

Tangipahoa Parish Council
Tangipahoa Parish Gordon A Burgess Governmental Building
206 East Mulberry Street, Amite, LA 70422
Regular Meeting Immediately Following Public Hearing
February 13, 2023

PUBLIC NOTICE Is Hereby Given That The Tangipahoa Parish Council Will Meet In Regular Session on Monday, February 13, 2023 Immediately Following the Public Hearing at 5:30 PM at the Tangipahoa Parish Gordon A Burgess Governmental Building, 206 East Mulberry Street, Amite, Louisiana, contact number (985)748-3211 on the following:

PUBLIC HEARING

No Items on Public Hearing

CALL TO ORDER

CELL PHONES - *Please Mute or Turn Off*

INVOCATION

PLEDGE OF ALLEGIANCE *(All Veterans and active military, please render the proper salute)*

ROLL CALL

ADOPTION OF MINUTES for regular meeting dated January 23, 2023

PUBLIC INPUT - *Anyone Wishing to Address Agenda Items Which Were Not on Public Hearing*

1. INTRODUCTION of the Louisiana National Guard's 225th Engineer Brigade Commander Colonel Scott Slaven
2. PRESENTATION Center for Hope by Beth Lafargue

PARISH PRESIDENT'S REPORT

- [3.](#) APPROVAL OF CHANGE ORDER NO. 1 for Pate Lane Roadway - Old Covington Hwy to Chappapeela Sports Park
- [4.](#) APPROVAL OF SUBSTANTIAL COMPLETION for Pate Lane Roadway - Old Covington Hwy to Chappapeela Sports Park

REGULAR BUSINESS

5. DISCUSSION & POSSIBLE ACTION Quality Assurance Panel

INTRODUCTION OF ORDINANCES

- [6.](#) INTRODUCTION of T.P. Ordinance No. 23-04 - An Ordinance to place 3-Way Stop Signs at the intersection of Bear Lane, N Lee Hughes Road, and W Lee Hughes Road in District 6
- [7.](#) INTRODUCTION of T.P. Ordinance No. 23-05 - An Ordinance amending and enacting Chapter 50-Utilites, Article II-Sewers, Section 50-29-Mandatory Collection of Sewerage Charges by Water Companies, (C) Rate 5.4%
- [8.](#) INTRODUCTION of T.P. Ordinance No. 23-06 - An Ordinance to declare 2.00 acres and 8.33 acres in Tickfaw as surplus property and to authorize the private sale, public auction and/or disposal of said property described herein in District 4
- [9.](#) INTRODUCTION of T.P. Ordinance No. 23-07 - An Ordinance amending and enacting Chapter 36-Planning and Development, Article V-Standards for Development of Property, Sec 36-113-General Standards for Major Subdivisions and Special Use Commercial Developments - Drainage and Wetlands Buffer
- [10.](#) INTRODUCTION of T.P. Ordinance No. 23-08 - An Ordinance placing No Littering \$500 Fine signs on Stepp Road and Doc Hyde Road in District 8
- [11.](#) INTRODUCTION of T.P. Ordinance No. 23-09 - An Ordinance amending and enacting Chapter 46-Taxation, Article VII-Occupancy Tax for Economic Development District No. 8, Sec. 46-158 Remove Exemptions and Reserve section
- [12.](#) INTRODUCTION of T.P. Ordinance No. 23-10 - An Ordinance amending and enacting Chapter 36-Planning and Development, Article V-Standards for Development of Property-Sec 36-112-Special Classification Property Development Standards, (A), (11) Louisiana State Manufactured Commission Standards

ADOPTION OF RESOLUTION

- [13.](#) ADOPTION of T.P. Resolution No. R23-04 - A Resolution of the Tangipahoa Parish Council-President Government to authorize the Parish President to approve and amend the Federal Programs Procurement Policies for Tangipahoa Parish Government

BEER, WINE, AND LIQUOR PERMITS

LEGAL MATTERS

14. DISCUSSION AND POSSIBLE LEGAL ACTION concerning a Cooperative Endeavor Agreement regarding 911 Building

COUNCILMEN'S PRIVILEGES

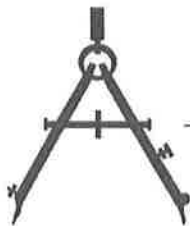
ADJOURN

Jill DeSouge
Clerk of Council

Daily Star
Please Publish February 9, 2023

Published on Tangipahoa Parish Government website at www.tangipahoa.org and posted @ T.P. Gordon A. Burgess Governmental Building February 9, 2023

In Accordance with the Americans with Disabilities Act, If You Need Special Assistance, please contact Jill DeSouge at 985-748-2290 describing the Assistance that is necessary.



Spangler Engineering, LLC

CONSULTING CIVIL ENGINEERS

T. C. Spangler, Jr., P.E.

Jay C. Pittman, P.E.

January 26, 2023

Honorable Robby Miller, Parish President
Tangipahoa Parish Government
206 East Mulberry Street
Amite, LA 70422

RE: Pate Lane ROADWAY
– Chappapeela Sports Pk to Old Covington Hwy
Task Order No. Six (6)

Dear Mr. Miller:

The work under contract on above-referenced project has been inspected and is complete and ready for public use. *We recommend placing on the next available parish council agenda the following items:*

Pate Lane Roadway (Chappapeela Sports Park to Old Covington Highway):

- a. Approval of Change Order No. 1 in the amount of \$34,999.39 for a final contract amount of \$523,647.39.
- b. Acceptance of Work as Substantially Complete; commence lien period withholding 10% retainage.

The Change Order is attached. Also attached are the following invoices:

- (1) Estimate No. Three (3) from RWB Contracting in the net amount of \$164,873.20 (100% completion);
- (2) Spangler Engineering Invoice No. 23-14 in the net amount of \$11,582.32 in accordance with "Task Order 6" and our Owner-Engineer Agreement.
- (3) Invoices 17350 & 17397 from K&L Testing in the net amount of \$1,075.00 for QA/QC services.

We have inspected the work and recommend payment of the above invoices.

If there are any questions, please contact me.

Respectfully submitted,

T. C. Spangler, Jr., P.E.

Attachments

cc: Mr. Joe Thomas, CAO
Ms. Missy Cowart, CFO
Ms. Donna Domiano
Ms. Misty Evans, P.E., Parish Engineer

CONTRACT CHANGE ORDER No. ONE (1)

PROJECT: **Pate Lane Roadway - Old Covington Hwy. to Chapp. Sports Park**

OWNER: **Tangipahoa Parish Government**

TO CONTRACTOR: **RWB Contracting, LLC**

DATE: 25 January 2023

You are hereby requested to comply with the following changes from the plans and specifications:

ITEM NUMBER	DESCRIPTION	DECREASE	INCREASE
<i>Adjustment of contract for "In Place" quantities:</i>			
"5." Increase Unclassified excav to 770 CY (+270 CY @ \$10.00/CY)		\$ -	\$ 2,700.00
"6." Increase BACKFILL to 4,763 CY (+2,263 CY @ \$16.00 per CY)		-	36,208.00
"9." Decrease Hot Asph. Conc. to 446,35TN (-53.65 TN @ \$148.00/TN)		7,940.20	-
"10." Decrease Limestone to 39.543 TN (-60.457 TN @ \$95.00/TN)		5,743.41	-
"12." Decrease Ditching to 1,250 LF (-50 LF @ \$10.00 per LF)		500.00	-
"14." Decrease Roadway Markings to 2,790 LF (-210 LF @ \$5.00 per LF)		1,050.00	-
"15." Decrease Reflectors to 140 EA (-160 EA @ \$16.50 per EA)		2,640.00	-
"20." Increase RIP-RAP to 127 SY (+27 SY @ \$75.00 per SY)		-	2,025.00
"21." Increase Guardrail/Posts to 216 LF (+116 LF @ \$90.00 per LF)		-	10,440.00
"23." <i>Added item:</i> Relocate exist. Electric svc. (1EA @ \$1,500.00 per EA)		-	1,500.00
Increase contract term due to inclement weather: + 8 days			
CHANGE IN CONTRACT PRICE:		\$ 17,873.61	\$ 52,873.00
NET CHANGE - INCREASE:			\$ 34,999.39

This document shall become an amendment to the contract dated July 21, 2022, and all provisions of the contract will apply thereto.

The sum of \$ 34,999.39 is hereby **ADDED TO** the original contract price and the total adjusted price to date is therefore \$ 523,647.39.

The contract time shall be **INCREASED** by Eight (8) calendar days. The completion date is therefore 13-Jan-2023.

Accepted: _____
CONTRACTOR

Date: _____

Recommended: _____
T. C. Spangler, Jr., P.E.

Date: 25 JAN. 2023

Approved: _____
Robby Miller, President

Date: _____

NOTICE BY OWNER OF ACCEPTANCE OF WORK

TO WHOM IT MAY CONCERN: and especially all subcontractors, workmen, laborers, mechanics, and furnishers of materials.

