

APPENDIX Q

Legal Opinion on Proficient Policies and Procedures

State of Louisiana

Certification Checklist

Prepared by



LOUISIANA
Office of
COMMUNITY
DEVELOPMENT

MEMORANDUM

TO: PAT FORBES
Executive Director
Office of Community Development

FROM: DAN REES
Deputy Executive Counsel
Division of Administration

DATE:

RE: CDBG-MIT / OCD PROCUREMENT POLICIES AND PROCEDURES

Through Federal Register Notice FR-6109-N-02, Section V.A.1.a.2, at page 45844, HUD requires that the grantee (the State of Louisiana, Division of Administration, through the Office of Community Development) have a legal opinion that the grantee has proficient procurement policies and procedures for the expenditure of the CDBG-MIT funds provided to the grantee in connection with that notice. This opinion of provided in compliance with that requirement.

Generally, procurement by OCD and other state agencies is governed by state statute. Those requirements are supplemented through written policies and procedures of OCD. Requirements for procurement by subrecipients/sub-grantees is implemented through template grant agreements between the OCD and subrecipients/sub-grantees and through OCD's grant administration manual for sub-grantees/subrecipients.

As legal counsel for OCD, it is my opinion that OCD has proficient procurement policies and procedures through the above noted items. This opinion is based on my familiarity with state procurement requirements, the requirements associated with the expenditure of CDBG-DR and MIT funds, and guidance by HUD through technical assistance and monitoring activities.