

TANGIPAHOA PARISH GOVERNMENT

PROCUREMENT 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 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 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 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.

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 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. 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 HUD 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.

Invitation for Bid. Using this procurement method, procurements are publicly advertised in accordance with the state's Public Bid Law (projects exceeding \$157,500) or the federal bid requirement, now set at \$250,000 minimum 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 must be procured via requests for qualification statements; 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.

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.
- 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 exists 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.

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 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.

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

- **for federally-funded**
No specified requirements
 - \$10,000 and below for supplies
 - \$10,000 and below for services
 - \$10,000 and below for construction
- **State-funded (\$0-\$9,999)**
No bid or purchase procedure specified, if under \$10,000, but it is best to get at least 2 written quotes

Small purchases (simplified acquisition) For purchases under \$250,000 (not including A&E)

- **Federal (under \$250,000)**
- **State (under \$157,700)**
 - \$10,000-\$30,000
 - \$30,000 and above

Professional Services). Written price quotations are needed from at least 3 qualified sources

Includes supplies, equipment, services, or construction

- 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 \$157,700, 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 \$157,700.

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**
- **State**

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