Public notice is hereby given, according to law that the undersigned Owner has accepted the work done by **RWB Contracting, LLC**, Contractor, under his contract with him of July 21, 2022, and recorded in MOB _____, Page _____, of the Mortgage Records of the Parish of Tangipahoa.

All subcontractors, workmen, laborers, mechanics, and furnishers of materials must assert whatever claims they may have against the said contractor, growing out of execution of said contract, according to law, within forty-five (45) days from the registration hereof.

DATE: 13 February 2023

Amite, Louisiana

PROJECT: Pate Lane Roadway -- Old Covington Highway to Chappapeela Sports Park

OWNER: Tangipahoa Parish Government

BY: Robby Miller, Parish President

T.P. Ordinance No. 23-04

**AN ORDINANCE TO PLACE 3-WAY STOP SIGNS AT THE INTERSECTION
OF BEAR LANE, N LEE HUGHES ROAD AND W LEE HUGHES ROAD IN
DISTRICT 6**

BE IT ORDAINED by the Tangipahoa Parish Council-President Government,
governing authority of Tangipahoa Parish, State of Louisiana, as follows:

- 1) Three 3-way Stop Signs at the intersection of Bear Lane, N Lee Hughes Rd,
and W Lee Hughes Rd in District 6



in Accordance with Chapter 42, Streets, Roads, Sidewalks and Drainage - Article I, in
General - Section 42-19.

BE IT FURTHER ORDAINED that this ordinance shall become effective
immediately upon signature of the Parish President and all previous ordinances in conflict
with said ordinance are hereby repealed.

This ordinance having been submitted in writing, having been introduced at a
public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said
council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by _and seconded by __, the foregoing ordinance was hereby declared adopted
on this 27th day of February, 2023 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: February 13, 2023

PUBLISHED: February 23, 2023 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: February 27, 2023

DELIVERED TO PRESIDENT: _____ day of March, 2023 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of March, 2023 at _____

T.P. Ordinance No. 23-05

**AN ORDINANCE AMENDING AND ENACTING CHAPTER 50 – UTILITIES,
ARTICLE II – SEWERS, SECTION 50-29-MANDATORY COLLECTION OF
SEWERAGE CHARGES BY WATER COMPANIES, (C) RATE 5.4%**

BE IT ORDAINED by the Tangipahoa Parish Council-President Government,
State of Louisiana, acting as the Governing Authority thereof revises and amends the
Tangipahoa Parish Code of Ordinance as follows:

CHAPTER 50 UTILITIES

ARTICLE II – SEWERS

Sec. 50-29. Mandatory collection of sewerage charges by water companies.

- (a) All persons, firms, companies, corporations, political subdivisions, and/or entities operating a municipal, parish, water district, or private water company providing or serving customers in the parish with piped water utility services in return for compensation and serving customers in any area also served by the Sewerage District No. 1 of the parish is hereby required to and shall in addition to collecting its own fees and charges and in the same billing statement collect from its customers the sewerage utility and/or other applicable charges and fees imposed upon its customers by the Sewerage District No. 1 of the parish along with and as part and parcel of the water utility bill. The term "water company" means a person, firm, company, corporation, political subdivision and/or entity that operates a municipal, parish, water district or private water piped water distribution utility service for residential and/or business customers.
- (b) In contracting to collect the billings for the Sewerage District No. 1 of the parish in connection with his own billing for water utility services the aforesaid persons, firms, companies, corporations, political subdivisions and/or entities operating a municipal, parish, water district or private water utility company that provides water utility services or serve resident or commercial customers with water and/or water utility services through a piped system, shall provide that any person, firm, company, corporation, political subdivision, entity or other customer failing to timely pay the joint billing statement including both water and sewerage charges within the prescribed time for these utility payments shall be subject to disconnect until all past due utility charges, water and sewerage, are paid in full. The payment of the water bill but not the portion of the bill for sewage charges, shall not protect the customer from water utility services disconnect. Water charges and sewerage charges shall be treated as a joint bill and shall not be considered separate bills by the water utility service provider. Accordingly, the water utility service provider shall be authorized and is herein required to collect both water and sewage charges in order to maintain services to its residential and commercial customers. Additionally, the water utility service provider or water company shall be authorized to collect a penalty or additional charge for any reconnect of utility services associated with the disconnect of a customer for the non-payment of either water and/or sewerage utility charges.
- (c) The person, firm, company, corporation, political subdivision and/or entity operating a municipal, parish, water district or private water company and providing piped water utility services to residential and/or commercial customers shall be paid at the rate of ~~\$1.31~~ 5.4% of collected dollars per month ~~per customer~~ for the ~~performance of this~~ joint billing and collection services by the Sewerage District No. 1 of the parish and which amount shall be deducted from those amounts collected by the water company for and on behalf of the parish Sewerage District No. 1 of the parish. Any percentage change in the future will need the approval of the Tangipahoa Parish Council.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by _ and seconded by __, the foregoing ordinance was hereby declared adopted on this 27th day of February, 2023 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: February 13, 2023

PUBLISHED: February 23, 2023

OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: February 27, 2023

DELIVERED TO PRESIDENT: _____ day of March, 2023 at _____

APPROVED BY PRESIDENT: _____

Robby Miller

Date _____

VETOED BY PRESIDENT: _____

Robby Miller

Date

RECEIVED FROM PRESIDENT: _____ day of March, 2023 at _____

T.P. Ordinance No. 23-06

AN ORDINANCE TO DECLARE 2.00 ACRES AND 8.33 ACRES IN TICKFAW AS SURPLUS PROPERTY AND TO AUTHORIZE THE PRIVATE SALE, PUBLIC AUCTION AND/OR DISPOSAL OF SAID PROPERTY DESCRIBED HEREIN IN DISTRICT 4

WHEREAS, Tangipahoa Parish Council-President Government owns the 2.00 acre and 8.33 acre parcels along Jacobsen Lane and Old Genessee Rd and as identified on the survey attached hereto (collectively, the “Property”); and

WHEREAS, the Property is no longer needed by the Parish for a public purpose, and there is a need and purpose to declare the Property surplus and to sell, auction and/or dispose of said Property; and

THE PARISH OF TANGIPAHOA HEREBY ORDAINS, to declare the 2.00 acre and 8.33 acre parcels as shown on the survey by Andrew Faller Surveying, LLC dated November 3, 2022 attached hereto as surplus property no longer needed for a public purpose and to authorize the private sale, public auction and /or disposal of said Property for no less than the appraised value; and

BE IT FURTHER ORDAINED, that pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to assess, deem, designate and determine that such immovable Property is now surplus; and

BE IT FURTHER ORDAINED, that the Office of the Parish President is authorized to exercise its discretion in selling, auctioning and/or disposing of the Property, together with all agreements and all transactions necessary to carry out the intent of this Ordinance.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by __, the foregoing ordinance was hereby declared adopted on this 27th day of February, 2023 by the following roll-call vote:

YEAS:

NAYS:

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ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
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INTRODUCED: February 13, 2023

PUBLISHED: February 23, 2023 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: February 27, 2023

DELIVERED TO PRESIDENT: _____ day of March, 2023 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of March, 2023 at _____

T. P. Ordinance No. 23-07

AN ORDINANCE AMENDING AND ENACTING CHAPTER 36 - PLANNING AND DEVELOPMENT, ARTICLE V- STANDARDS FOR DEVELOPMENT OF PROPERTY, SEC 36-113-GENERAL STANDARDS FOR MAJOR SUBDIVISIONS AND SPECIAL USE COMMERCIAL DEVELOPMENTS – DRAINAGE AND WETLANDS BUFFER

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, State of Louisiana, acting as the Governing Authority thereof revises and amends the Tangipahoa Parish Code of Ordinance as follows:

CHAPTER 36 PLANNING AND DEVELOPMENT

ARTICLE V – STANDARDS FOR DEVELOPMENT OF PROPERTY

Sec. 36-113. General standards for major subdivisions and special use commercial developments.

