



CDBG-CV Love Louisiana Outdoors (LLOP) 2021 Grantee Workshop

Office of Community Development

Local Government Assistance

April 19, 2022



Housekeeping

- ▶ Enter your first and last name, title or relation with local government in the chat box
- ▶ The grantee workshop is mandatory and if you do not enter your information, you will not get credit for attending

Questions & Answers/ Technical Assistance

Answered by:

OCD-LGA STAFF

PLEASE TYPE ALL QUESTIONS IN THE
Q&A BOX



Introduction of Staff

- ▶ Traci Watts –Director
- ▶ Heather Paul – Assistant Director
- ▶ Kristie Galy – Program Manager
- ▶ Jefferson Tessier – Engineer





Staff

- ▶ Fenishia Favorite – Community Development Specialist
 - ▶ Michelle Samuel – Community Development Specialist
 - ▶ Layla Argrave – Community Development Specialist
 - ▶ Denease McGee – Community Development Specialist
 - ▶ Janelle Dickey – Financial Analyst
 - ▶ William Hall – Financial Analyst
- 

Grant Agreement Conditions

Presented by:
Denease McGee





Grant Agreement Conditions

You will receive via mail and email:

Authorization to Incur Costs letter:

- ▶ Authorizes planning and administration costs
- ▶ Permits Environmental Review Record (ERR) to begin
- ▶ Permits Plans & Specifications to be prepared
- ▶ Describes penalties for not meeting deadlines
- ▶ If there will be a problem with the time frame, contact your grant representative early to request an extension of time
- ▶ **DO NOT ADVERTISE FOR BIDS OR BEGIN CONSTRUCTION AT THIS TIME.**

Grant Agreement Conditions (continued)

*Transmittal of Blank Grant Agreement – *instructions for each item below are in the cover letter*

*Sign the Grant Agreement and return within 30 days.

DO NOT DATE THE GRANT AGREEMENT.

*Additional forms needed to complete the grant agreement:

- ▶ One (1) Authorized Signature Form – list at least 2 people who will sign the Request for Payment Form. *The certifying officer signs & dates the form. Make sure the typed signatures exactly match the written signatures including initials. Send a council resolution if the certifying officer is not the mayor or parish president.*
 - ▶ Please note that correction fluid/tape for RFP's or Authorized Signature Forms is **NOT** allowed.
- ▶ Electronic Funds Transfer (EFT) - Contact the Office of Statewide Reporting and Accounting Policy (OSRAP) at DOA-OSRAP-EFT@la.gov or 225-342-1097 for the enrollment form. Do not use an existing form.
- ▶ Voided Check - *Send with the EFT Form to OSRAP*
- ▶ Request for Vendor Information – *Include bank information*
- ▶ Form W-9

Where are the forms?

- ▶ <https://www.doa.la.gov/doa/OCD-LGA-lga/lcdbg-programs/grant-management/>

GRANT MANAGEMENT

Home / Division Offices / Office of Community Development - Local Government Assistance / LCDBG Programs / Grant Management

OCD-LGA News

LCDBG Programs ▲

LCDBG Plans and Reports

2015-2019

2020-2024

Grant Management

2021 Grantee Handbook Exhibits

Forms and Information

Grant Awards

LGAP and CWF Programs ▼

Staff Directory

FAQs

Grant Management Forms

[Request for Payment Form](#)

[Performance Schedule](#)

[Monitoring Checklist \(grants FY 2019 forward\)](#)

[Desktop Review \(grants FY 2019 forward\)](#)

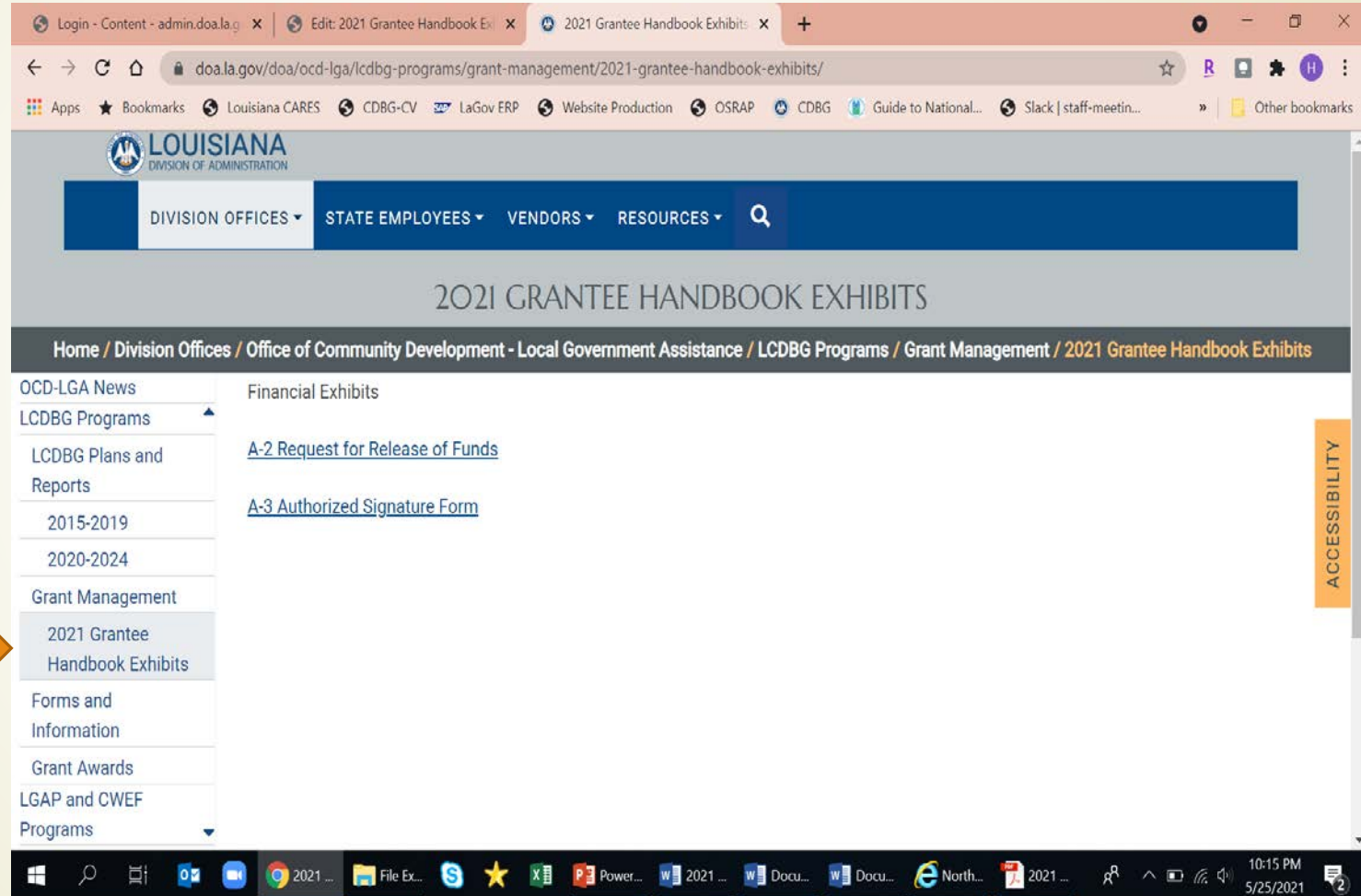
[Monitoring Checklist \(grants FY 2017-FY 2018\)](#)

Grantee Handbooks

[2021 Grantee Handbook](#)

[2021 Grantee Handbook Exhibits](#)

Where are the forms (Cont'd)



The screenshot shows a web browser window with the URL doa.la.gov/oa/ocd-lga/lcdbg-programs/grant-management/2021-grantee-handbook-exhibits/. The page title is "2021 GRANTEE HANDBOOK EXHIBITS". The navigation menu includes "DIVISION OFFICES", "STATE EMPLOYEES", "VENDORS", and "RESOURCES". The breadcrumb trail is: Home / Division Offices / Office of Community Development - Local Government Assistance / LCDBG Programs / Grant Management / 2021 Grantee Handbook Exhibits. The left sidebar contains a tree view with "2021 Grantee Handbook Exhibits" selected. The main content area lists "Financial Exhibits" with links for "A-2 Request for Release of Funds" and "A-3 Authorized Signature Form". An orange arrow points to the "2021 Grantee Handbook Exhibits" link in the sidebar. The taskbar at the bottom shows the system time as 10:15 PM on 5/25/2021.

Next Steps

Application Revisions Letter – Clear Grant Agreement Conditions

FOUR MONTH DEADLINE (from the date on your AIC letter)

- ▶ Annual Audits, Financial Mgt. Questionnaire (FMQ), Surety Bonds
- ▶ Environmental Review Record – must receive authority from OCD-LGA to publish final notice(s) and request release of funds by deadline
- ▶ Performance Schedule
- ▶ Fair Housing Assurance
- ▶ Section 504 Assurance
- ▶ Residential Antidisplacement and Relocation Plan and Certification
- ▶ Revisions to Application
- ▶ Plans & Specs and Final Cost Estimate – must only be submitted to OCD-LGA by deadline
- ▶ Any other documentation, if requested by OCD-LGA

Risk Analysis

1. Based on various factors, the grantee has been identified as a high risk grantee. Therefore, the OCD-LGA will make an on-site technical assistance visit prior to conducting the monitoring of this grant. During this visit, the OCD-LGA staff will work with the grantee to ensure that all compliance areas are adhered to as required.
2. Based on various factors, the grantee has been identified as a medium risk grantee. Therefore, the grantee can request an on-site technical assistance visit prior to the date that OCD-LGA schedules to monitor this grant. During this visit, the OCD-LGA staff will work with the grantee to ensure that all compliance areas are adhered to as required.
3. Based on various factors, the grantee has been identified as a low risk grantee. Technical assistance will be provided on an as needed basis.



Contacts

- ▶ Denease McGee
- ▶ (225) 342-7412

Financial Management

Presented by:
Janelle Dickey





Financial Management Section of Grantee Handbook

- Complete requirements and forms are in the FY 2021 Grantee Handbook beginning on page 7.



Accounting

- Source Documentation – maintain evidence of expenditures of CDBG-CV funds paid to contractors and other parties.
- Surety bonding or fidelity insurance is required on those employees authorized to sign checks.
- The best way for CDBG-CV funds to be recorded by the grantee is in a separate Capital Projects fund or a separate Special Revenue fund.
 - CDBG regulations specifically require that financial reporting establish that funds were used for an eligible activity and **clearly** establish that funds were not used for ineligible purposes (ex. General Government or Operating and Maintenance expenses are **not eligible expenses**).



