REQUEST FOR PROJECT AMENDMENT

LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT, DISASTER RECOVERY UNIT

1. Grantee Name	**2. Amendment Number**	**3. Date of Request**
4. Grantee Contact Info Contact Person's Name: _____ Address: _____ Phone Number:_____ Email: _____	**5. CEA Number**	**6. Project Number**
	CDBG Program Schedule:	
	7. ERR Complete Date:	**10. Construction Start Date:**
	8. Acquisition/Closing Date:	**11. Construction End Date:**
	9. Design Complete Date:	

12. Type of Amendment

A. ☐ **Extension of Time – Revised Date:_____** **B.** ☐ **Budget Revisions** **C.** ☐ **Scope of Work** **D.** ☐ **Special Conditions**

13. Explanation for Request (Attach Additional Page if Necessary)

14. Housing	Approved # of Units:	Revised # of Units:

15. Effect of Requests

a. Approved Budget	**CDBG**	**Other Federal***	**State/Local***	**Private***	**Other***	**Total**
Total						

*Source of Funds:

b. Additions & Deletions	CDBG	Other Federal*	State/Local*	Private*	Other*	Total
Total						

*Source of Funds *(If different from Budget):*

c. Revised Budget	CDBG	Other Federal*	State/Local*	Private*	Other*	Total
Total						

*Source of Funds *(If different from Budget):*

16. Submitted by (Chief Elected Official):

Signature: _____
Name: _____
Title: _____
Date: _____

17. Action Taken (OCD/DRU Use Only)

Approved ☐
Disapproved ☐

Signature: _____
Name: _____
Title: _____
Date: _____

REQUEST FOR PROJECT AMENDMENT
LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT, DISASTER RECOVERY UNIT

INSTRUCTIONS

1. Enter grantee name.
2. Enter the Project Amendment number. (If this is your first project amendment, enter '1', your second, enter '2', etc.
3. Enter the date of your request for an amendment.
4. Enter the Grantee Contact Information.
5. Enter the CEA (contract) number.
6. Enter the Project Number.
7. Enter the ERR Completion Date.
8. Enter the Acquisition/Closing Date.
9. Enter the Design Complete Date.
10. Enter the Construction Start Date.
11. Enter the Construction End Date.
12. Check the appropriate box to indicate what type of amendment you are requesting.
13. Enter an explanation or justification for the amendment request. Provide a detailed explanation of the amendment to include the reason and the results. For example, if the request is for an increase in the number of homes to be rehabilitated, indicate the number of homes completed, the number of additional homes to be rehabilitated, the amount of funds available to rehabilitate the additional homes, and provide an explanation of why additional funds are available.

14. To be completed if a change in the number of homes to be rehabilitated occurs. Enter the number of original approved number of units and the revised number of units.

15. To be completed if a change in the Authorized Budget occurs. Complete sections 15a, b, and c as follows:

    a. Show the appropriate dollar amounts based on the current approved budget.
    b. Show the appropriate dollar amounts for the actual additions or deletions being requested in this amendment request.
    c. Show the appropriate dollar amounts for the revised budget that incorporates the requested additions or deletions.

16. The chief elected official should complete this section of the form.

17. Leave this section blank. OCD/DRU will complete this section to indicate approval or disapproval.

THIS PAGE INTENTIONALLY LEFT BLANK

SAMPLE CITIZEN PARTICIPATION PLAN

The _____ has adopted the following Citizen Participation Plan to meet the citizen participation requirements of Section 508 of the Housing and Community Development Act of 1974, as amended. The _____ is committed through adoption of this plan to full and total involvement of all residents of the community in the composition, implementation and assessment of its Louisiana Disaster Recovery Community Development Block Grant (DR CDBG) Program. Attempts will be made to reach all citizens, with particular emphasis on participation by persons of low and moderate income, residents of slum and blighted areas and of areas in which funds are proposed to be used. A copy of this plan will be made available to the public upon request.

As part of the citizen participation requirements and to maximize citizen interaction, the _____ shall:

1. Provide citizens with reasonable and timely access to local meetings, information and records relating to the State's proposed method of distribution, as required by the Secretary, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;
2. Provide for public hearings to obtain views and respond to proposals and questions at all stages of the community development program. These hearings will consist of the development of needs and proposed activities and review of program performance. These hearings will be held after adequate notice, a minimum of five calendar days, at times and locations convenient to potential or actual beneficiaries with accommodations for persons with disabilities;
3. Provide for and encourage citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
4. Provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals;
5. Where applicable, identify how the needs of non-English speaking residents will be met in the case of public hearings; and
6. Provide for a formal written procedure which will accommodate a timely written response, within fifteen days where practicable, to written complaints and grievances.