- (a) This section shall apply to major subdivisions defined as per section 36-91 and all proposed special use residential commercial developments, unless specifically noted in other sections of this chapter.
- (b) Notification of proposed development. Signage and written notification shall be provided to the office of community development as per section 36-172(d)(4) and (5).
- (c) All developments shall preserve a 25-foot perimeter buffer of undisturbed green space, which may be considered as part of the stormwater management area. There shall be a minimum stormwater management area requirement of 20 percent of the gross area of all special use residential commercial developments, which shall meet the following standards:
 - (1) The buffer may only be disturbed or modified for access, ~~drainage~~ or infrastructure connectivity with the approval of the parish engineer ~~or consolidated gravity drainage district administrator~~.
 - (2) Fill shall not be placed in any required buffer.
 - (3) Selective removal of trees will be allowed in the 25-foot buffer and individual lots. Removal shall be based on tree species and disease or decay. The selected tree removal plan shall be pre-approved by the Planning Department ~~community development office~~ prior to removal.
 - (4) Any drainage way required by the post development drainage design shall be placed outside the 25-foot undisturbed perimeter buffer. This area may be considered as part of the stormwater management area. Width of said drainage way shall be approved by the Parish Engineer or Consolidated Gravity Drainage District Administrator.
- (d) All developments in flood zone A and AE as established by adopted DFIRM shall be developed to follow the natural terrain and hydrology of the site and shall meet the following standards:
 - (1) The proposed development shall maintain the existing topography with only minimum grading permitted. Minimum grading not to exceed +/- twenty-four inches (24") from pre-developed grade. Pre-developed grade elevations are singular points taken from a 100' x 100' grid survey and is not an average elevation across the site.
 - (2) Fill shall be limited to two feet above existing elevations for areas under proposed roadways and driveways. Roadways may be additionally elevated at intersections with parish and state roads in order to meet road grades.
 - (3) The fill shall have a slope steepness between 4H:1V to 3H:1V back slope to the existing grade.
 - (4) Each development shall meet the zero net fill requirement. Fill calculations shall include the development's roads and anticipated fill needed for each lot's house pads, back slopes and driveways. The average fill volume for the house pad, back slope and driveway shall be indicated on each lot and used in the overall development net fill calculations. The development detention and drainage calculations shall include a 1.25 factor for variation between anticipated designed and actual fill during lot build out.
- (e) All developments in flood zone X and X500 as established by adopted DFIRM shall be developed to follow the natural terrain and hydrology of the site and shall meet the following standards:
 - (1) All proposed developments shall conform to the drainage requirements of the parish as found in section 36-143(2) or appropriate drainage district authority standards for the location of property.
 - (2) The proposed development shall maintain the existing topography with only minimum grading permitted. Minimum grading not to exceed +/- twenty-four inches (24") from pre-developed grade. Pre-developed grade elevations are singular points taken from a 100' x 100' grid survey and is not an average elevation across the site.

- (3) The development detention and drainage calculations shall include a 1.0 factor for variation between anticipated designed and actual fill during lot build out.
- (f) All structures constructed on new lots in flood zone A and AE as established by adopted DFIRM shall be developed as follows in compliance with the base flood elevation:
- (1) A maximum of 24 inches of fill from pre -development grade be placed under the roof-shed area of the primary structure and shall not exceed the volume required to prepare an adequate building footprint pad. The fill shall have a slope steepness between 4H:1V and 3V:1V back slope to the existing grade. The final plat and as-builts plans must include a table detailing maximum allowed height for all lots with fill as defined in these regulations. Elevations shall be taken at the center of each lot.
 - (2) Fill shall not be placed in any side yard, rear yard or front yard setbacks.
- (g) All structures constructed on new lots in flood zone X and X500 as established by adopted DFIRM shall be developed as follows in compliance with the base flood elevation.
- (1) The fill shall have a slope steepness of 4H:1V to 3H:1V back slope to the existing grade.
 - (2) Fill shall not be placed in any side yard, rear yard or front yard setbacks.
- (h) Clearing in all major subdivisions and special use residential commercial developments shall conform to the following requirements for stormwater management areas:
- (1) All stormwater management areas shall be marked with survey flagging prior to any land clearing on the parcel. The stormwater management area must be comprised as a minimum of the following areas:
 - a. 25 feet of existing undisturbed vegetative perimeter buffer zone along all sides of the development.
 - b. Open green space designated as permanent active recreational area use shall not exceed ten percent of the calculated stormwater management area.
 - (2) The following additional buffers and areas are considered stormwater management areas that may be included to meet the minimum area requirement. These stormwater management areas are listed in priority of importance for incorporation into the development layout. If the existing parcel does not contain the physical feature referenced, then the layout should include the succeeding stormwater management area feature.
 - a. A 50-foot undisturbed perimeter riparian buffer zone along each side of all existing drainage laterals and channels measured from the top of each bank. The drainage laterals and channels are identified as lake, river, and canal by a blue line on the latest edition of the USGS U.S. Topo 7.5-minute map and/or identified on the map labeled "Canal Dug to Date", prepared by Louisiana Department of Public Works, dated February 1963 and updated July 2, 1974.
 - b. Wetlands.
 - c. Any drainage easement at the rear of lots as required by a drainage district or parish engineer. Any rear lot drainage easement shall not be considered part of a lot but part of the common stormwater management area.
 - d. A ~~50~~ 10-foot undisturbed perimeter buffer zone along the edge of existing wetlands to be protected.
 - e. Native woodland preservation areas. Native woodland preservation areas are areas of undisturbed existing woodland with associated understory vegetation.
 1. Woodland communities are groupings of softwood pine and/or hardwood broad leaf evergreen and deciduous trees. The specimen group that holds the population majority categorizes the woodland community.
 - (i) Woodland communities may have a rounded shape or polygon form.
 - (ii) The minimum transect dimension for conservation shall be 75 feet.
 2. Softwood woodland communities are at minimum 1,000 square feet in area when measured from the drip line of the associated perimeter trees. Softwood woodland communities are composed of juvenile trees and/or mature specimens that have reached a caliper and/or height, with a medium density spacing of at least one juvenile tree per four square yards or one mature tree per 100 square feet.
 - (i) Juvenile trees are at least one inch in caliper and/or 20 feet in height.
 - (ii) Mature trees are at least six inches in caliper and/or 45 feet in height.
 3. Hardwood woodland communities are at minimum 3,000 square feet in area when measured from the drip line of the associated perimeter trees. Hardwood woodland communities are composed of juvenile trees and/or mature specimens that have reached a caliper and/or height, with a medium density spacing of at

least one juvenile tree per one square yard or one mature tree per 200 square feet.

- (i) Juvenile trees are at least two inches in caliper and 15 feet in height.
 - (ii) Mature trees are at least eight inches in caliper and 35 feet in height.
- 4. Prohibited actions within native woodland preservation areas include:
 - (i) Failure to cordon off the protected conservation area with survey flagging prior to site clearing.
 - (ii) Cut and/or fill within the drip line of the trees within a woodland community.
 - (iii) Disturbance of trees and understory growth (shrubs or groundcover) within a woodland community.
- f. Green infrastructure, including bioswales, bioretention cells, forebay cells, and rain gardens planted with native plants to improve water quality, and increase on-site stormwater storage. Detention and retention ponds, including the actual permanent water surface area, may be considered as part of the stormwater management area if it includes the minimum 30-foot buffer with informal walking trails and designated as a permanent amenity. Open grass or turf drainage channels used for stormwater conveyance shall not be counted.
- g. Meadows, wildlife corridors, game preserves, or similar conservation-oriented areas that are left undisturbed.
- h. Conservation areas for natural, archeological or historical resources.
- i. Pedestrian or multipurpose trails.
- j. Passive recreation areas.
- k. Active recreation areas, provided that impervious area is limited to no more than 25 percent of the total stormwater management area (active recreation areas in excess of this impervious area limit must be located outside of the protected stormwater management area).
- l. Golf courses (excluding clubhouse areas and maintenance facilities), provided the area does not exceed 50 percent of the required stormwater management area, and further provided that impervious area is limited to no more than five percent of the total stormwater management area.
- m. Above-ground utility rights-of-way, provided the area does not exceed 50 percent of the required stormwater management area and include informal walking trails.
- n. Other conservation-oriented uses compatible with the purposes of these regulations.
- (3) Prohibited uses of stormwater management area.
 - a. Individual or development wastewater disposal systems;
 - b. Streets (except for street crossings as expressly provided above) and impervious parking areas.
- (4) Where development is phased, the amount of common stormwater management area must be computed separately for each phase but may be combined with existing stormwater management area in earlier phases to create a larger uniform area.
- (5) Ownership of stormwater management area. Required stormwater management area may be accepted and owned by one of the following entities:
 - a. *Public entities.* The responsibility for maintaining the stormwater management area and any facilities may be borne by a land conservancy or land trust.
 - b. *Property or homeowners' association.* Property or homeowners' association representing residents of the subdivision may own the stormwater management area. Membership in the association shall be mandatory and automatic for all property owners or homeowners of the subdivision and their successors. The property or homeowners' association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the stormwater management area and any facilities shall be borne by the property or homeowners' association.
 - c. *Private landowner.* A private landowner may retain ownership of stormwater management area. The responsibility for maintaining the stormwater management area and any facilities shall be borne by the private landowner.
- (6) Management plan for stormwater management area. Applicants must submit a plan for the management of the stormwater management area and other common facilities that:

- a. Allocates responsibility and guidelines for the maintenance and operation of the stormwater management area and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
 - b. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the stormwater management area and outlines the means by which such funding will be obtained or provided;
 - c. Provides that any changes to the plan be approved by the planning director;
 - d. Provides for enforcement of the plan.
- (7) Maintenance of stormwater management area.
 - a. Passive stormwater management area maintenance will include removal of litter, debris, and sediment. Natural watercourses are to be maintained as free-flowing. Stream channels must be maintained so as not to alter floodplain levels.
 - b. Typical maintenance is limited in all undisturbed vegetative areas to the removal of structurally damaged, diseased or dying vegetation that presents a hazard, nuisance or unhealthy condition to the inhabitants or their property.
 - c. Active stormwater management areas must be accessible to all residents of the development. Maintenance is limited to ensuring that there exist no hazards, nuisances, or unhealthy conditions.
 - d. Formal stormwater management area maintenance is limited to include weeding and mowing of any landscaped areas and the removal of litter, debris, and sediment only in active areas. Weeding and mowing are prohibited in wetlands, all buffer areas, native woodland preservation areas, meadows, wildlife corridors, game preserves, or similar conservation-oriented areas that are to be left undisturbed.
- (8) Failure to maintain stormwater management area.
 - a. In the event the party responsible for maintenance of the stormwater management area fails to maintain all or any portion in reasonable order and condition, the parish may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance.
 - b. The costs of such maintenance may be charged to the owner of the property; or in the event that the owner is a property or homeowners' association, to the individual property owners that make up the property or homeowner's association. Costs for maintenance may include administrative costs and penalties. Such costs may become a lien on all development properties.
- (9) Permanent protection of stormwater management area.
 - a. A stormwater management area shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument must be one of the following:
 - 1. A permanent conservation easement in favor of either:
 - (i) A land trust or similar conservation-oriented nonprofit organization with legal authority to accept such easements. The organization must be bona fide and in perpetual existence and the conveyance instruments must contain an appropriate provision for re-transfer in the event the organization becomes unable to carry out its functions; or
 - (ii) A governmental entity with an interest in pursuing goals compatible with the purposes of these regulations. If the entity accepting the easement is not the parish, then a third right of enforcement favoring the parish must be included in the easement.
 - 2. A permanent restrictive covenant for conservation purposes in favor of a governmental entity.
 - b. An equivalent legal tool that provides permanent protection, if approved by the parish council.
 - c. The instrument for permanent protection must include clear restrictions on the use of the stormwater management area. These restrictions must include all restrictions contained in these regulations, as well as any further restrictions the applicant chooses to place on the use of the stormwater management area. Where appropriate, the instrument may allow for stream or habitat restoration within the easement area.
- (10) Violation by clearing vegetation of any the required approved stormwater management areas or clearing of individual trees without a permit shall be remediated per section 36-8(c).

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by __, the foregoing ordinance was hereby declared adopted on this 27th day of February, 2023 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: February 13, 2023

PUBLISHED: February 23, 2023 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: February 27, 2023

DELIVERED TO PRESIDENT: _____ day of March, 2023 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of March, 2023 at _____

T. P. Ordinance No. 23-08

AN ORDINANCE PLACING NO LITTERING \$500 FINE SIGNS ON STEPP ROAD AND DOC HYDE ROAD IN DISTRICT 8

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, as follows:

- a.) No Littering \$500 Fine Signs on Stepp Road in District 8
- b.) No Littering \$500 Fine Signs on Doc Hyde Road in District 8

In accordance with the Home Rule Charter and Chapter 38-Solid Waste of the Tangipahoa Parish Code of Ordinances.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by__and seconded by __, the foregoing ordinance was hereby declared adopted on this 27th day of February, 2023 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: February 13, 2023

PUBLISHED: February 23, 2023 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: February 27, 2023

DELIVERED TO PRESIDENT: _____ day of March, 2023 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of March, 2023 at _____

T.P. Ordinance No. 23-09

AN ORDINANCE AMENDING AND ENACTING CHAPTER 46 – TAXATION, ARTICLE VII – OCCUPANCY TAX FOR ECONOMIC DEVELOPMENT DISTRICT NO. 8, SEC. 46-158 REMOVE EXEMPTIONS AND RESERVE SECTION

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, State of Louisiana, acting as the Governing Authority thereof revises and amends the Tangipahoa Parish Code of Ordinance as follows:

CHAPTER 46 TAXATION

ARTICLE VII. OCCUPANCY TAX FOR ECONOMIC DEVELOPMENT DISTRICT NO. 8

Sec. 46-156. Definitions.

The following words, terms and phrases have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

Collector means the person or agency designated as the collector of the tax imposed by this article and includes any employees and duly authorized assistants; initially the "collector" shall be the parish sheriff's office.

District means Economic Development District No. 8.

Hotel means and includes any establishment, both public and private, engaged in the business of furnishing or providing rooms and overnight camping facilities intended or designed for dwelling, lodging or sleeping purposes to transient guests where such establishment consists of two or more guest rooms and does not encompass any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families. Motels and tourist camps and overnight camping facilities are included within this definition and shall specifically include establishments providing campgrounds and hook-ups or connection facilities for transient or overnight campers who travel or provide their own camping equipment but pay fees and consideration for the location and placement and various services for such campers.

Person shall have the same definition and meaning as that contained in R.S. 47:301(8) and shall include any individual, firm, partnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, the state, any parish, municipality, district or other political subdivision thereof or any board, agency, instrumentality or other group or combination acting as a unit, and the plural as well as the singular number.

Sec. 46-157. Levy of hotel occupancy tax.

- (a) In accordance with R.S. 33:9038.39 and other constitutional and statutory authority supplemental thereto, there is hereby levied and imposed in the district, effective October 1, 2021, and continuing thereafter in perpetuity, an additional tax of two percent of the rental or fee charged for such occupancy as defined and described in this article upon the occupancy of hotel rooms, motel rooms and overnight camping facilities, including campgrounds (the "district hotel tax").
- (b) The proceeds of the district hotel tax shall be used for the purpose of financing economic development projects, as defined in R.S. 33:9038.34(M) and 33:9038.36, located within the district, and also to pay the costs of infrastructure improvements outside the district that benefit property in the district.
- (c) As provided by R.S. 33:9038.39, no election shall be required in connection with the levy of the district hotel tax, since there are no qualified electors in the district, as certified by the parish registrar of voters by certification attached to the ordinance from which this article is derived as Exhibit A.

Sec. 46-158. ~~Exemptions.~~ Reserved.

~~The district hotel tax shall not apply to the rent for hotel rooms rented to the same occupant for a period of 30 or more calendar days, or those hotel rooms rented on an annual contractual basis for consecutive or non-consecutive days.~~

Sec. 46-159. Collection from occupants; exemption.

The district hotel tax shall be paid by the persons who exercise or are entitled to occupancy of the hotel room, motel room, overnight camping facility or campground and shall be paid at the time the rent or fee of occupancy is paid.

Sec. 46-160. Collection from dealers or operators.

The district hotel tax shall be collectible from all persons engaged as dealers or operators of the facilities for which this occupancy tax is imposed.

Sec. 46-161. Payment in accordance with sales and use tax imposed by district.

The district hotel tax shall be due and shall be payable monthly at the same time and on the same dates as other hotel occupancy taxes in the parish are due and payable.

Sec. 46-162. Other collection provisions.

The district shall, as circumstances and necessity dictate, employ or arrange for a collector for the collection of and accounting for the district hotel tax. The parish president and the chair of the parish council are hereby authorized to execute on behalf of the district an agreement with the parish sheriff's office (or such other collector of taxes as may be determined by the parish president and chair of the parish council), to collect the district hotel tax on behalf of the district and shall allow the collector to retain a

percentage of the district hotel tax collected to cover the cost and fair compensation for the services rendered in collecting, enforcing and remitting the district hotel tax to the district.

Sec. 46-163. Disbursement.

The proceeds of the district hotel tax shall be used for the purpose of financing economic development projects, as defined in R.S. 33:9038.34(M) and 33:9038.36, located within the district, and also to pay the costs of infrastructure improvements outside the district that benefit property in the district.

Sec. 46-164. Failure to pay district hotel tax.

Failure to pay any district hotel tax due as provided in this article shall ipso facto, without demand or putting in default, cause said district hotel tax, interest, penalties, and costs to become immediately delinquent, and the district is hereby vested with authority, on motion in a court of competent jurisdiction, to take a rule on the said dealers or operators of the facilities for which the district hotel tax is imposed to show cause in not less than two or more than ten days, exclusive of holidays, after the service thereof, which may be tried out of term and in chambers, and shall always be tried by preference, why said dealer or person should not be ordered to cease from further pursuit of business as a dealer, and in case said rule is made absolute, the order thereon rendered shall be considered a judgment in favor of the governing authority, prohibiting such dealer from the further pursuit of said business until such time as he has paid the said delinquent district hotel tax, interest, penalties and costs, and every violation of the injunction shall be considered as a contempt of court, and punished according to law.