Cash Management and Payments

2 CFR 200.305





Bank Account

- If possible, maintain a separate bank account for each grant.
- Bank account utilized for other LCDBG projects may also be used.
- Designated account must be used for all transactions including deposits & payments to vendors.
- Must be a non-interest bearing account.
- Use pre-numbered checks, not counter checks.
- Two signatures are required on all checks – DO NOT PRE-SIGN.
- Write the CDBG-CV Grant Agreement (contract) number on the check.

Clearing Account

- Prior **written approval** must be obtained for use of a “general” or “central” bank account.
- All invoices must be paid in advance.
- Checks must clear prior to reimbursement.
- Separate financial statements for CDBG-CV funds must still be produced.

Internal Controls and Bonding

2 CFR 200.303

2 CFR 200.304

Financial Management Questionnaire

- List the people who will perform various financial duties on the ***Financial Management Questionnaire (FMQ)***.
- Make sure that at least two people are listed as authorized to sign ***Requests for Payments (RFPs)***.
- Make sure that at least two people are listed as authorized to sign checks, that they are the only ones signing them, and that they are either insured or bonded.
- Person responsible for preparing fiscal year-end financial statements should have the skills and knowledge to apply Generally Accepted Accounting Principles (GAAP).
- If there are changes in personnel, a new FMQ must be submitted for approval.



Surety Bond/Insurance Policy

- **The individuals authorized to sign checks must be covered by a Surety Bond or other Fidelity Insurance policy.**
- Include a copy of the Surety Bond/Insurance Policy that specifically identifies the persons and/or positions insured with the Financial Management Questionnaire.
- Documentation must show that the insurance or bonding is current.
- **Documentation of current bonding is also needed each time the FMQ is updated, and at monitoring.**



Audit Requirements

2 CFR Part 200 Subpart F

“...standards ...for the audit of non-Federal entities expending Federal awards.”

Yes, CDBG-CV funds are Federal Funds



Audit Requirements

2 CFR 200.501

“*Single audit.* A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted...”

\$750,000 in total Federal expenditures, not just CDBG-CV



Audit Requirements

2 CFR 200.508

It is the grantee's responsibility to:

- Procure or otherwise arrange for the audit.
- Prepare appropriate financial statements, including the schedule of expenditures of Federal awards (if applicable).
- Provide the auditor with access to personnel, accounts, books, records, supporting documentation, and other information.
- Promptly follow up and take corrective action on audit findings.
- **Note: If extension has been granted by the LLA, send a copy of LLA's approval to the LGR.**



Audit Requirements

- CDBG-CV funds should be reported in a separate Capital Projects fund or a separate Special Revenue fund.
- CDBG-CV revenue and program expenditures must be clearly identified.
- CDBG-CV funds utilized for each project should be separately identified.
- If CDBG-CV funds are transferred to another fund, or are otherwise not reported separately from other sources of funds, a supplemental schedule, containing agreed upon procedures, a balance sheet, and income statement, should be included in the back of the audit report.



Audit Requirements



- Grantee will be placed on the Louisiana Legislative Auditor's (LLA) Non-Compliance List if the audit is not received by the LLA within 6 months of the fiscal year end date.
- **Note: If grantee is on LLA's Non-Compliance List, they cannot receive CDBG-CV funds.**



Requests for Payment (RFP)

Requesting Program Funds From the Office of
Community Development-Local Government Assistance
(OCD-LGA)





Request for Payment Form

- Request for Payment Form – Available on-line at:
<https://www.doa.la.gov/doa/oed-lga/lcdbg-programs/grant-management/>
- Signatures must match the Authorized Signature Form exactly as typed and signed, including middle initials and titles, (examples: Dr., Sr., or Jr.)
- If there is a personnel change, send a new Authorized Signature Form and Financial Management Questionnaire.
- No correction fluid/tape is allowed on RFP's and Authorized Signature Forms

LOUISIANA CDBG REQUEST FOR PAYMENT (RFP)

A. Name, Address, and Telephone Number of Contractor (City/Parish)	B. Date of Request
C. Contract Number(s) (Enter all if multiple contracts issued) / Program Year / CDBG Grant Representative	D. Request #

E. Federal Employer ID	STATE USE ONLY	Location Code	Split Funding Y N
------------------------	-----------------------	---------------	---------------------------

F. Actual Delivery Date (A.D.D.) - The most recent date of delivery of services for each State fiscal year.	A.D.D. FY 1:	
	A.D.D. FY 2:	

1. Status of LCDBG Funds	Amount	State Use Only	IDIS Activity #
A. Amount Requested with this Request (Total from Line E below)	\$ -		
B. LCDBG Funds Received to Date			
C. LCDBG Funds Requested but not yet Received			
D. Subtotal (Total Line A through Line C)	\$ -		
E. Total Grant Amount (Amount of Contract)			
F. Remaining Balance (Subtract Line D from Line E)	\$ -		

2. Amount of Funds Requested by Activity	A.D.D. FY 1	A.D.D. FY 2	Amount		
A. Public Works, Facilities, Site Improvements					
1. Sewer					
2. Streets					
3. Water (Potable)					
4. Other					
B. Rehabilitation					
C. Economic Development					
1. Commercial/Industrial Infrastructure Development					
2. Other					
D. Administration					
1. Pre-agreement Costs					
2. Public Facilities, Demonstrated Needs, LaSTEP & Economic Development					
3. Other					
E. Other					
F. Total					

3. Certification
 I certify that this Request for Payment has been drawn in accordance with the terms and conditions of the contract for the grant or loan and that the amount for which drawn is proper for payment to the drawer at the drawer's bank. I also certify that the data reported above is correct and that the amount of the Request for Payment is not in excess of current needs. **Approved and detailed invoices that equal or exceed the amount are attached.**

A. Date	Signature	Title
B. Date	Signature	Title

4. Approval (State Use Only)	
A. Reviewed By	Date
B. Approved By	Date

PAYMENTS CAN BE VERIFIED ONLINE AT: <https://www.cfprd.doa.louisiana.gov/vendsearch/index2.cfm>

Please sign in blue ink.

LaGov checked: _____
Date: _____



RFP Form Procedures

- Fill out the spreadsheet
- Print 2 copies
- Sign both in **blue ink**
- Attach approved invoices
- Mail to the OCD-LGA



Invoices

- Must be submitted with all Requests for Payment.
- Must identify the date the goods and/or services were received.
- If goods are provided, the vendor must identify the item(s) quantities and unit costs.
- For services rendered, the vendor must state the time period covered by the invoice.
- For professional services (2 CFR 200.459), the vendor must identify the task, the effort (in hours), and the hourly rate.
- Beginning and ending dates should be on all services and other contractor invoices.

Invoices

- If “other” money is covering part of the invoice, identify the CDBG-CV portion and the “other” portion.

Example: City funds \$5,000

CDBG-CV funds \$8,000

Total \$13,000

- Invoices must be signed, indicating approval, by the person listed with that responsibility on the Financial Management Questionnaire.

OSRAP – Click “Vendor Information”

The screenshot displays the website for the Louisiana Division of Administration, Office of Statewide Reporting and Accounting Policy. The navigation menu includes 'DIVISION OFFICES', 'STATE EMPLOYEES', 'VENDORS', and 'RESOURCES'. The main content area features five large icons: 'VENDOR INFORMATION' (highlighted in yellow), 'ANNUAL FINANCIAL REPORT', 'ACCOUNTS RECEIVABLE', 'AGENCY INFORMATION', and 'CASH MANAGEMENT IMPROVEMENT ACT'. A sidebar on the left lists various links, and an 'ACCESSIBILITY' link is located on the right side of the page.

LOUISIANA
DIVISION OF ADMINISTRATION

DIVISION OFFICES ▾ STATE EMPLOYEES ▾ VENDORS ▾ RESOURCES ▾ Q

OFFICE OF STATEWIDE REPORTING AND ACCOUNTING
POLICY

Home / Division Offices / Office of Statewide Reporting and Accounting Policy

- Staff Directory
- AFR Packets
- Vendor Information
- Agency Information
- Statewide Cost Allocation
- Cash Management Improvement Act
- Policy and Procedures
- Annual Financial Report
- Memoranda
- Accounts Receivable

VENDOR INFORMATION

ANNUAL FINANCIAL REPORT

ACCOUNTS RECEIVABLE

AGENCY INFORMATION

CASH MANAGEMENT IMPROVEMENT ACT

ACCESSIBILITY

OFFICE OF STATEWIDE REPORTING AND ACCOUNTING POLICY

Then “Vendor Payments – LaGov”

VENDOR INFORMATION

[Home](#) / [Division Offices](#) / [Office of Statewide Reporting and Accounting Policy](#) / [Vendor Information](#)

Staff Directory	<p>The Division of Administration Office of Statewide Reporting and Accounting Policy is responsible for maintaining the statewide vendor database. The duties performed by OSRAP include the activation of new records, verification of Taxpayer Identification Numbers, verification of 1099 reporting status and maintenance of existing vendor records. The vendor database contains name, address and reporting information on the individuals and companies that provide goods and services to the state or receive state assistance payments.</p> <p>The name and address information in the vendor database may be used for the issuance of bids, purchase orders, correspondence and/or payments. A vendor cannot receive a state purchase order or a payment for goods and services issued from the state's central purchasing or accounting system without being enrolled in the state vendor database. It is imperative that the vendor informs the state of any changes that affect this information to prevent delays in the issuance of important transmissions. Failure to do so may result in misrouted payments or lost business opportunities. Vendors can see and update information by logging into the LaGov Vendor Self Service Portal.</p> <p>For a new vendor to be unblocked for purchasing and payments in the statewide vendor database, the vendor must complete a W-9 form certifying that the TIN used belongs to the individual or company. This is to ensure compliance with 1099 reporting requirements and the integrity of information in the vendor database.</p> <p>If you have done business with the State and need to verify that your information is correct or need additional assistance with your vendor record, contact the OSRAP Vendor Section at 225.342.1097 or DOA-OSRAP-LAGOV@la.gov.</p> <p>If you are interested in receiving funds via Electronic Funds Transfer, please send an email to our EFT group at DOA-OSRAP-EFT@LA.GOV. In the email, include your LaGov vendor number which starts with "31" and/or your Federal Employee Identification Number.</p> <h3>QUICK LINKS</h3> <ul style="list-style-type: none">Vendor Payments - ISISVendor Payments - LaGov
AFR Packets	
Vendor Information	
Agency Information	
Statewide Cost Allocation	
Cash Management Improvement Act	
Policy and Procedures	
Annual Financial Report	
Memoranda	
Accounts Receivable	

ACCESSIBILITY

Click on “Vendor Payment Inquiry”



User *

Password *

(Password is case sensitive)

[Vendor Payment Inquiry](#)

[System Requirements](#)

Note: Do Not Attempt to Log On

Under Date Options, enter the date range. In the Selection Criteria section, enter the **Vendor Number** for the Project and the Grantee's **EIN or Federal Employer ID #**. Click **“Execute Immediately.”**



Vendor Payment Listing

Save as Variant... Back Exit Cancel Help

Date Options


Invoice Date 01/01/2021 to 12/17/2021


Selection Criteria

Vendor Number 310112288 to  

EIN 726001761

**** Enter Vendor Number and EIN without dashes ****

Check Number to 

Document Number to 

Display

Layout

Execute

Execute Immediately

List of Payments

Vendor Payment Listing

Back Exit Cancel

Vendor	Name	Pymt Doc	EFT/Check Date	Check No	Check Amount	Cleared Date	Status
310112288	CITY OF WESTLAKE	2000807904	08/31/2021	ACH	134,024.81	09/01/2021	CLEA...
	CITY OF WESTLAKE	2000826467	10/05/2021	ACH	68,596.77	10/06/2021	CLEA...
	CITY OF WESTLAKE	2000851087	11/09/2021	ACH	8,947.71	11/10/2021	CLEA...