Written minutes of the hearings and an attendance roster will be maintained by the_____.

PUBLIC HEARINGS

Notices informing citizens of any public hearings will appear in the official journal of the _____ a minimum of five calendar days prior to the hearing. In addition, notices will also be posted in (parish office buildings/town hall) and the hearing will be publicized through local community organizations, i.e., churches, clubs, etc., and/or dissemination of leaflets in the target area. Hearings will be held at times and locations convenient to potential or actual beneficiaries with accommodations for individuals with disabilities and non-English speaking persons. Whenever possible these hearings will be held within or near the target areas, at times affording participation by the most affected residents.

I. APPLICATION

First Notice/Public Hearing

1. The public hearing to address the Disaster Recovery CDBG application submittal will be held approximately _____ calendar days prior to the deadline for submission of the application for the current funding cycle. The Citizen Participation Plan will be available at the hearing. The public notice for this hearing will state that the following will be discussed:
    a. The amount of funds available for proposed community development;
    b. The range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income;
    c. The plans of the for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by the to persons actually displaced as a result of such activities; and
    d. The prior performance of Disaster Recovery CDBG programs funded by the State of Louisiana.

    In addition, the notice shall state that all citizens, particularly low and moderate income residents of slum and blighted areas, are encouraged to submit their views and proposals regarding community development and housing needs. Those citizens unable to attend this hearing may submit their views and proposals to:

    (address of local governing body)

    The notice will also state that accommodations will be made for disabled and non-English speaking individuals provided a _____ day notice is received by the _ _____.

Second Notice

1. Seven calendar days, at a minimum, prior to the deadline for submittal of the application, a second notice shall appear in the official journal informing the citizens of the following:
    a. Proposed submittal date of the application;
    b. Proposed objectives;
    c. Proposed activities;
    d. Location of proposed activities;
    e. Dollar amount of proposed activities; and
    f. Location and hours available for application review.

In addition, the notice shall state "all citizens, particularly those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:

(address of local governing body)

Negative comments received will be forwarded immediately to the State's Office of Community Development, Disaster Recovery Unit or the application will be withdrawn if necessary.

II. AMENDMENTS

Program amendments, which substantially alter the Disaster Recovery CDBG project from that approved in the original application, shall not be submitted to the State without holding one public hearing in accordance with the procedures outlined within this Citizen Participation Plan. Minutes of the hearing will be submitted with the request for the amendment. All interested citizens, particularly the low and moderate income, elderly, handicapped, and residents of the project area, shall be made aware and have the opportunity to comment on proposed amendments and/or submit alternative measures.

III. CONSIDERATION OF OBJECTION TO APPLICATION OR AMENDMENT

Persons wishing to object to approval of an application by the State may make such objection known to:

Division of Administration
Office of Community Development, Disaster Recovery Unit
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

The State will consider objections made only on the following grounds:

1. The application description of needs and objectives is plainly inconsistent with available facts and data;
2. The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and
3. The application does not comply with the requirements set forth in the Final Statement or other applicable laws.

Such objections should include both an identification of the requirements not met and, in the case of objections relative to (1) above, the complainant must supply the data upon which he/she relied upon to support his/her objection.

IV. BILINGUAL

Whenever a significant number of persons and/or residents of blighted neighborhoods communicate with a primary language other than English attend public hearings, the _____ will provide a interpreter for dissemination of information to them providing the _____ is given sufficient notification of _____ day(s).

V. TECHNICAL ASSISTANCE

Technical assistance may be provided directly by the _____ to any citizen, particularly to low and moderate income persons, residents of blighted neighborhoods and minorities, who request assistance in the development of proposals and statement of views concerning the Disaster Recovery CDBG Program. The local officials, administrator and engineer will conduct informational meetings with the residents of the low to moderate income areas if a written request is received by the _____ with at least a one week notification. The persons who conducts the technical assistance meetings will disseminate information on the program and answer all pertinent questions.

