempts made to engage Section 3 eligible staff.
6. If the unions impede the construction contractor's responsibility to provide equal employment opportunity, a written notice should be submitted to the grantee.
7. Construction contractors are required to develop on-the-job training programs, or participate in training programs, especially those funded by the Department of Labor, to create positions for Section 3 residents, women and minorities and to meet employment needs.
8. The construction contractor is responsible for notifying unions (if applicable in applicant's geographic region) and sources of training programs of their equal employment opportunity policy. Unions should be requested to cooperate in the effort of equal opportunity. The policy should be included in any appropriate manuals, or collective bargaining agreements. The construction contractor is encouraged to publicize the equal employment opportunity policy in

the company newspaper and annual report. The Contractor is also responsible to include the EEO policy in all media advertisement.

9. At least annually a review of the EEO policy and the affirmative action obligations are required of all personnel employees of a decision-making status. A record of the meeting including date, time, location, persons present, subject matter discussed, and disposition of the subject matter should be maintained.
10. The construction contractor must notify Section 3, minority and female recruitment sources of apprenticeship or other training programs.
11. An annual evaluation should be conducted for all minority and female personnel to encourage these employees to seek higher positions.
12. Personnel policies in regard to job practices, work assignments, etc. should be continually monitored to ensure that the EEO policy is carried out.
13. A construction contractor cannot hire a subcontractor who has been debarred from government contracts pursuant to EEO. The construction contractor must suspend, terminate or cancel its contract with any Subcontractor who is in violation of the EEO policy.

Section 504 Requirements

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination in federally assisted programs on the basis of handicap. Section 504 imposes requirements to ensure that "qualified individuals with handicaps" have access to programs and activities that receive federal funds. Recipients must adhere to the following procedures.

Exception: Title II of the Americans with Disabilities Act and Section 504 do not require that action be taken which would change the fundamental nature of the program, or create undue financial and administrative burdens; however, the grantee must make as much accommodation as possible up to the point of incurring undue burdens or changing the nature of the program.

Communication: Recipients should furnish appropriate auxiliary aids where necessary to allow an individual with handicaps an equal opportunity to participate in all program activities. Recipients should implement procedures that allow individuals with handicaps to obtain information concerning the existence and location of accessible services, activities and facilities. Such procedures must ensure, to the maximum extent possible, that individuals with handicaps receive the benefits and services of the program or activity receiving CDBG assistance. Examples of auxiliary aids include telecommunication devices for the deaf ("TDD"), audio visual presentations, interpreters, large-lettered notices, and posting notices at a level readable by individuals in wheelchairs.

Designation of Responsible Employee: Any subrecipient that employs 15 or more persons must designate at least one person to coordinate its Section 504 responsibilities. This Designation Form for Section 504 must be kept on file at the offices of the recipient. Even if a recipient uses a consultant to administer its program, it is highly recommended that a local staff person be the responsible designee.

Adoption of Grievance Procedures: Any recipient that employs 15 or more employees must adopt grievance procedures (see Sample 504 Grievance Procedure form) that incorporate due process

standards and allow for quick and prompt resolution of complaints alleging any action prohibited by Section 504. Grievance procedures are not required to cover either applicants for employment or applicants for housing.

Notices: Any recipient that employs 15 or more persons must *notify all* participants, applicants and employees, unions, or professional organizations holding collective bargaining or professional agreements with the recipient that they do not discriminate on the basis of handicap in violation of Section 504.

Any such notice must identify the individual designated to coordinate its Section 504 compliance and must state, where appropriate, that the recipient does not discriminate in admission or access to, or treatment or employment in, its federally assisted programs. Recipients are required to publish this notice in a newspaper of general circulation in their community and have evidence of this publication available for monitoring review (i.e., full-page advertisement or tear sheet with publisher's affidavit).

The notification process can include the posting of notices, publication of notices, and inclusion in other written materials. The notification process must ensure that all individuals, including those with visual and hearing impairments, are aware of the non-discrimination pledge.

Any recruitment or informational material published by a recipient must contain a statement regarding the recipient's pledge not to discriminate on the basis of handicap in violation of 24 CFR Part 8.

Self-Evaluation: During the contract period, all recipients who are required to comply with Section 504 must complete a self-evaluation of their Section 504 compliance and keep it on file for monitoring purposes. Recipients that have completed a self-evaluation for a previous CDBG contract may use their previous self-evaluation forms on file to meet this requirement. During the self-evaluation process, the recipient must consult with individuals with handicaps or organizations representing them. The self-evaluation should include an examination of policies and practices relative to the 504 regulations. Any policies and practices that do not meet the 504 requirements must be modified, and corrective action taken to remedy any discrimination found.

Employment: Recipients should not use any practices that unreasonably limit employment opportunities for individuals with handicaps. Recipients must also reasonably accommodate the known needs of handicapped employees and applicants. Examples include retrofitting workstations to accommodate wheelchairs and providing special computers for deaf and sight challenged workers.