Double click on any line for Additional Detail

Details ✕

0310112288 CITY OF WESTLAKE 2000851087 Check No: ACH 8947.71

Payee Remittance Address		
P.O BOX 700	WESTLAKE	LA

Document Number:	5101465022	Invoice Gross	
Business Area:	107 DIVISION OF ADMINISTRATION	Telephone:	225-342-0700
Vendor Invoice #:	2055277611	Comments:	CDBG 2000552776
Line Amount:			8947.71

Another Example

Vendor Payment Listing

Back Exit Cancel

Vendor	Name	Pymt Doc	EFT/Check Date	Check No	Check Amount	Cleared Date	Status
310091978	CITY OF KAPLAN	2000735039	04/13/2021	0000000567214	28,322.00	04/20/2021	CLEA...
	CITY OF KAPLAN	2000800155	08/19/2021	ACH	817,743.59	08/20/2021	CLEA...
	CITY OF KAPLAN	2000812513	09/14/2021	ACH	19,959.50	09/15/2021	CLEA...
	CITY OF KAPLAN	2000858242	11/19/2021	ACH	1,332.17	11/22/2021	CLEA...
	CITY OF KAPLAN	2000873184	12/14/2021	ACH	58,385.20	12/15/2021	CLEA...

Additional Detail

Details ✕

0310091978 CITY OF KAPLAN 2000858242 Check No: ACH 1332.17

Payee Remittance Address			
701 N CUSHING AVE	KAPLAN		LA

Document Number:	1900807082	Vendor Invoice	
Business Area:	111 HOMELAND SECURITY & EMERG PREP	Telephone:	225-925-7500
Vendor Invoice #:	NEU# 8	Comments:	NEU Approval #5
Line Amount:			1332.17

Receipt of Requested Funds

- If the RFP is **processed** by Thursday afternoon, the money should be in the CDBG-CV account the following Wednesday.
- When expecting CDBG-CV funds, monitor the CDBG-CV account closely to see if funds were deposited.
- **3-Day Rule:** Vendors must be paid within 3 business days of funds being deposited.

Program Income

24 CFR 570.489(e) & 24CFR 570.504

- Gross Income that is generated by the use of CDBG-CV funds.
 - For example: Fees or rent charged for use of a facility, or interest earned on CDBG-CV funds incorrectly deposited into an interest bearing account.
- Any program income earned as a result of the CDBG-CV Program must be submitted to the State.
- **Annual reporting to the OCD-LGA of revenue and expenditures for each facility is required.**

Sample Annual Reporting - Love Louisiana Outdoors Program

<i>(LLOP Facility Name here)</i>	Annual Budget
<u>Revenue</u>	
Entrance Fees	
Other Use Fees	
Total Revenue	\$ -
<u>Operating Expenses</u>	
Lease	
Advertising	
Insurance	
Supplies	
Maintenance & Repairs	
Utilities	
Payroll	
Total Expenses	\$ -
*Net Income (Loss)	\$ -
<i>*Income generated in excess of expenses must be returned to the State.</i>	
Current Owner	
Responsible Entity	
<i>(Signature of Chief Elected Official)</i>	
Typed Name/Title	Date



Monitoring

- For monitoring purposes – we need current & accurate financial records including:
 - Chart of Accounts for either a Special Revenue Fund or Capital Projects Fund
 - General Ledger (Including All Transactional Detail by Account)
 - Statement of Revenues, Expenditures and Changes in Fund Balances
 - Balance Sheet
 - All Bank Statements within timeframe of CDBG-CV Account Activity – from award through closeout – and copies of all Checks.
 - Documentation of current bonding or other insurance for individuals signing checks.

Frequent Findings or Concerns

- Unauthorized individuals performing financial functions.
- Not providing documentation of current bonding or fidelity insurance for persons signing checks.
- Using a clearing account without written permission.
- Using a separate CDBG-CV bank account for deposits, but not for disbursements.
- Depositing “other” funds in CDBG-CV account, not related to the same or other LCDBG projects.
- Using an interest bearing account.
- Violating the 3-day rule.
- Not reporting CDBG-CV revenue and expenditures separately and clearly in year-end audited financial statements.
- Not ensuring timely submission of audits to the Louisiana Legislative Auditor.



Call In or Email Questions To:

Email: Janelle Dickey at Janelle.dickey@la.gov

Phone: (225) 342-7412





Civil Rights

Presented by:

Denease McGee





Section 3 (HUD Act of 1968)

- ▶ Purpose to ensure economic opportunities for lower income residents and businesses in the area.
- ▶ Notify Section 3 residents of employment and training opportunities.
- ▶ Notify contractors of Section 3 requirements at the pre-construction conference (discussing both employees and subs).



Section 3 (Part 75) Changes

- ▶ Section 3 applies when amount of HUD assistance >\$200,000.00.
- ▶ Section 3 does not apply to administrative/professional entities.
- ▶ Section 3 reporting is based on hours worked on the project, not new hires.
- ▶ New forms included in the construction contract/bid documents.
- ▶ New text for the “Section 3 Compliance in the Provision of Training, Employment and Business Opportunities.”
- ▶ Section 3 Utilization Report from all primes and subs required to pay retainage.

Goals of Section 3

- ▶ **Section 3 worker** means:
 - ▶ (I) Any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:
 - ▶ (i) The worker's income for the previous or annualized calendar year is below the income limit established by HUD.
 - ▶ (ii) The worker is employed by a Section 3 business concern.
 - ▶ (iii) The worker is a YouthBuild participant.
 - ▶ **Targeted Section 3 worker** means any worker who is employed by a Section 3 business concern; a worker who currently fits or when hired in the past 5 years were living within one mile of the service area or neighborhood of the project; or YouthBuild participants.
- ▶ 25% of total hours to Section 3 workers.
- ▶ 5% of total hours to Targeted Section 3 workers.

Goals of Section 3 (cont'd)

- ▶ **Section 3 business concern** means:
- ▶ (I) A business concern meeting at least one of the following criteria, documented within the last six-month period:
 - ▶ (i) It is at least 51 percent owned and controlled by low- or very low-income persons;
 - ▶ (ii) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
 - ▶ (iii) It is a business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.
- ▶ 10 % of total \$ amount of all section 3 covered construction should be section 3 businesses.



Goals of Section 3 (cont'd)

- ▶ **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.
- ▶ <https://portalapps.hud.gov/Sec3BusReg/BRegistry/SearchBusiness>



Goals of Section 3 (cont'd)

- ▶ “New Hires” no longer tracked.
- ▶ Total Hours by Section 3 workers will be tracked.
- ▶ Monitoring and Compliance moved from HUD’s Fair Housing and Equal Opportunity (FHEO) office to the local field office.

Section 3 Utilization Report (due with clear lien to pay retainage and included with closeout documents)

SECTION 3 UTILIZATION REPORT

(To be Completed by the prime contractor(s) and include data for all subs for all Projects at or Exceeding \$200,000)

A. SECTION 3 EMPLOYEE LABOR INFORMATION

- a) Name of CDBG Grantee: _____
- b) Name of Project: _____
- c) CDBG Project Number: _____ Wage Decision Number: _____
- d) Total number of Labor Hours on the project _____
- e) Total number of Section 3 Labor Hours on the project _____ = _____ % of total labor hours.
- f) Total number of Targeted Section 3 Labor Hours on the project _____ = _____ % of total labor hours.
- g) Number of Section 3 Employees Utilized on Project by Prime Contractor: _____
- h) Number of Section 3 Employees Utilized on Project by Subcontractors: _____
- i) Total Number of Section 3 Employees Utilized on Project: _____
- j) Names of all sub-contractors _____

B. CERTIFICATION OF PRIME CONTRACTOR

As officer and representative of: _____
Name of Prime Contractor

Address: _____

Telephone Number: _____

On behalf of the Company, I hereby certify that the above information is true and accurate and is reported fully as required by the Section 3 Plan as part of the contract for this CDBG assisted construction project. It is further understood that final payment from the State of Louisiana CDBG Program for this project cannot be made until this Report is submitted to the CDBG Grantee or authorized designee.

Name and Title of Authorized Representative (print or type)

Signature of Authorized Representative

Date

Certification

- Normal advertising is no longer enough.
- **Good Faith Effort (Section A)**
- Keep a file showing attempts as to why goals were not met.
- Grantees must certify residents and businesses and keep on file. Checked at monitoring.
- **“Resident Employee Opportunity Data” and “Certification For Business Concerns Seeking Section 3 Preference (Exhibits A)**
- Utilization Report due when retainage is paid and at closeout.
- Complaints made directly to local HUD Field Office. These offices can be found @ www.hud.gov.

If it's not in writing, it didn't happen.



Limited English Proficiency (LEP)


- ▶ Required to complete and adopt a Language Access Plan (LAP) for LEP persons within 1 year of the AIC.
- ▶ Must be reviewed and updated annually.
- ▶ Four Factor Analysis
- ▶ FAQ's can be found at:
 - ▶ https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opportunity/promotingfh/lep-faq
 - ▶ <http://www.lep.gov>

LEP (Continued)

- ▶ Use Census.gov for statistics (S-1601), not American FactFinder. (Do a web search for “census.gov S-1601 language spoken at home”). The Handbook has a link to the table. You will have to change the parameters for your Parish/Village/Town/City.
- ▶ Translation Requirements (Vital Documents):
 - ▶ 1,000 or more LEP persons (translate)
 - ▶ More than 5% & more than 50 in number (translate)
 - ▶ More than 5% & 50 or less (translated written notice of right to receive free oral interpretation of documents).
 - ▶ 5% or less & less than 1,000 (no written translation required)



LEP (Continued)

- ▶ Google Translate can be a helpful tool.
 - ▶ An example of OCD-LGA's LAP is available in the "Exhibits A" Section of the Handbook.
- 



Section 504

- ▶ Section 504 of the Rehabilitation Act of 1973
 - ▶ Requires grantee to comply with non-discrimination based on handicap status in federally assisted programs and activities of the Dept of Housing and Urban Development
 - ▶ Objective: No qualified individual with handicaps shall, solely on the basis of handicap, be excluded for participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity.