Sec. 46-165. Interest and penalties.

- (a) If the amount of district hotel tax due by the dealer is not paid on or before the 20th day of the month next following the month for which the district hotel tax is due, there shall be collected, with said district hotel tax, interest upon said unpaid amount, at the rate of 1.25 percent per month, to be computed from the first day of the month next following the month for which the district hotel tax is due until it is paid; and in addition to the interest that may be so due there shall also be collected a penalty equivalent to five percent for each 30 days, or fraction thereof, of delinquency, not to exceed 25 percent in the aggregate, of the district hotel tax due, when such district hotel tax is not paid, within 30 days of the date the district hotel tax first becomes due and payable, and in the event of suit, attorney's fees at the rate of ten percent of the aggregate of district hotel tax, interest and penalty.
- (b) The amounts and manner of collection of the foregoing interest and penalty payments may be adjusted by the collector from time to time.

Sec. 46-166. Failure to make report; estimate of district hotel tax by collector.

- (a) In the event any person or dealer fails to make a report and pay the district hotel tax, or in case the dealer or person makes a grossly incorrect report, or a report that is false or fraudulent, it shall be the duty of the collector to make an estimate for the taxable period of the occupancy of the facility and an estimate of the cost price of the occupancy and assess and collect the district hotel tax and interest, plus penalty, if such have accrued, on the basis of such assessment, which shall be considered prima facie correct, and the burden to show the contrary shall rest upon the person or dealer. In the event such estimate and assessment requires an examination of books, records or documents, or an audit thereof, then the collector shall add to the assessment the cost of such examination, together with any penalties accruing thereon.
- (b) If any person or dealer fails to make any return required by this article or makes an incorrect return, and the circumstances indicate willful negligence or intentional disregard of rules and regulations, but not intent to defraud, there shall be imposed, in addition to any other penalties provided herein, a specific penalty of five percent of the district hotel tax or deficiency found to be due or \$10.00, whichever is greater. This specific penalty shall be an obligation to be collected and accounted for in the same manner as if it were a part of the district hotel tax due and can be enforced either in a separate action or in the same action for the collection of the district hotel tax.
- (c) The amounts and manner of collection of the foregoing interest and penalty payments may be adjusted by the collector from time to time.

Sec. 46-167. Selling or quitting of business.

If a person or dealer liable for any tax, interest or penalty hereunder shall sell his business or shall sell out his business or quit the business, he shall make a final return and payment within 15 days after the date of selling or quitting the business. His successors or assigns, if any, shall withhold sufficient purchase money to cover the amount of such taxes, interest and penalties due and unpaid until such time as the former owner shall produce a receipt from the collector showing that they have been paid, or certificate stating that no taxes, interest, or penalties are due. If the purchaser of a business fails to withhold purchase money as provided, he shall be personally liable for payment of taxes, interest and penalties accrued and unpaid on account of the operation of the business by any former owners or assignors.

Sec. 46-168. Notice to public.

The parish council hereby acknowledges and affirms the prior publication of a notice describing the levy of the district hotel tax and informing the citizens of the date of consideration of the ordinance from which this article is derived, said notice having been published once a week for two weeks in the official journal of the parish, in the form of notice attached to the ordinance from which this article is derived as Exhibit B.

Sec. 46-169. Authorization of officers.

The parish president, chair of the parish council, and clerk of the council are hereby authorized, empowered and directed to do any and all things necessary and incidental to carry out the provisions of this article.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by__and seconded by __, the foregoing ordinance was hereby declared adopted on this 27th day of February, 2023 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: February 13, 2023

PUBLISHED: February 23, 2023 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: February 27, 2023

DELIVERED TO PRESIDENT: _____day of March, 2023 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of March, 2023 at _____

T. P. Ordinance No. 23-10

AN ORDINANCE AMENDING AND ENACTING CHAPTER 36 -
PLANNING AND DEVELOPMENT, ARTICLE V- STANDARDS FOR
DEVELOPMENT OF PROPERTY – SEC 36-112-SPECIAL CLASSIFICATION
PROPERTY DEVELOPMENT STANDARDS, (A), (11) LOUISIANA STATE
MANUFACTURED COMMISSION STANDARDS

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, State of Louisiana, acting as the Governing Authority thereof revises and amends the Tangipahoa Parish Code of Ordinance as follows:

CHAPTER 36 PLANNING AND DEVELOPMENT

ARTICLE V – STANDARDS FOR DEVELOPMENT OF PROPERTY

Sec. 36-112. Special classification property development standards.

- (a) *Mobile/manufactured homes placement standards for placement on a single lot.*
- (1) *Lot size.* An individual parcel of record shall be a minimum of one-half acre for placement of a manufactured home.
 - (2) *Density.* No more than two single-family dwelling units shall be placed on any one parcel of record. These two single-family dwelling units will only allow for one manufactured home and a one single-family residential dwellings. Each unit will require one-half acre per unit.
 - (3) *Setbacks.* Side and rear setbacks shall be ten feet from the property line. Front setbacks shall be a minimum of 25 feet from public right-of-way lines. In cases when the right-of-way lines cannot be determined, the setback line will begin 18 inches behind the back slope of the drainage ditches.
 - (4) *Spacing of manufactured home.* All new manufactured homes being placed must be a minimum of 20 feet from any overhang/eve to adjacent overhang/eve another habitable structure.
 - (5) *Nonconforming lots of record.* (Grandfather clause) Parcels less than one-half acre with a current manufactured home on it are allowed to maintain residence and/or replace older mobile homes with a new manufactured home if utilities are currently in place at the time of the permit request or were in place within 12 months of the request.
 - (6) *Removal of older mobile homes or manufactured homes.* When replacing one home for another, the original home must be removed from the parcel within 60 days of the new home being placed. If the home is not removed within 60 days, a power disconnection order will be issued and remain in effect until it is removed.
 - (7) *Mandatory requirements.* Manufactured homes must meet all of the following requirements:
 - a. Be placed on a permanent conventional foundation and set up in accordance with building code requirements as prescribed by HUD;
 - b. Be comprised of at least 12 feet wide by 40 feet long or two fully enclosed parallel sections each not less than 12 feet wide by 36 feet long;
 - c. Be located on a parcel owned by the applicant. The applicant must provide proof of parcel ownership for moving permit approval.
 - (8) *Other consideration for placement.* In cases of declared emergencies, the required standards may be waived.
 - (9) Heir property must be opened in succession with property listed in the applicant's name for mobile home placement to be allowed.
 - (10) All newly placed manufactured homes must be tied down according to HUD guidelines. Applicants shall have a parish inspector verify the installation of tie downs within 180 days of permit issuance or the placement permit shall expire.
 - (11) All newly placed manufactured homes must be permitted in accordance with Louisiana State Manufactured Commission Standards including placement of placard on the unit.**
- (b) *Camps.* Lot frontage for camps shall be a minimum of 50 feet with a minimum lot square footage being 4,000 square feet. Frontage shall be on a nature stream or manmade waterway with no roads to property.
- (c) *Hunting club camps sites.*
- (1) A hunting club camp site is a site on leased, private property where the sportsmen may park camper trailers to access a tract of land for the purpose of hunting or fishing on seasonal occasions.
 - (2) Any sanitary or water facilities located on said property for the use of campers must meet state requirements.
 - (3) No approvals by parish government offices are required for these developments.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by__and seconded by __, the foregoing ordinance was hereby declared adopted on this 27th day of February, 2023 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: February 13, 2023

PUBLISHED: February 23, 2023 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: February 27, 2023

DELIVERED TO PRESIDENT: _____day of March, 2023 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of March, 2023 at _____

T. P. RESOLUTION NO. R23-04

**A RESOLUTION OF THE TANGIPAHOA PARISH COUNCIL-PRESIDENT
GOVERNMENT TO AUTHORIZE THE PARISH PRESIDENT TO APPROVE AND
AMEND THE FEDERAL PROGRAMS PROCUREMENT POLICIES FOR
TANGIPAHOA PARISH GOVERNMENT**

WHEREAS, the Parish has prepared a procurement policy and procedures that are focused on meeting federal procurement guidelines for use of federal funds by Tangipahoa Parish Government identified on the attachment; and

WHEREAS, funding to the Parish from federal agencies require adoption of a procurement policy to guide the Parish in meeting 2 CFR 200 administrative standards for procurement.

THEREFORE BE IT RESOLVED, that the Tangipahoa Parish Council hereby authorizes the Parish President to approve and amend the Federal Programs Procurement Policies for Tangipahoa Parish Government as attached.