VI. TIMELY ACCESS AND ADEQUATE INFORMATION

The _____ shall provide timely disclosure of records, information and documents related to the Disaster Recovery CDBG program activities. Documents will be made available for copying upon request at the _____, Monday thru Friday, _____ a.m. to _____ p.m.
Such documents may include the following:

1. All meetings and promotional materials.
2. Records of hearings and meetings.
3. All key documents, including prior applications, letters, grant agreements, citizen participation plans, and proposed applications.
4. Copies of the regulations (final statements) concerning the program.
5. Documents regarding other important requirements, such as Procurement Procedures, Fair Housing, Equal Employment Opportunity, Uniform Act, Labor Provisions and Environmental Procedures.

VII. CITIZEN COMPLAINT PROCEDURE

SECTION 1

It is the policy of the (local governing body) to review all complaints received by the (local governing body.)

SECTION 2

The following procedures will be followed on all complaints received by the (local governing body):

1. The complainant shall notify the (designated local official) of the complaint. The initial complaint may be expressed orally or by written correspondence.
2. The (designated local official) will notify the Mayor or designated representative of the complaint within _____ working days.
3. The Mayor or designated representative will investigate the complaint and will report the findings to the (designated local official) within ___ working days.
4. The (designated local official) will notify the complainant of the findings of the Mayor or designated representative in writing or by telephone within _____ working days.
5. If the complainant is aggrieved by the decision, he must forward the complaint in writing (if previously submitted orally) to the (designated local official) who will forward the complaint and all actions taken by the Mayor or designated representative to the appropriate council committee for their review. This will be accomplished within _____ working days of receipt of the written complaint.
6. The reviewing council committee will have _____ working days to review the complaint and forward their decision to the complainant in writing.
7. If the complainant is aggrieved with the decision of the Committee, he must notify the (designated local official) in writing that he desires to be afforded a hearing by the (local governing body) Council. The complainant will be placed on the next regularly scheduled council meeting agenda. The (designated local official) will notify the complainant in writing of the date of the hearing.
8. The complainant must bring all relevant data, witnesses, etc., to the hearing. The (local governing body) Council, at the hearing, will review the complaint and forward within _____ days a certified copy of the minutes of the meeting at which the hearing was conducted and a decision was rendered to the complainant. If a decision is not reached at the hearing, the (local governing official) Council will inform complainant of an appropriate date to expect a response. Within ___ _____ working days of reaching a decision, the complainant will be notified in writing of the decision.

Complaints concerning the general administration of the DISASTER RECOVERY CDBG Program may be submitted in writing directly to the:

Division of Administration
Office of Community Development, Disaster Recovery Unit
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

SECTION 3
All citizen complaints relative to Fair Housing/Equal Opportunity violations alleging discrimination shall be forwarded for disposition to the:

Louisiana Department of Justice
Public Protection Division
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

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

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 (designated local official) will maintain a file for the purpose of keeping reports of complaints.

SECTION 5
This policy does not invalidate nor supersede the personnel or other policies of the (local governing body) which are currently adopted, but is intended to serve as a guide for complaints.

SECTION 6
This policy may be amended by a majority vote at any of the _____ regularly scheduled meetings.

ADOPTION
This Citizen Participation Plan is hereby adopted by _____in regular session on this _____ day of _____, 200___.

_____ _____
WITNESS CHIEF ELECTED OFFICIAL

FREQUENTLY ASKED QUESTIONS CONCERNING EQUAL OPPORTUNITY

A PRECONSTRUCTION CONFERENCE HANDOUT

1. What are the responsibilities of the offeror or bidder to ensure equal employment opportunity?

   The offeror or bidder must comply with the "Equal Opportunity Clause" and the "Standard Federal Equal Opportunity Construction Contract Specifications".

2. Are contractors required to ensure a comfortable working environment for all employees?

   Yes. It is the Contractor's responsibility to provide an environment free of harassment, intimidation, and coercion to all employees and to notify all foremen and supervisors to carry out this obligation, with specific attention to minority or female individuals.

3. To alleviate developing separate facilities for men and women on all sites, can a contractor put all women employees on one site?

   No. The Contractor must assign two or more women to each site when possible.

4. Are contractors required to make special outreach efforts to minority and female recruitment sources?

   Yes. Contractors must establish a current list of minority and female recruitment sources, notify them when employment opportunities are available including on-the-job training and apprenticeship programs and record responses.

5. Must any efforts be made to record the number of minority and females applying for positions with construction contractors?

   Yes. All contractors must maintain a current file of the names, addresses and telephone numbers of all minority and female applicants and document whatever action was taken.