Minimum 504 Requirements


- ▶ 504 Assurance to OCD-LGA (**Exhibits A**)—part of requirement to clear contact conditions. Both Sections should be completed if 15 or more employees.
- ▶ Self Evaluation of current policies and practices in the areas of communication, employment and program/physical accessibility.
- ▶ Maintain Data showing individuals that are beneficiaries of a program
- ▶ Have a functioning TDD or LA Relay System (**Section A**). Number must be advertised in paper **within 6 months of the AIC letter** and operate 24 hours if you have emergency service.

Minimum 504 Requirements (cont)

- ▶ Grantees with 15 or more employees
 - ▶ Designate 504 coordinator
 - ▶ Prepare and adopt grievance procedure of any complaints and keep records on file of grievance and resolution.
 - ▶ Place notice in Town Hall or publish in the newspaper that the grantee does not discriminate on basis of handicap within 90 days of the receipt of the executed grant agreement (check Section A, for current language).
 - ▶ Identify the 504 coordinator in the posting.
 - ▶ Maintain in file for monitoring.



Self-Evaluation

- ▶ Evaluate current policies
 - ▶ Modify policies that don't meet requirements
 - ▶ Take steps to remedy discrimination revealed in the evaluation
 - ▶ Areas covered: Building or facilities for physical access, program and services accessibility, communications and employment (includes pre-employment)
 - ▶ **IF YOU ACQUIRED A BUILDING BUILT PRIOR 1988, YOU MUST COMPLETE AN EVALUATION OF THAT BUILDING.**
- 



Summary of Previous Actions Taken

- ▶ For prior grantees who have completed self-evaluations and whose transition plans have expired should complete Summary of Previous Actions Taken (**Exhibits A**).
- ▶ Summary of past plans, deficiencies found and corrected
- ▶ Must do a complete self-evaluation if you don't have a complete summary.



Fair Housing

- ▶ Fair Housing Law (Title VIII of Civil Rights Act)
 - ▶ “No person shall be subjected to discrimination because of race, color, religion, sex, handicap, familial status, or national origin in the sale, rental or advertising of dwellings, in the provision of brokerage services, or in the availability of residential real estate related transactions.” (24 CFR 100.5)
 - ▶ Action does not have to be intentional to be a violation
 - ▶ Some examples of what is prohibited and examples of discrimination

Requirements of Grantee

I. Affirmatively Affirming Fair Housing

- ▶ At least one **additional** Fair Housing Activity during the grant period (**Exhibits A**). Ex. fair housing notices by grantee (at town hall or where utility bills are paid), seminars for public (have in evenings when people can attend) and landlords, rental agents, real estate brokers, lenders, etc. **Posting the Flyer in City Hall/Courthouse is no longer enough.**
- ▶ Maintain documentation of that activity for file and monitoring.
- ▶ Submit housing complaints to HUD or LDOJ (**Exhibits A**). Make sure your citizens are aware of this information.



Requirements of Grantee (cont.)

2. Fair Housing Assessment (**Exhibits A**)
 - Consider Impediments
 - Fair Housing Choice (everyone must have available to them the same housing choices.)
 - Grantee should be involved in preparing even if consultant prepares the form. You know your area best. Both preparer and chief elected official must sign the document.

Fair Housing Assessment

- ▶ Part I
 - ▶ Housing Profile
 - ▶ Rental Units
 - ▶ Public Housing
 - ▶ Mortgage Lending
 - ▶ Real Estate Brokers
 - ▶ Zoning Ordinances
 - ▶ Building Codes




Fair Housing Assessment (cont.)

- ▶ Part II

- ▶ Review of Fair Housing Practices should be researched by using available resources
- ▶ Look at loan applications
- ▶ Loan approval procedures
- ▶ Advertising
- ▶ Appraisals
- ▶ Degree of segregation




Part III

- ▶ Should only be marked “N/A” if the same category is marked “N/A” in Part II.
 - ▶ Assessment should be signed by both the preparer and the Chief Elected Official.
- 



Fair Housing Assurance (Exhibits A)

- ▶ Grantee assures OCD-LGA that there have been no findings made by, or open complaints with the HUD Fair Housing and Equal Opportunity (FHEO) Office or the Louisiana Attorney General.
 - ▶ Grantee will notify OCD-LGA at any time during the grant if a complaint is filed.
- 



MBE/WBE

- Place in your advertisement.
- http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm
- Minority report is due in October (email forthcoming to grantees and consultants in September).
- Report only new contracts that were awarded between 10/1—9/30 each year and paid for with CDBG Funds.



Equal Employment Opportunity

- ▶ Must follow EEO guidelines, post posters and include language in advertisement for bids.
- ▶ Local government should develop employment policies which include nondiscrimination clauses.
- ▶ **ADDITIONALLY EEO GUIDELINES MUST BE FOLLOWED. DISPLAY IN GRANTEE'S OFFICE AND PRINT ON LETTERHEAD.**
- ▶ Grantees must maintain employment data. **Workforce Analysis (Exhibits A) or HUD Form EEO-4**



Procurement

Presented by:

Kristie Galy



Procurement Policy

- ▶ All grantees must have an adopted Procurement policy that is equivalent to requirements in 2 CFR 200.318-200.326.
 - ▶ Follow the adopted policy.
 - ▶ Maintain all files related to each procurement separately.
- ▶ If federal funds are to be used to pay for professional services, then the applicant must follow 2 CFR Part 200 requirements during the procurement process.

Procurement Policy

LCDBG Procurement Procedures

- ▶ Procurement Policy Outline is on our website
- ▶ Remember:
 - ▶ Persons or firms that “... develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals **must be excluded** from competing for such procurements.” 2 CFR 200.319(a)



Procurement Requirements

- (i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: **Rationale** for the method of procurement, selection of **contract type**, contractor **selection or rejection**, and the **basis for the contract price**.



Procurement Requirements

- ▶ Rationale for the **method** of procurement.
 - Micro-purchases
 - Small purchase
 - Sealed bids
 - and Competitive Proposals
 - Selection for Micro-purchases, small purchases, and sealed bids are based on price.
 - Selection based on qualitative/technical factors and Price/Cost



Procurement Requirements

- ▶ **Contract Type**

- ▶ Firm Fixed Price
- ▶ Cost Reimbursement
- ▶ Time and materials




Procurement Requirements

- ▶ Basis for the contract **price(s)**
 - ▶ Lump sum Price
 - ▶ Unit price
 - ▶ Billable hours
 - ▶ Reimbursable costs



Other LCDBG Procurement Procedures

- ▶ Procurement of professional services (administrative consulting and engineering services) is required prior to submittal of application.
 - ▶ Grantees are not allowed to terminate these services without permission from OCD-LGA if using grant funds to pay for these services.
- 




Contractor Clearances


Administrative consulting, architectural, and engineering firms that have not provided services to grantees under the LCDBG Program within the previous five program years, regardless of the source of funding, must be cleared. (Exhibit A-34)

Should be obtained following grant award and before any costs are incurred other than pre-agreement costs.



Recordkeeping for Procurement

- ▶ Copy of Advertisements
 - ▶ Copy of package requesting RFPs or qualification statements
 - ▶ Description of method for conducting technical evaluations used to select consultants
 - ▶ Copies of proposals and qualification statements received
 - ▶ Written evaluations and statement explaining basis of selection
 - ▶ Basis for cost reasonableness
 - ▶ Clearance of firms, if necessary
- 



Procurement of materials, supplies and construction services

- ▶ Micro-Purchase – Up to \$10,000
- ▶ Small Purchase – Materials and supplies less than \$30,000 and construction
- ▶ Competitive Sealed Bids – Materials and supplies \$30,000 and up as well as construction services. Must receive two bids. If not, contact OCD-LGA.



Procurement of materials, supplies and construction services

- ▶ Noncompetitive Negotiation – inadequate competition, only used with written approval from OCD-LGA
- ▶ Please contact our office to discuss a non-competitive procurement

Advertisement for Sealed Bids

Must be published once a week for three different weeks in a newspaper in the locality.

First advertisement must appear at least 25 days before opening of bids and must not occur on a Saturday, Sunday or legal holiday.



Advertisement for Sealed Bids

RS 38: §2212

“E.(1) Public entities shall provide, as an additional bidding option, a uniform and secure electronic interactive system for the submittal of bids for public works”

Parish governments with populations >20,000

Municipalities with population >10,000

Advertisement for Sealed Bids



F.Y. 2012-2013 LCDBG/USDA-RD, Project II - Water Distribution System (South/Southeast of the Town of Gueydan (Lougou Addition Area))

[Louisiana](#) > [Vermilion Parish Police Jury](#)

Solicitation: **34747801**

Listing Information/Advertisement

The work shall consist of furnishing and installing approximately 12,370' of 3" PVC water main, 32,075' of 4" PVC water main, 7,840' of 6" PVC water main, 14,950' of 8" PVC water main; eight (8) PE directional bores; eighteen (18) fire hydrants (4" and 6") at various depths; eleven (11) 2" above-ground flushing risers; 5,905' of PE service tubing (3/4" - 2"); 166 Type "A" service connections (3/4" - 2"); 63 house-to-meter service connections (3/4" - 1"), and associated appurtenances.

S&A File #8113-04

Additional Notes/Requirements

Bids must be submitted on the bid form provided in the specifications. Information must be printed, hand entered, scanned, and attached as a document to submit an online bid for this project. To submit a bid bond electronically, front and back of bid bond must be scanned and submitted as a separate attachment to the online bid.



BID SUBMITTAL INFORMATION

Creator Username: [vermilionppj](#)

Bidding Privacy: Bid encryption

Started: 28-Feb-2014 12:00:00 AM

Ends: 26-Mar-2014 10:00:00 AM (Expired)

History: 1053 Views

Event Status: Expired since 26-Mar-2014 10:00:00 AM

Sign-In to Bid

Username:

Password:

Login

Actions:

Visitors:

[Visitors/Central Bidding Plan Holders](#)



Bid/Contract Documents and Bid Opening

- ▶ OCD-LGA must receive a copy of all addenda.
- ▶ Contract Documents Guide Exhibit A-39.
- ▶ Suggested that bid package is reviewed in its entirety by legal counsel.
- ▶ Must maintain copy of minutes of bid opening, roster of attendees, and tabulation of bids.
- ▶ Award or Rejection must be taken within 45 days.
- ▶ May extend deadline to take action by written mutual consent in 30 calendar day increments.