On a motion by _and seconded by _, the foregoing resolution was hereby declared adopted on this 13th day of February 2023 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge, Clerk of Council
Tangipahoa Parish Council

David P. Vial, Chairman
Tangipahoa Parish Council

Robby Miller, President
Tangipahoa Parish

TANGIPAHOA PARISH GOVERNMENT

PROCUREMENT/CONTRACT POLICY AND PROCEDURES FOR USE OF FEDERAL OR STATE FUNDS IN TANGIPAHOA PARISH ADMINISTRATION

This policy and procedures are intended to serve as guidelines for the Parish's procurement of supplies, equipment, construction services and professional services for federally funded programs, including HUD programs such as the Louisiana Disaster Recovery Community Development Block Grant (DRU-CDBG) Program, LCDBG and ESG programs (Emergency Shelter or Emergency Solutions Grant), the Restore Act Program through U.S. Treasury, Federal Transit Administration, EDA, EPA, and other federal programs. These guidelines based upon 2CFR 200 guidelines for use of sub-recipients, shall also be used by subrecipients of Tangipahoa Parish when such sub-recipients are using or paid through federal funds provided to them by the Parish through a sub-recipient contract. These guidelines meet the standards established in 24 CFR 85.36 and state requirements and 2 CFR 200 of the Code of Federal Regulations (Uniform Administrative Guidance). For third party contracts, the Parish will follow FTA Circular 4220.1F. State funded programs or projects will be required to follow State procurement/bid guidelines, which in many cases are different from federal guidelines. So it will be important to know the source of the grants or funding coming into the Parish, since some of the federal funds are pass-thru through the State and then to the Parish. Local procurement standards, when federal or state funds are not involved, may vary from what is outlined herein by this document.

CODE OF CONDUCT

No employee, officer, or agent of the TANGIPAHOA PARISH GOVERNMENT shall participate in the selection or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved (see 18 U.S.C Part 208-209). Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization that employs or is about to employ any of the above, has a financial or other interest in the firm selected for award. The TANGIPAHOA PARISH GOVERNMENT, when conducting procurement using any funding, local, State, or federal, will comply with Title 42, Chapter 15 of the State of Louisiana Code of Governmental Ethics

No officer, employee or agent of the TANGIPAHOA PARISH GOVERNMENT 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 TANGIPAHOA PARISH GOVERNMENT Parish President or to the Parish's District 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. If any party is unsure of a conflict of interest issue, or of possible nepotism, then written letters for clarification should be sent to the State Ethics Commission or to the Parish District Attorney.

PROCUREMENT SUPERVISION AND GENERAL POLICIES

The Director or Supervisor of each department or agency of the TANGIPAHOA PARISH GOVERNMENT, in conjunction with the Parish's Purchasing Agent, is responsible for procurement of goods or services, and shall review all proposed procurement actions within their departments. Procurements shall be also reviewed to ensure the procurement of prohibited, unnecessary or duplicate items.

DBE: The TANGIPAHOA PARISH GOVERNMENT and its sub-recipients shall take affirmative steps to assure that small and minority firms, women's business enterprises (DBEs), and labor surplus firms, are solicited whenever there are potential qualified sources. The TANGIPAHOA PARISH GOVERNMENT shall also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small or minority firms or women's business enterprises. Where permitted by regulations, delivery schedules will be developed which will include participation by such businesses. Documented "good faith effort", as outlined in Section 200.321 of 2 CFR 200 Uniform Guidelines, is required and must be documented by the Parish. In addition, where required by the federal program, Buy America Act requirements will be included within the Parish's solicitation procedures.

The TANGIPAHOA PARISH GOVERNMENT shall assist the prime contractor whenever possible by providing copies of lists which identify qualified small or minority firms, or women's business enterprises, and labor surplus area firms. The DBE list shall be updated at least annually by the Parish.

SAM AND LOUISIANA LICENSING BOARD VERIFICATION

SAM Verification: Before a selection or award is made to any bidder, servicer, or vendor, including professional services under the Parish's grants and procurement policy when federal funds are included in the project, the Project Manager shall ensure that the federal System of Award Management (SAM) is used to verify compliance for active registration in SAM of any potential awardee of funds or services. This is to be done by the Parish prior to any award so that the Parish can make use of this common source of vendor data, registration information, and contract/payment information or concerns. The Parish and vendors must keep their SAM accounts active on an annual basis. Tangipahoa Parish's "Entity Administrator" user role in SAM is filled by the Parish's Grants Coordinator/Accounting Supervisor position.

LA Licensing Board Verification: Before a selection or award is made to any construction bidder, contractor, or architect or engineer under the Parish's procurement policy, the Project Manager shall ensure that the Louisiana Contractor's Licensing Board and/or the Architect-Engineer's State Licensing Board (whichever is applicable) is checked to verify compliance for active registration for any potential awardee of funds or services. This is to be done by the Parish prior to any award so that the Parish can make use of this common source of vendor data, registration information, and contract/payment information or concerns.

MAINTENANCE OF PROJECT FILES AND RECORDS

All project files will be maintained by the Parish in a secure, climate-controlled location and written files in fire-resistant containers, for a period of at least 5 years from project close-out. Files shall be readily accessible as needed by project monitors, auditors, or by appropriate staff that may need access to such files.

SELECTION PROCEDURES

ALL procurements issued by the Parish shall be carried out in a manner that provides open competition. Procurement technical specifications or scopes of works shall not restrict or eliminate competition. TANGIPAHOA PARISH GOVERNMENT shall not place unreasonable requirements on firms or businesses in order for them to qualify to do business, nor will TANGIPAHOA PARISH GOVERNMENT encourage or participate in noncompetitive procurement practices. The TANGIPAHOA PARISH GOVERNMENT will not participate in any organizational conflicts which would jeopardize any procurements. TANGIPAHOA PARISH GOVERNMENT will not require unnecessary experience or bonding requirements and in general will not use geographic based preferences without an acceptable written explanation that is documented and placed in the procurement file.

Pursuant to federal regulations, such as 2 CFR 200 and 24 CFR 85.36(b), all solicitations of offers shall incorporate a clear accurate description of the technical requirements for the goods or services to be procured. When using technical specifications and product descriptions, these specifications and 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. A “brand name or equal” description may be used to define the performance or other salient requirements of a procurement. The specific features of the named brand which must be met by offerors shall be clearly stated.

All solicitations of bids or proposals shall clearly set forth all requirements which offerors must fulfill.

Contracts shall be awarded only to responsive/ responsible contractors/firms that possess the potential ability to perform successfully under the terms and conditions of the proposed procurement.

Consideration shall 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.

It is important that the Parish’s DBE policies, along with any federal policies, be considered when procuring goods and services in order to provide for and encourage the participation of certified DBE and small businesses, including primary contractors and sub-contractors.

METHODS OF PROCUREMENT

At a minimum, the Parish Government will follow the federal procurement standards outlined in the 2 CFR 200 Uniform Administrative guidelines, the Parish's procurement policy, and any applicable State of Louisiana bid laws. These are summarized in Attachment A attached herein. In addition, procurement files shall include written Procurement Summary that highlights the details of the procurement such as, the method of procurement used, how many bids or proposals were received, evaluation information etc. It is important to note the Parish will follow FTA's 4220 third Party requirements, if applicable, throughout the procurement process.

TANGIPAHOA PARISH GOVERNMENT shall procure goods or services using one of the following methods listed below:

Micro-purchase. For federal funded projects, upper cost limits for use of simplified micro-purchase procedures is \$10,000 and below for supplies; \$10,000 and below for services; and \$10,000 and below for construction. In such cases, there are no specified requirements, except as may be provided by Parish government.

Small Purchase/Federal Simplified Acquisition: 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 \$10,000, except where further limited by federal law or other waiver policies. If such purchases are expected not to exceed \$30,000, but are over \$10,000, then State of Louisiana law, also used by Tangipahoa Parish, requires that the Parish get at least 3 written quotes. In such cases, the procurement officer must obtain a minimum of three written price or rate quotations from responsive, qualified sources. Documentation on all quotations received shall be made a part of the file. If small purchases are expected to cost more than \$30,000, then the Parish will seek sealed bids for non-construction purchases. Selections shall be made principally on price. Payment shall be made upon delivery or completion, unless agreed otherwise. The federal simplified acquisition amount of \$10,000 or more and not to exceed \$249,999 is the simplified acquisition threshold amount in going from 3 written quotes (acquisition less than \$10,000) to publicly bidding a construction project or materials and supplies. Therefore, if a project or procurement is expected to be \$250,000 or more, a public bid is required.

Invitation for Bid. Using this procurement method, procurements are publicly advertised in accordance with the LA State's Public Bid Law for projects at or exceeding \$250,000 as the federal or State of LA bid requirement for construction projects. A firm fixed price contract (either lump sum or unit price) shall be awarded to the responsive / responsible bidder. Award is based on the lowest bid price. The Invitation for bid procurement method is not to be used for the procurement of professional services.