Important Bid Law Dates

				Max Days
Start	Day	1	First Advertisement appears	
<i>between</i>	Days	8-14	Second Advertisement appears	
<i>between</i>	Days	15-21	Third Advertisement appears	
Latest	Day	22	Latest date to issue addenda	
Earliest	Day	25	Bid Opening	
Earliest	Day	32	Bid Opening if addenda after day 22	
Latest	Day	46	Bid opening if addenda after day 22	
Latest	Day	70	Award or Reject Bids	45
Latest	Day	85-130	Execute Contract for bid award	60
Latest	Day	115-160	Issue Notice to Proceed	30

Important Bid Law Dates addenda

				Max Days
Start	Day	1	First Advertisement appears	
<i>between</i>	Days	8-14	Second Advertisement appears	
<i>between</i>	Days	15-21	Third Advertisement appears	
Latest	Day	22	Latest date to issue addenda	
Earliest	Day	25	Bid Opening	
Earliest	Day	32	Bid Opening if addenda after day 22	7
Latest	Day	46	Bid opening if addenda after day 22	21
Latest	Day	70	Award or Reject Bids	45
Latest	Day	85-130	Execute Contract for bid award	60
Latest	Day	115-160	Issue Notice to Proceed	30


Procedures for when bids exceed cost estimates

- Contact OCD-LGA engineer Jeff Tessier to discuss options.
- Reject all bids
- Reallocate funds
- Inject local funds
- Award to low bidder and execute change order to bring cost down.

Must get approval from OCD-LGA to make changes to the plans, execute change orders, or reallocate funds.



Next Steps...

- ▶ Award Contract
 - ▶ Execute contract and all required documents
 - ▶ Hold pre-construction conference
 - ▶ Issue notice to proceed
 - ▶ Process any needed change orders correctly
- 



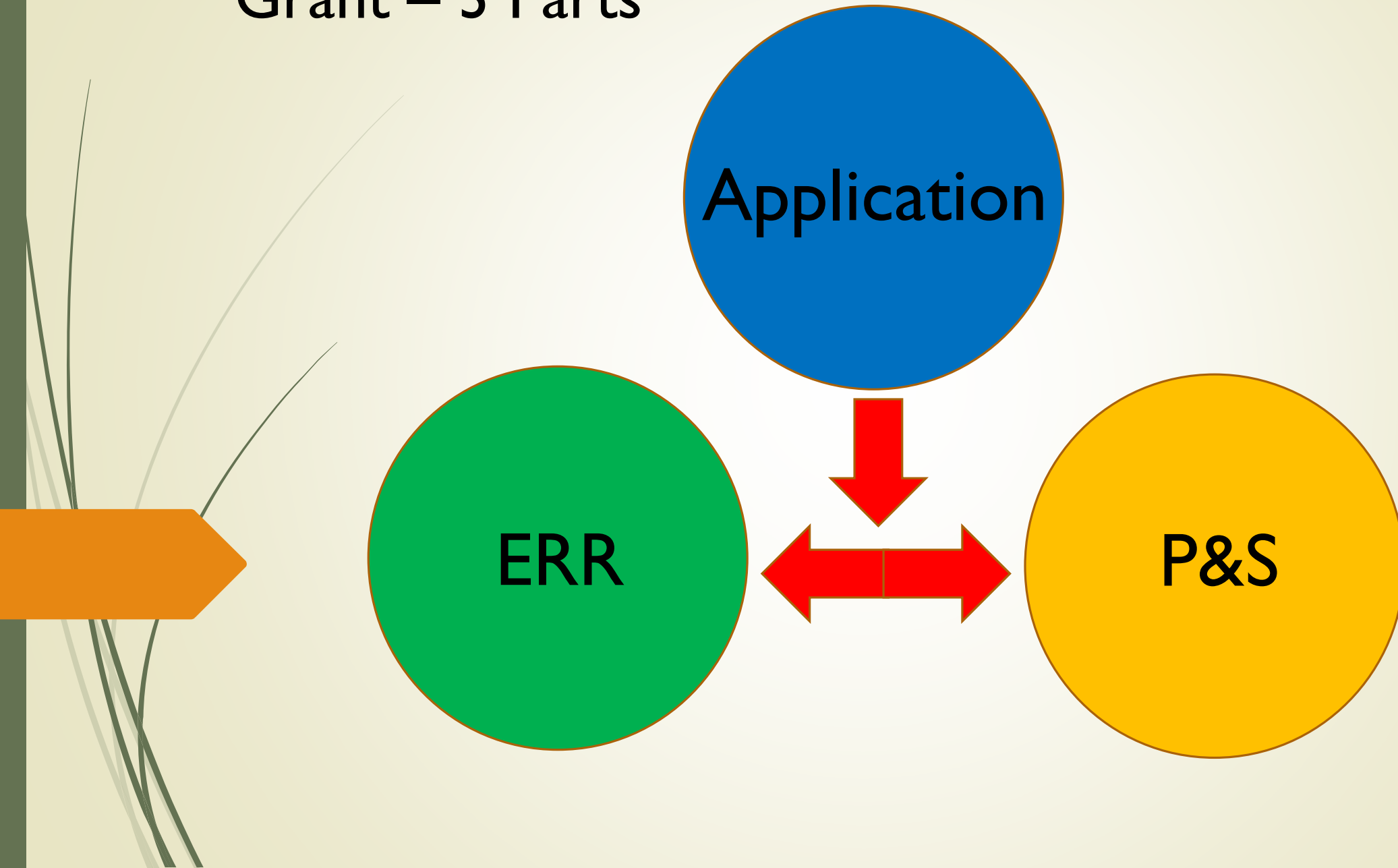
Engineering

Presented by:

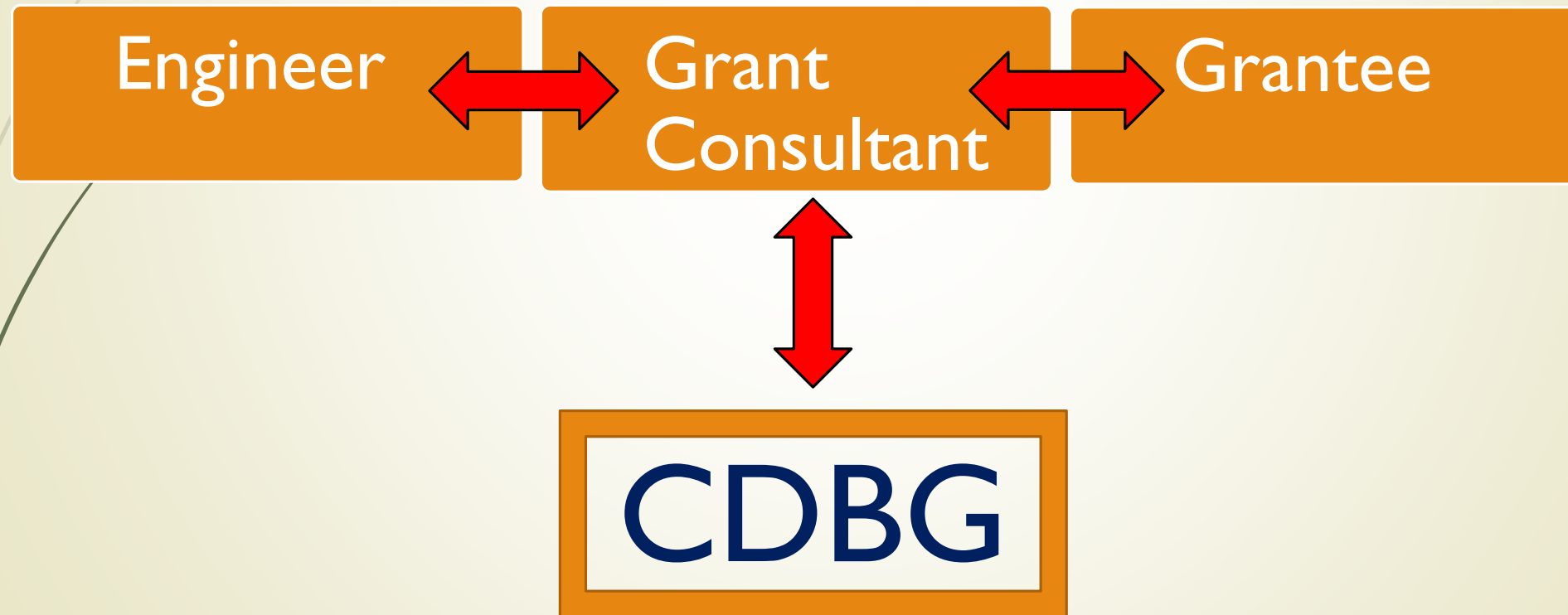
Jeff Tessier

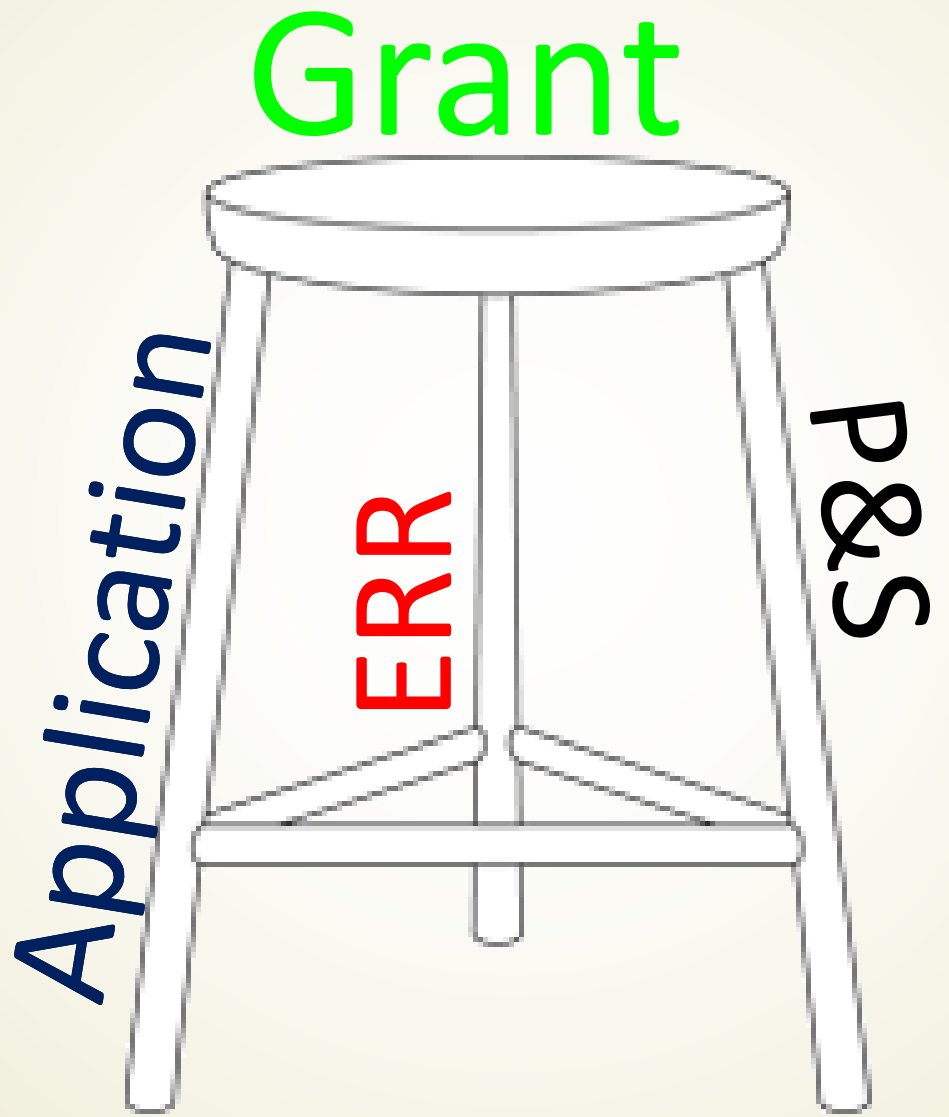


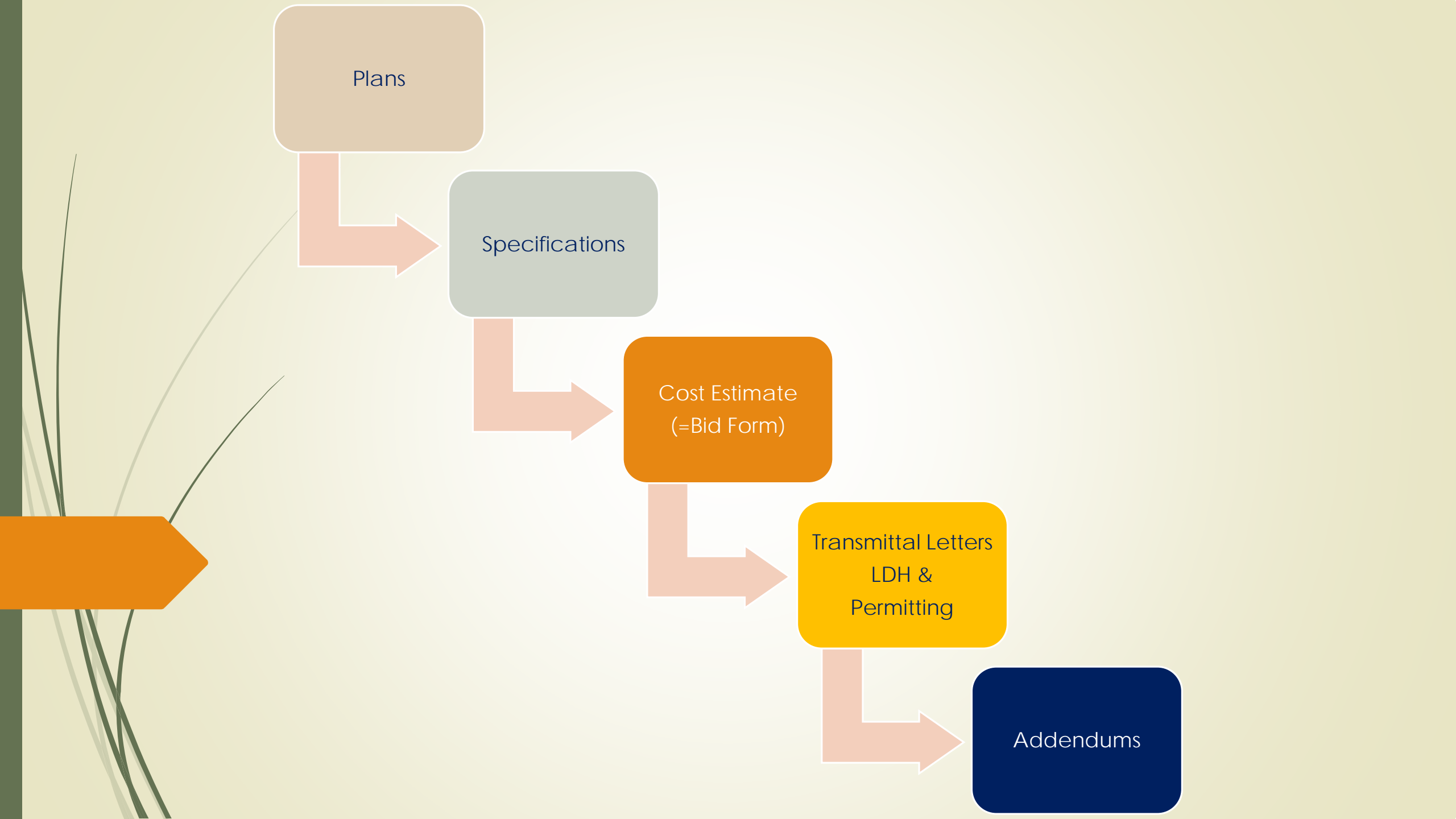
Grant – 3 Parts



Communication!







Change Order

Math

Reasons

Signatures

The engineer & the contractor sign and date the C.O.

Submit the C.O. to me by email or mail. I approve it and email it back to you, this is for your records.

Get the Mayor or Parish President to approve and date the Change Order. You keep and distribute as many copies as you need.

Submit to LCDBG one copy with the engineers, contractors and Mayor or Parish President signatures.



Change Orders

Addendums


RPR Certifications

*Anything Time Sensitive



Plans and Specs and
Revisions

* Large Attachments



For those new to the Community Development Block Grant (CDBG) program.

We require a Resident Project Representative (RPR) for the project.

We also need to qualify the Resident Project Representative.

To qualify a Resident Project Representative, submit the certification form and resume of the RPR.

If you have worked with CDBG before and have qualified your RPR then you do not need to do anything.

When the grant is monitored, the monitoring team will check to see that the whoever is signing the inspection reports is a qualified RPR.

QUALIFICATION CERTIFICATION FOR RESIDENT PROJECT REPRESENTATIVE

**QUALIFICATION CERTIFICATION
FOR
RESIDENT PROJECT REPRESENTATIVE**
LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(To be filled out by the Architect/Engineer – if more than one Resident Project Representative is seeking to be qualified per Engineering Firm, fill out one Qualification Certification for each)

NOTE: This Qualification Certification and a copy of the Resident Project Representative's current resume showing qualifications and work history must be submitted to the Office of Community Development and approval granted before construction begins.

Architect/Engineering Firm: _____

Name of Resident Project Representative: _____

******* CERTIFICATION *******

This is to certify that the person listed above has the qualifications and abilities to perform the appropriate duties and responsibilities of the Resident Project Representative on the proposed LCDBG funded construction project. This individual understands the duties, responsibilities, and authority of the Resident Project Representative; has a good working knowledge of the types of construction materials and practices for this particular project; and will be under my direct supervision for the duration of the construction of the project.

(For State Use Only)

APPROVED

CDBG

Signature of Architect/Engineer

Typed or printed name

Date



Environmental Review

Presented by:

Fenishia Favorite



Federal Requirements

- ▶ 24 CFR Part 58
- ▶ Each LCDBG (Louisiana Community Development Block Grant) Program participant must implement their program in compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable federal environmental laws.
- ▶ For all projects, especially economic development projects, particular attention must be given to 24 CFR Part 58.32 – Project Aggregation.



Program Requirements

- ▶ All contract conditions must be cleared within **four** months of the date of the Authorization to Incur Costs letter.
- ▶ The Environmental Review Record (ERR) should be received by the State within **three** months of this date to ensure sufficient time for review.
- ▶ The grantee's Chief Elected Official (CEO) will assume overall responsibility for the environmental review process.
- ▶ The CEO must sign all certifications and findings.

Environmental Review Clearance Levels

- ▶ Exempt
 - ▶ Environmental studies, project planning, and administrative costs
- ▶ Categorically Excluded Not Subject to 58.5 – 58.35 (b)
 - ▶ Operating costs and equipment
- ▶ Categorically Excluded Activities Subject to 58.5 – 58.35 (a)
 - ▶ Acquisition, repair, and improvements (less than 20%)
- ▶ Activities Requiring an Environmental Assessment 58.36
 - ▶ New construction and substantial improvements (more than 20%)
- ▶ Environmental Impact Statement – 58.37
 - ▶ Significant impact on environment

Activities Requiring an Environmental Assessment – 58.36

▶ Comment Periods - Combined Notice

	Publication	Posted
"Combined Notice" Date	06/04/xx (15 days)	06/04/xx (18 days)
Date of "Request for Release of Funds and Certification"	06/20/xx	06/23/xx
Date ERR and request for funds mailed to State	06/20/xx	06/23/xx
ERR received by State	06/22/xx	06/25/xx
State's 15-day Public Comment Period	06/23/xx to 07/07/xx	06/26/xx to 07/10/xx

Categorical Exclusions Subject To 58.5 – 58.35 (a)

▶ Comment Periods - Notice of Intent to Request Release of Funds

	Publication	Posted
Notice of Intent Date	06/04/XX (7 days)	06/04/xx (10 days)
Date of "Request for Release of Funds and Certification"	06/12/xx	06/15/xx
Date ERR and request for funds mailed to State	06/12/xx	06/15/xx
ERR received by State	06/14/xx	06/17/xx
State's 15-day Public Comment Period	06/15/xx to 06/29/xx	06/18/xx to 07/02/xx

ERR Clearance

- ▶ All required permits, site assessments, remediation efforts, mitigation measures, and the Eight-Step Process must be included in the notices.
- ▶ The Request for Release of Funds must be signed by the CEO after the end of the local public comment period.
- ▶ All activities must be environmentally cleared including those funded by private funds.
- ▶ Until the State has approved the recipient's Request for Release of Funds, neither a grantee nor any participant, including public or private non-profit or for-profit entities or any of their contractors, may commit LCDBG/HUD funds or private funds or undertake an activity or project. **(24 CFR Part 58.22)**
- ▶ This regulation is triggered when the grantee's application is submitted to the State.



Revised Environmental Review Records

- ▶ If the project site/location or scope of work changes after clearance, then the ERR **must be amended**.
- ▶ All compliance areas must be reconsidered and all relevant agencies contacted.
- ▶ OCD-LGA will review all changes once submitted and issue a new clearance.
- ▶ For Environmental Assessment projects:
 - ▶ No change in determinations - only have to submit revised ERR.
 - ▶ Change in determinations or new activity or location added – post/publish new FONSI notice.

Common Errors

- ▶ Not including all of the required maps or not including enough information on the maps.
- ▶ Not including whether or not the project is site specific or not listing all proposed activities in the Project Description.
- ▶ Not following requests from tribes.
- ▶ Not signing and dating forms that require signatures.
- ▶ Not discussing alternatives in the Eight-Step Process.
- ▶ Request for Release of Funds not one page.
- ▶ Missing documentation to support determinations.
- ▶ Not making sure that the Statutory Worksheet and Checklist match (e.g., dates, names, etc.) and that all relevant information is included in the Statutory Checklist.