Request for Proposals (RFP). The RFP method of procurement is used when procuring services, using a variety of rating factors, including price. The RFP will be advertised, proposals will be evaluated and the best value or highest rated proposer that is responsible and responsive will be awarded the contract. Also, the RFP method of procurement includes methodology, experience,

price, and possibly other rating factors, and price/costs submittals can be negotiated. A formal RFP shall be issued for solicitation of proposals.

Request for Qualifications (RFQ). The technique of competitive qualification-based solicitations is normally conducted with more than one source submitting a response. All competitive solicitations shall be conducted using a formal written RFP or RFQ documents containing at least the minimum items shown in the attached RFP/RFQ Outline (See Attachment A) and in an open and competitive manner. It is generally used when conditions are not appropriate for the use of sealed bids, small or micro-purchases. By Louisiana State law, architectural and engineering services may be procured via requests for qualification statements rather than proposals and fixed fees are not always required in the procurement; administrative consulting services and other professional services can be procured via requests for proposals or qualification statements. Other professional services may also be procured by requests for proposals using the RFP or RFQ format. Note that the procurement of professional services is exempt from LA Public Bid law but is not exempted from federal law when federal funds are being used to pay for professional services.

The following procedures will be used for competitive negotiations:

- i. Requests for proposals or qualification statements must be advertised in a newspaper in a local or the nearest metropolitan area in accordance with the rules of the federal program. All responsive and responsible proposals will be accepted and documented in the procurement file. RFP's may include the request for price and fee proposals, whereas generally RFQ's negotiate the price or fees during contract negotiation after selection of the respondent, but before an agreement is signed by all parties. A competitive range of fees and associated project cost shall be considered in line with the Parish's Independent Cost estimate.
- ii. 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. This will include any options that may take place in the agreements established.
- iii. The request for proposals or technical specifications shall identify all 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 costs consideration and at least one non-cost evaluation factor. These factors can also include the participation of certified DBE consultants, contractors, and sub-contractors, which shall be encouraged by the Parish.
- iv. The Parish's selection/evaluation committee shall review all proposals and statements received and make a technical evaluation of each. The evaluation may include oral interviews with the higher-ranking proposers. This shall also include a written statement that identifies the basis upon which the selection was made; including the importance of cost (for RFPs). Cost reasonableness will be evaluated by the Parish before and after RFPs are reviewed.

- v. If there is only one proposal submitted after proper solicitation by the Parish, the Parish is encouraged to negotiate prices and costs within a competitive range based upon the Independent Cost Estimate done prior by the Parish.
- vi. Contract award will be made to the responsible offeror whose submission is deemed most appropriate to the TANGIPAHOA PARISH GOVERNMENT 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. Review of cost reasonableness and the use of the Independent Cost Estimate will be considered in all contract negotiations concerning this procurement method (RFP and RFQ)
- vii. If there is only one proposal, the Parish is encouraged to negotiate prices and should use the ICE as a benchmark when negotiating.
- viii. Contract award will be made to the responsive/responsible offeror whose submission is deemed most appropriate to the TANGIPAHOA PARISH GOVERNMENT with consideration for price, qualifications, and other factors set by the local governing body.
- ix. Unsuccessful offerors shall be notified in writing within ten working days of a contract award. Documentation of notification shall be maintained in the contract selection file for the individual project.

Request for Qualifications Noncompetitive Negotiation/Sole Source. Noncompetitive negotiation shall 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 can also occur if solicitations under the competitive negotiation procedures result in only one proposal or qualification statement. Noncompetitive negotiation shall only be used when written authorization has been obtained from the federal funding agency project sponsor. 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 exist and the urgency will not permit the delay beyond the time needed to employ one of the other three methods of procurement.
- iii. After solicitation of a number of sources, competition is determined to be inadequate.
- iv. The item or product is available from LA State Purchasing, which has competitively or sole-source procured the item to fit a certain identified need and to save money for the State and other public agencies through quantity purchasing. When State Purchasing is determined by the Parish to be the most cost reasonable and efficient manner to

purchase the similar item off of a State of Louisiana contract (i.e. Piggyback), then the Parish will still be responsible for doing an evaluation and reviewing the item for fair and cost reasonableness, reviewing the item options available, and comparing all such review analyses to market prices for the same item or product, in order to arrive at the best product and pricing to meet the Parish's needs. Written documentation shall be provided to ensure that the Parish has followed this policy when using State Purchasing or other piggyback purchasing. The Parish shall make use of **FTA Circular 4220.1F, Chapter V(7)(2) Assignment of Contract Rights**, when evaluating and documenting this procedure. All Parish Procurement or sub-contractor staff shall be properly trained in the use of, and familiarity with, the applicable FTA Circular.

CONTRACT PRICING

Cost plus percentage of cost contracting is **prohibited and is illegal based on the federal regulations** and NOT be used by the TANGIPAHOA PARISH GOVERNMENT. The Parish shall perform cost or pricing analysis in connection with EVERY procurement action including contract modifications as outlined in FTA's 4220.1F Third Party Contracting. It is the parish's policy to only use Lump sum pricing when there is a definable scope of work or technical specifications that provides exact quantities and the proposer assumes most of the risk for cost incurred. Unit prices can be utilized when there is a definable scope of work or technical specifications and the contractor assume all the risk for costs incurred, and the quantity is estimated. Cost reimbursement will be utilized when the task does not result in a definable scope of work or technical specifications or the contractor will not assume the risk of incurring the cost to complete the task.

COST REIMBURSEMENT CONTRACT

A cost reimbursement contract is generally used when the scope of work or technical specifications are not clearly defined, such as in some professional service contracts. 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. 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.

Independent Cost Estimates, using qualified project managers or estimators, will be prepared prior to solicitations and bids.

INDEPENDENT COST ESTIMATES (ICE)

An Independent Cost Estimate must be received prior to preparing a solicitation. Generally it is the responsibility of the project manager to prepare the ICE. The ICE will be prepared and document will be placed in the procurement file.

PRICE OR COST ANALYSIS

A. Price Analysis is used if it is determined that competition was adequate, and price was within the expected range established by the ICE. A Cost Analysis is used if it is determined that competition is inadequate, or price is inconsistent with the expected range established by the ICE. Price Analysis is a direct comparison of a supplier's price with benchmark prices for the same good or service. Price Analysis Techniques are as follows:

1. Purchaser must be familiar with market conditions
2. Compare bids
3. Compare price / quantity relationships
4. Compare prices of similar products
5. Published information i.e. supplier price list, trade journals, government publications

B. A Cost Analysis is used when a price analysis will not provide sufficient information, adequate price competition is lacking, using sole source method, including contract modifications, the offeror is required to submit the elements (i.e. labor hours, overhead, materials) of the proposed cost. The recipient must obtain a cost analysis when price competition is inadequate, when only a sole source is available or in the event of a change order. Reference FTA C 4220.1F Chap. VI, 6 A.) It is to be noted a cost analysis must include an analysis of profit or fee. FTA 4220.1F Chapter 7 shall be used for any assignment of contract rights, i.e. "piggyback" purchasing.

REQUIRED FEDERAL CLAUSES

All federally funded procurements will include the appropriate Third-Party Contract Clauses. Listed below are the clauses associated with the type of procurement.

PROFESSIONAL SERVICES/ A&E & ASSOCIATED CLAUSES

No Federal government obligations to third parties

Program fraud and false or fraudulent

Access to Records

Federal Changes

Civil Rights EEO, Title VI & ADA

Incorporation of FTA terms

Energy Conservation

Termination provisions > \$10,000

Debarment and Suspension > \$25,000

Provisions for resolution of disputes, breaches, or other litigation > \$100,000

Lobbying > \$100,000

Clean Air > \$100,000

Clean Water > \$100,000

Fly America if involving transport or travel by air
A&E for new buildings & additions

OPERATIONS MANAGEMENT SUBRECIPIENTS & ASSOCIATED CLAUSES

No Federal government obligations to third parties
Program fraud and false or fraudulent
Access to Records
Federal Changes
Civil Rights EEO, Title VI & ADA
Incorporation of FTA terms
Energy Conservation
Termination provisions > \$10,000
Debarment and Suspension > \$25,000
Provisions for resolution of disputes, breaches, or other litigation > \$100,000
Lobbying > \$100,000
Clean Air > \$100,000
Clean Water > \$100,000
Fly America if involving transport or travel by air
A&E for new buildings & additions
Contract work hours & safety standards act > \$100,000
Transit Employee Protective Arrangements
Charter Service Operations
School Bus Operations
Drug and Alcohol Testing
Disadvantaged Business Enterprise (DBE"S) if applicable

ROLLING STOCK & ASSOCIATED CLAUSES

No Federal government obligations to third parties
Program fraud and false or fraudulent
Access to Records
Federal Changes
Civil Rights EEO, Title VI & ADA
Incorporation of FTA terms
Energy Conservation
Termination provisions > \$10,000
Debarment and Suspension > \$25,000
Buy America > \$150,000
Cargo Preference Involving property that may be transported by ocean vessel
Provisions for resolution of disputes, breaches, or other litigation > \$100,000
Lobbying > \$100,000
Clean Air > \$100,000
Clean Water > \$100,000
Fly America if involving transport or travel by air

A&E for new buildings & additions

CONSTRUCTION & ASSOCIATED CLAUSES

No Federal government obligations to third parties

Program fraud and false or fraudulent

Access to Records

Federal Changes

Civil Rights EEO, Title VI & ADA

Incorporation of FTA terms

Energy Conservation

Termination provisions > \$10,000

Debarment and Suspension > \$25,000

Buy America >\$150,000

Cargo Preference Involving property that may be transported by ocean vessel

Provisions for resolution of disputes, breaches, or other litigation> \$100,000

Lobbying >\$100,000

Clean Air > \$100,000

Clean Water >\$100,000

Fly America, if involving transport or travel by air

Davis Bacon Act >\$2,000

Contract Work Hours & Safety standards act >\$100,000 (including safety vessel)

Bonding (not required of states) >\$100,000 (including ferry vessels)

MATERIALS & SUPPLIES

No Federal government obligations to third parties

Program fraud and false or fraudulent

Access to Records

Federal Changes

Civil Rights EEO, Title VI & ADA

Incorporation of FTA terms

Energy Conservation

Termination provisions > \$10,000

Debarment and Suspension > \$25,000

Buy America >\$150,000 for steel, iron, manufacture of goods

Cargo Preference Involving property that may be transported by ocean vessel

Provisions for resolution of disputes, breaches, or other litigation> \$100,000

Lobbying >\$100,000

Clean Air > \$100,000

Clean Water >\$100,000

Fly America if involving transport or travel by air

CONTRACT ADMINISTRATION - USE OF PARISH'S INTERNAL CONTROL POLICIES

The TANGIPAHOA PARISH GOVERNMENT shall maintain procurement and contract administration systems and financial systems that insure contractors/firms/suppliers perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders, Tangipahoa internal control policies, fixed asset policies, and federal Uniform Administrative policies. The accepted performance of contractors/ firms may be a factor in subsequent-future contract negotiations and award. Remedial action by the TANGIPAHOA PARISH GOVERNMENT through legal processes shall be considered in instances of identified significant nonperformance. Maintaining and tracking of **fixed assets** purchased through the use of federal funds will comply with the procedures and disposal policies adopted by the Parish for fixed assets in their internal control policies.

GRIEVANCE-COMPLAINT PROCEDURE FOR PROCUREMENT

See Attachment C herein for the Parish's policy on filing procurement complaints.

This policy has been approved by the Tangipahoa Parish President after review with appropriate Parish staff and by resolution of the Parish Council.

ATTACHMENT "A"

Basic Contracting-Procurement Requirements- State of La. vs Federal Standards for Local Project funded with State or Federal funds

Micro-purchase Thresholds

- | | |
|---|--|
| <ul style="list-style-type: none"> • for federally-funded
No specified requirements | <p>\$10,000 and below for supplies</p> <p>\$10,000 and below for services</p> <p>\$10,000 and below for construction</p> |
| <ul style="list-style-type: none"> • State-funded (\$0-\$9,999) | <p>No bid or purchase procedure specified, if under \$10,000, but it is best to get at least 2 written quotes</p> |

Small purchases (simplified acquisition)

- | | |
|---|---|
| <ul style="list-style-type: none"> • Federal (under \$250,000) | <p>For purchases under \$250,000 (not including A&E Professional Services). Written price quotations are needed from at least 3 qualified sources. Threshold is \$250,000 for projects in which Buy America provisions are in place.</p> |
| <ul style="list-style-type: none"> • State (under \$250,000) <ul style="list-style-type: none"> ○ \$10,000-\$60,000 ○ \$60,000 and above | <p>Includes supplies, equipment, services, or construction</p> <ul style="list-style-type: none"> ○ Need at least 3 quotes, written or faxed ○ Advertise for sealed bids (except for construction contracts which do not need public advertisement if less than \$250,000, but would need 3 written quotes) |

Federal and State:

Publicly advertised bid required for construction projects exceeding \$250,000 for federal projects or use of federal funds, and State public bid standards for construction projects exceeding \$250,000.

Public bid advertising is required for construction projects expected to exceed \$250,000 in cost. Contracts over \$50,000 require the use of State- licensed & bonded contractors. Mandatory bid, payment, and performance bonds.

Professional Services such as architects, engineers, attorneys, auditors, appraisers

Varies for State of La. versus Federal requirements, but open procurement is required

- **Federal**

- Competitive proposals required with maximum open competition for federally funded projects; qualification based and cost- price analysis needed during selection; Affirmative steps required to solicit participation by DBE firms

- **State**

- No specified State requirement

Note:

--More detailed procurement and contracting requirements for the State can be found in a Powerpoint presentation on the La. Police Jury Association website:

<http://www.lpgov.org/Files/Articles/AGOfficeBidProcessandPurchasing2016.pdf>

--More detailed federal procurement and contracting requirements can be found in Title 2 CFR Part 200 and in 44CFR and Circular A-110

ATTACHMENT “B” – NOTES ON PREPARING RFP/RFQs

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: Include an organization chart, names and roles of principal staff members, time commitments for principal staff members, and attach resumes.
 - Qualifications: Include project summaries for your team’s relevant experience, organized by firm or by type of experience.
 - Fee proposal (RFP only): Price for services described in the approach, broken out by task.
 - 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. During evaluation, an

independent cost estimate and review will be completed for each proposal being considered and during contract negotiations, in compliance with 2CFR200.317-200.326 and with guidance from any specific Departmental Circulars. Written information documenting such review and estimating will be provided in the procurement file.

5. 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).

ATTACHMENT C: PROCUREMENT COMPLAINT PROCEDURE

SECTION 1

It is the policy of the TANGIPAHOA PARISH GOVERNMENT to review all complaints received by the local governing body.

SECTION 2

The following procedures will be followed on all procurement related complaints received by the TANGIPAHOA PARISH GOVERNMENT:

1. The complainant shall notify the Parish Finance Director of the complaint. The initial complaint may be expressed orally or by written correspondence (written correspondence may include an email sent to the proper party)
2. The Finance Director will notify the Grant Administrator or designated Parish project representative of the complaint within 3 working days.
3. The Grant Administrator or designated representative will investigate the complaint and will report the findings to the Finance Director within 3 working days.
4. The Finance Director will notify the complainant of the findings of the Grant Administrator or designated representative in writing or by telephone within 3 working days of receiving the complaint.
5. If the complainant is aggrieved by the procurement decision, he/she must forward the complaint in writing (if previously submitted orally) to the Parish Finance Director who will forward the complaint and all actions taken by the Grant Administrator or designated representative to the Parish President's office for review. This will be accomplished within 5 working days of receipt of the written complaint.
6. The Parish President's Office will have an additional 3 working days to review the complaint and forward their recommendation or decision to the complainant in writing, with a copy to the Grant Administrator.
7. If the complainant is aggrieved with the decision of the Parish President, he/she may notify the granting agency (if the project involves funding from a grant), or the Parish Council Clerk in writing that he/she desires to be afforded a hearing by the local governing body, Parish Council. The complainant will be placed on the next regularly scheduled council meeting agenda. The Parish Council Clerk will notify the complainant in writing or email as soon as possible of the date of the hearing.
8. The complainant may bring all relevant data, witnesses, etc., to the Parish Council meeting. The TANGIPAHOA PARISH COUNCIL at the meeting, will review the complaint and forward to the complainant within 10 days a certified copy of the minutes of the meeting at which the hearing was conducted and for which a decision was rendered. If a decision is not reached at the hearing, the TANGIPAHOA PARISH GOVERNMENT will

inform complainant of an appropriate date to expect a response. Within 10 working days of reaching a decision, the complainant will be notified in writing of the decision by the Parish.

SECTION 3

All citizen complaints relative to issues with Equal Opportunity violations alleging discrimination may also be forwarded for disposition by a complainant to the:

Louisiana Department of Justice

Public Protection Division

Post Office Box 94095

Baton Rouge, Louisiana 70804-9095

or

Complainant may contact the Louisiana Department of Justice Division directly at the Toll Free Telephone number 1-800-273-5718 or 225-342-7900.

SECTION 4

The Parish Finance Director will maintain a file for the purpose of keeping reports of procurement related complaints.

SECTION 5

This policy does not invalidate nor supersede the personnel policy, citizen's participation plan, or other policies of the TANGIPAHOA PARISH GOVERNMENT which are currently adopted, but is intended to serve as an additional guide for procurement related complaints.

SECTION 6

This policy may be amended by the Parish President's office as needed and shall be posted to the Parish's home website.