Make sure you review the entire ERR before turning it in! This will minimize errors.



Questions??

- ▶ Please contact Fenishia Favorite

Fenishia.favorite@la.gov

225-342-5884

- ▶ Staff that Review Environmental Review Records:

- ▶ Layla Argrave, Denease McGee, and Michelle Samuel



Labor Standards

Presented by:

Layla Argrave



Five Regulation/Requirements

- ▶ Davis Bacon
 - ▶ DBA and DBRA – prevailing wages
- ▶ Copeland
 - ▶ payrolls, Statements of Compliance, deductions
- ▶ CWHSSA
 - ▶ overtime (time-and-a-half)
- ▶ Louisiana law (as opposed to federal law)
 - ▶ if state law is more stringent, state law governs
- ▶ LCDBG program requirements

What is Davis Bacon?

- ▶ Davis-Bacon Act vs. Davis-Bacon Related Acts
 - ▶ federal law
- ▶ covering minimum payments to laborers and mechanics for work done on most LCDBG projects.
- ▶ designed to prevent out of area contractors from underbidding local contractors.
- ▶ covers federally-funded contracts
 - ▶ over \$2000
- ▶ “prevailing wages”
 - ▶ contractors must meet, at minimum, wage requirements set forth in the wage decision.


Wage Decision

	Rates	Fringes
CARPENTER (all other work).....	\$ 12.81	0.00
Cement Mason/Concrete Finisher....	\$ 13.77	0.00
Laborers		
Common.....	\$ 8.20	0.00
Pipelayer.....	\$ 9.45	0.00
Power Equipment Operators		
Backhoe/Excavator.....	\$ 13.01	0.00
Bulldozer.....	\$ 13.83	0.00
Crane.....	\$ 16.62	3.28
Dragline.....	\$ 15.16	0.00
Front End Loader.....	\$ 11.50	0.00
Motor Grader/Blade.....	\$ 11.75	0.00
Oiler.....	\$ 8.59	2.50
Trackhoe.....	\$ 12.64	0.00
Water Well Driller.....	\$ 11.91	2.44
Winch.....	\$ 11.38	0.00
Truck Driver, Dump.....	\$ 10.25	0.00

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.



What is Copeland?

- ▶ Copeland Anti-kickback Act
 - ▶ federal law
 - ▶ outlaws paying the employer kickbacks
 - ▶ requires weekly payrolls
 - ▶ with Statements of Compliance
 - ▶ requires permission for pay deductions not required by law
 - ▶ authorization form (section B)
- 

What Is CWHSSA?

- ▶ Contract Work Hours and Safety Standards Act
- ▶ federal law that requires time and a half pay for any hours worked in excess of 40 during a work-week
 - has liquidated damages of \$27 per person per day for any hours in excess of 40 in a given workweek (no longer \$10/\$25/\$26)
 - ▶ In addition to restitution paid to worker
- ▶ two methods to address the liquidated damages penalties:
 - ▶ **contractor requests a waiver from HUD → 😊**
 - ▶ **contractor pays HUD by wire transfer → ☹️**

Examine Labor Exhibits (Section B)

- ▶ Wage Decision
- ▶ Verification of Wage Decision and Contractor Eligibility
- ▶ Notice of Contract Award
- ▶ Report of Additional Classification and Rate
- ▶ Record of Employee Interview Form
- ▶ Payroll Form & Statement of Compliance (HUD WH-347)
- ▶ Payroll Review Flow Chart
- ▶ Payroll Deduction Authorization
- ▶ Notice of Restitution Due



Verification Of Wage Decision & Contractor Eligibility Form

- ▶ Unique Entity ID (UEI)#'s for all known subs.
- ▶ must receive proof of active UEI#'s prior to subcontractor beginning work.
- ▶ if a subcontractor is later added, that subcontractor's UEI# must be active prior to that sub beginning work.
- ▶ OCD-LGA must be notified of the "new" sub.

Verification Of Wage Decision & Contractor Eligibility Form

Verification of Wage Decision(s) & Contractor Eligibility Please Note: Verifications must be obtained prior to award of contract		
1.	Grantee Name	
2.	LCDBG Contract Number	
3.	Parish	
4.	Bid Opening Date	
5.	Description of work covered by the bid package	
<ul style="list-style-type: none"> • Identification of wage decision(s) made part of the bid package whether by initial inclusion in bid document or by addendum. Example: LA 08 0014, Mod 0, 2/8/08 		
6.	Decision Number(s)	
7.	Modification Number(s)	
8.	Issue Date(s)	
<ul style="list-style-type: none"> • Identification of the prime contractor and principals of the firm. 		
9.	Prime Contractor Name	
10.	Address	
11.	City	
12.	State	
13.	Zip Code	
14.	Contractor Phone Number	
15.	Unique Entity ID (UEI) Number	
16.	Enter the name of each principal below	Enter the title of each principal
17.		
18.		
19.		
20.	Anticipated Number of Subcontractors:	UEI Number of Subcontractor(s)
21.		
22.		
23.	Grantee's Labor Compliance Officer (Signature or name)	
24.	Upon verification send to: (email address or fax #)	
25.	Date of this request	
<ul style="list-style-type: none"> • State Use Only: Initials & dates below indicate verification by OCD 		
26.	Wage decision(s) above verified by (Signature, date) (Valid only if awarded within 90 days of bid opening)	
27.	Prime contractor's eligibility verified (Signature, date)	
28.	Verification is hereby sent to (Name of Person)	

Chronological Steps

1. Obtain a wage decision
2. Prepare bid documents
3. Advertise for bids
4. Ten day responsibility (10dc no longer required)
5. Bid opening
6. Verification of contractor eligibility (**Revised to Include Subs**)
7. Award contract
8. Notice of contract award
9. Preconstruction conference (**Required**)
10. Additional classifications

17 Chronological Steps (cont'd)

11. Employee interviews
12. Examinations of payrolls (**must stay current to ensure compliance of contractors before they leave the site**)
13. Corrective actions (if applicable) such as restitution and liquidated damages
14. Labor Standards Enforcement Report
15. Monitoring by OCD-LGA staff
16. Corrective action to address findings of deficiency
17. Final Wage Compliance Report

Finding a current wage decision

The screenshot displays the SAM.GOV website's Wage Determinations section. At the top, there are two alert boxes: 'Entity Validation Ticket Processing Delays' dated Apr 7, 2022, and 'Planned Maintenance Schedule' dated Apr 3, 2022. Below the alerts is the SAM.GOV logo and a 'Sign In' button. The main navigation menu includes 'Home', 'Search', 'Data Bank', 'Data Services', and 'Help'. The 'Wage Determinations' section features a 'Legacy Website' badge and a brief definition of a wage determination. The primary content area is titled 'Help me find a wage determination' and offers two search paths: 'I know the WD number' with a search input field (placeholder: 'e.g. DBA or SCA Identifier') and a 'Show active only' checkbox, and 'I do not know the number' with a category-based search. Two category cards are visible: 'Public Building or Works' (Wage rates for laborers and mechanics) and 'Service Contracts' (Wage rates for service employees, Service Contract Act (SCA)).

Entity Validation Ticket Processing Delays [Show Details](#) Apr 7, 2022 ×

Planned Maintenance Schedule [Show Details](#) Apr 3, 2022 ×

[See All Alerts](#)

SAM.GOV Sign In

[Home](#) [Search](#) [Data Bank](#) [Data Services](#) [Help](#)

Wage Determinations Legacy Website **WDOL**

A wage determination (WD) is a set of wages, fringe benefits, and work rules that the U.S. Department of Labor has ruled to be prevailing for a given labor category in a given locality.

Help me find a wage determination

I know the WD number
Search by WD Number

🔍

Show active only

I do not know the number
Start your search by selecting a category

Public Building or Works **Wage rates for laborers and mechanics**

Service Contracts **Wage rates for service employees**
Service Contract Act (SCA)

Wage Decisions (cont'd)

The screenshot shows the SAM.GOV search page for Wage Determinations. At the top, there are two alert banners: "Entity Validation Ticket Processing Delays" dated Apr 7, 2022, and "Planned Maintenance Schedule" dated Apr 3, 2022. Below the alerts is the SAM.GOV logo and a "Sign In" button. The navigation menu includes "Home", "Search" (which is highlighted), "Data Bank", "Data Services", and "Help". The "Search" section is active, showing a "Select Domain" panel with "Wage Determinations" selected. Under "By Wage Determination ID", the options are "Construction (DBA)", "Service Contracts (SCA)", and "Collective Bargaining Agreement (CBA)". The "Filter By" section includes "Location" and "State" (with a "Select..." dropdown). To the right of the filters is a "Select Criteria" panel with a back arrow and the text "Choose your filters and run your report to begin."

Entity Validation Ticket Processing Delays [Show Details](#) ✕
Apr 7, 2022

Planned Maintenance Schedule [Show Details](#) ✕
Apr 3, 2022

SAM.GOV [Sign In](#)

Home **Search** [Data Bank](#) [Data Services](#) [Help](#)

Search

Select Domain **Wage Determinations** +

By Wage Determination ID

Construction (DBA)

Service Contracts (SCA)

Collective Bargaining Agreement (CBA)

Filter By -

Location

State

Select...

Select Criteria
Choose your filters and run your report to begin.

Report of Additional Classification

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REPORT OF ADDITIONAL CLASSIFICATION AND RATE		HUD FORM 4230A <small>OMB Approval Number 2501-0011 (Exp. 8/31/2022)</small>	
1. FROM (name and address of requesting agency)		2. PROJECT NAME AND NUMBER	
4. BRIEF DESCRIPTION OF PROJECT		3. LOCATION OF PROJECT (City, County and State)	
5. CHARACTER OF CONSTRUCTION <input type="checkbox"/> Building <input type="checkbox"/> Residential <input type="checkbox"/> Heavy <input type="checkbox"/> Other (specify) <input type="checkbox"/> Highway		6. WAGE DECISION NO. (include modification number, if any) DATE OF WAGE DECISION:	
7. WAGE DECISION EFFECTIVE DATE (LOCK-IN):		<input type="checkbox"/> COPY ATTACHED	
8. WORK CLASSIFICATION(S)		HOURLY WAGE RATES	
		BASIC WAGE FRINGE BENEFIT(S) (if any)	
9. PRIME CONTRACTOR (name, address)		9a. <input type="checkbox"/> Agree	
9b. SIGNATURE DATE		9a. <input type="checkbox"/> Disagree	
10. SUBCONTRACTOR/EMPLOYER, IF APPLICABLE (name, address)			
Check All That Apply: ~~~~~ STOP HERE ~~~~~			
<input type="checkbox"/> The work to be performed by the additional classification(s) is not performed by a classification in the applicable wage decision.			
<input type="checkbox"/> The proposed classification is utilized in the area by the construction industry.			
<input type="checkbox"/> The proposed wage rate(s), including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage decision.			
<input type="checkbox"/> The interested parties, including the employees or their authorized representatives, agree on the classification(s) and wage rate(s).			
<input type="checkbox"/> Supporting documentation attached, including applicable wage decision.			
Check One:			
<input type="checkbox"/> Approved, meets all criteria. DOL confirmation requested.			
<input type="checkbox"/> One or more classifications fail to meet all criteria. DOL decision requested.			
Agency Representative <small>(Typed name and signature)</small>		Date	
Phone Number		FOR HUD USE ONLY LR2000: Log in: Log out:	



Payroll Deductions

B-14: PAYROLL DEDUCTION AUTHORIZATION

Payroll Deduction Authorization

Name of grant recipient _____

LCDBG Contract # _____

Employee _____

Employer _____

One box should be marked with an "x". Occasionally more than one box will be marked. In addition to deductions authorized by law, such as social security and income taxes, the following deduction(s) will be subtracted from the employee's paycheck(s)

I authorize weekly deduction(s) as described below.

I authorize a one-time deduction(s), as described below.

I authorize deduction(s), below, to be subtracted from my paycheck for _____ weeks.

<u>Description of Additional Deductions*</u>	<u>Amount</u>	<u>%</u>

Employee Signature _____

Date _____

*Types of deductions may include retirement, health insurance, uniforms, loans and advance on wages. Deductions for garnishments, such as court orders and child support, may be authorized by this form or an appropriate legal document.

If a percentage,
check weekly.



NOTE: If the amount is
different week to week,
and not a percentage,
you need a form for
every amount (i.e. loan
payback).



Laborers, Laborers, Laborers

- ▶ read, “Excessive use of the ‘Laborer’ classification”
- ▶ caution: excessive amount of laborers
 - ▶ laborer usually lowest paid classification on WD
 - ▶ payroll must reflect a reasonable distribution of laborers to mechanics
 - ▶ inspection reports, site observations, employee interviews, general logic/knowledge
 - ▶ Foremen/supervisors can’t do everything; don’t forget about the 20% rule for working foremen
 - ▶ could result in massive restitution
- ▶ Inspection Reports – use them & compare them to payrolls

Final Wage Compliance Report

- ▶ submitted with closeout documents
 - ▶ reports all restitution or absence of restitution under Davis-Bacon and CWHSSA
 - ▶ we will remind you at monitoring to include restitution in the FWCR; as LCO you should ensure that it is there
- ▶ must be approved by OCD-LGA before grant can be closed out
 - ▶ any labor findings must be cleared
 - ▶ if there are any outstanding labor issues, such as restitution, liquidated damages, unapproved additional classification requests, etc...those must be corrected



Monitoring/Closeout/ Program Amendments

Presented by:

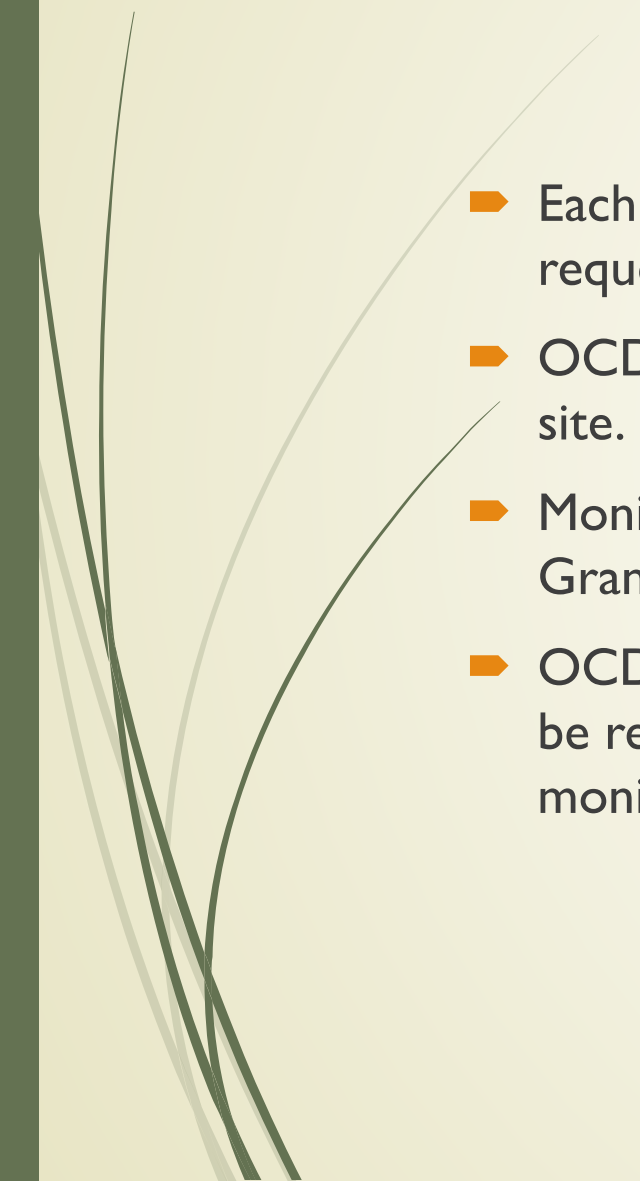
Kristie Galy

Desktop Review

- ▶ OCD-LGA staff will send a letter requesting documents when the grant is 25% expended.
- ▶ Grantees will have 30 days to submit requested documents.
- ▶ OCD-LGA staff will review documents and provide technical assistance to grantee if needed.
- ▶ Review checklists are included as an exhibit in Section E of the LCDBG Grantee Handbook.
- ▶ OCD-LGA is conducting this review in an effort to reduce findings through the provision of technical assistance.
- ▶ Please provide this information in a timely manner, we will not be able to conduct an on-site monitoring until the desktop has been received and reviewed.



Monitoring

- ▶ Each grant will be monitored on site when 50% of the grant funds have been requested by the grantee.
 - ▶ OCD-LGA staff will review all compliance areas as well as view the project site.
 - ▶ Monitoring checklists are included as an exhibit in Section E of the LCDBG Grantee Handbook and will be updated online as new guidance is available.
 - ▶ OCD-LGA will send the grantee a monitoring report and the grantee will be required to respond to any findings of deficiency noted during the monitoring review.
- 

Closeout

In order to receive a Conditional Closeout...

- ▶ Improvements/construction undertaken with grant funds must be in full operation
- ▶ Submit 1 copy of the Program Completion Report from the most recent grant year
- ▶ Submit 3 copies of the Certificate of Completion (must be original signatures)
- ▶ Submit Clear Lien Certificate
- ▶ All findings of deficiency must be cleared



Closeout

In order to receive a Final Closeout

- ▶ All conditions must be met in order to be approved for a Conditional Closeout.
- ▶ All financial reports/audits covering the expenditure of all LCDBG funds have been received and accepted.

Program Amendments

- Required when single or cumulative changes to the program budget greater than 10% of the grant award amount or changes that result in the deletion or addition of an activity or item.
- Must be submitted by the grantee.
- Funds remaining due to cost under-runs may be used with prior approval by OCD-LGA through a Request for Program Amendment.
- Project must continue to be fundable based on the proposed changes to be approved and NOT require an amendment to the ERR.



Changes to approved projects

- ▶ Some changes that become necessary for project implementation do not involve a change in scope of work or number of project beneficiaries and may not require a full program amendment.
- ▶ These program changes generally must be requested in writing by the grantee.
- ▶ The request should describe the intended change to the project and statements regarding whether the change will affect the intent/scope of the project, number of project beneficiaries, and the Environmental Review Record.

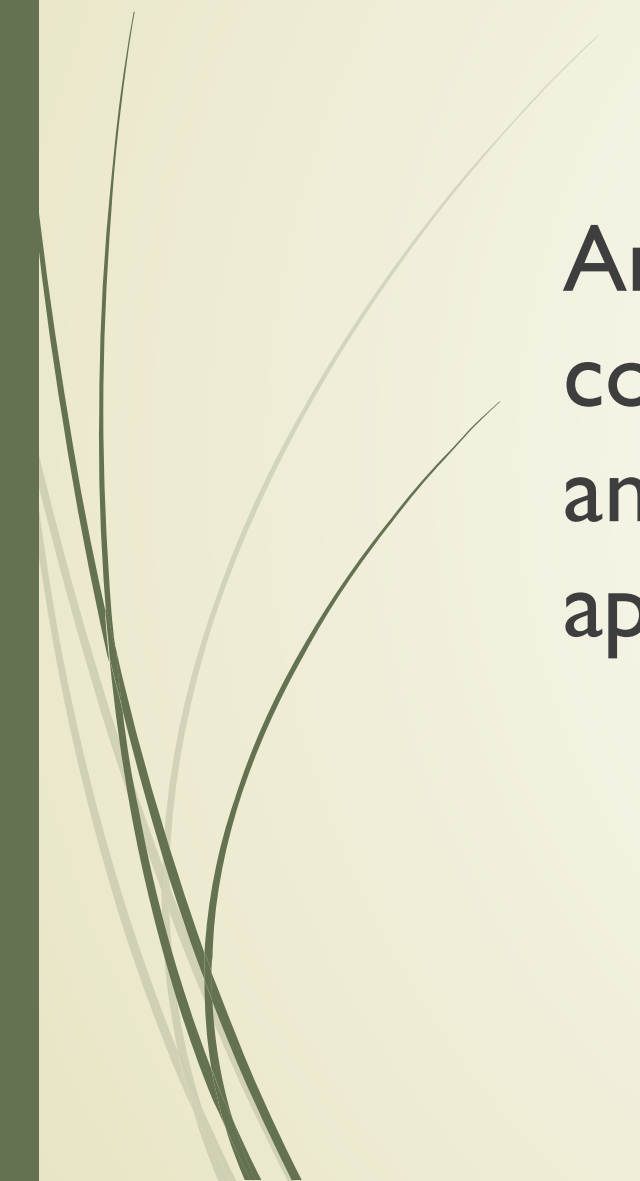
Changes to approved projects

- ▶ OCD-LGA must be contacted anytime a grantee seeks to make changes to an approved LCDBG project.
- ▶ Amendments and/or project changes to the approved LCDBG project can neither be requested nor approved through the submittal of engineering change orders only.
- ▶ Major reductions in the scope of proposed work could result in adverse state action — grant reduction, termination, or a finding of ineligibility for future funding.



PLEASE NOTE:

Any changes that are not necessary to complete the originally approved project and/or require an amendment to the originally approved ERR will **NOT** be considered.



Grant Performance Factors

- A second contract or contract extension was required in order to complete and/or closeout the grant.
- Penalties were assessed at any point during the grant due to failure to meet a required benchmark.
- Finding of deficiency identified as “very serious” issued during the grant.

Contacts

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The End