6. What happens if a woman or minority is sent to the union by the Contractor and is not referred back to the Contractor for employment?

   If the unions impede the Contractor's responsibility to provide equal employment opportunity, a written notification must be sent to the Director, Office of Federal Contract Compliance Programs, and United States Department of Labor.

7. What efforts must be made by contractors to create entry level positions for women and minorities?

   Contractors are required to develop on-the-job training programs or participate in training programs, especially those funded by the Department of Labor, to create positions for women and minorities relevant to the Contractor's employment needs.

8. Must any efforts be made by the Contractor to publicize their Equal Employment Opportunity (EEO) Policy?

   Yes. The Contractor is responsible for notifying unions and training programs and request their cooperation as well as including it in any policy manual or collective bargaining agreement, and to publicize it in the company newspaper and annual report. Externally, the Contractor is responsible for including the EEO Policy in all media advertisements.

9. Must any in-service training programs be provided for staff to update the EEO Policy?

   At least annually, a review of the EEO Policy and the affirmative action obligations are required of all personnel employees of a decision making status. A record of the meeting including date, time, location, persons present, subject matter discussed, and disposition of the subject matter shall be maintained.

10. What recruitment efforts are made for minorities and women?

    The Contractor must notify both orally and in writing, minority and female recruitment sources one month prior to the date of acceptance for apprenticeship or other training programs. The Contractor must also encourage present minority and female employees to recruit members of their own group.

11. Must any measures be taken to encourage promotions for minorities and women?

    Yes. An annual evaluation must be conducted for all minority and female personnel to encourage these employees to seek higher positions.

12. What efforts must be taken to ensure that personnel policies are in accordance with the EEO Policy?

    Personnel policies in regard to job practices, work assignments, etc., must be continually monitored to ensure that the EEO Policy is carried out.

13. Can women be excluded from utilizing any facilities available to men?

    No. All facilities and company activities are non-segregated except for bathrooms or changing facilities to ensure privacy.

14. What efforts must be made to utilize minority and female contractors and suppliers?

    None. However, records must be kept of all offers to minority and female construction contractors.

15. If a contractor participates in a business related association, which does not comply with affirmative action standards, does this show his/her failure to comply?

    No. The Contractor's obligation to comply is his own. If he makes every effort to assume that this group has a positive impact on EEO Policy and they fail to accept this attitude, it shall not be contrived as noncompliance on the part of the Contractor.

16. Would a contractor be in violation of EEO Policy and affirmative action if he set up one set of goals to include minorities and women?

    Yes. There is a single goal for minorities and a separate single goal for women. The Contractor is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority.

17. Can a contractor hire a subcontractor who has been debarred from government contracts pursuant to EEO?

    No. The Contractor must suspend, terminate or cancel any subcontractor who is in violation of the EEO Policy.

18. What effort must be taken by the Contractor to monitor all employment to ensure the company EEO policy is being carried out?

    The Contractor must designate a responsible individual to keep accurate records of all employees which includes specific information required by the government.

SAMPLE CONSTRUCTION CONTRACT CHECKLIST

GRANTEE: _____ CONTRACT #:_____

Dates of Bid Advertisement: _____
Labor Standards Compliance Officer: _____
Date of 10-Day Call: _____
Date of Bid Opening: _____
Date of Contract Award: _____
Date Work Began: _____
Date Contract Executed: _____
Contract Amount: _____
Contractor: _____ Address: _____

Indicate by an "X" if the contractor can be classified as any of the following.
Minority: _____ Section 3: _____ Female: _____

Contact Person: _____ Telephone: _____

1.	**Pre-Advertisement/Bid Package Review**	**Date/By**
	- Federal wage determination requested	_____
	- Federal wage determination acknowledged	_____
	- Federal wage determination reviewed	_____
	- Federal Labor Standards Provisions	_____
	- Davis-Bacon provisions ($2,000)	_____
	- Contract Work Hours and Safety Standards clauses	_____
	- Copeland Anti-Kickback clause	_____
	- Employment of Apprentices/Trainees clause	_____
	- Title VI clause	_____
	- Compliance with Title VIII Fair Housing	_____
	- E.O. 11246 standard clause (contracts above $10,000) OR 3-paragraph equal opportunity provisions (contracts less than $10,000)	_____
	- Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity (E.O. 11246 -- contracts $10,000 or more)	_____

Date/By

- Standard Federal Equal Employment Opportunity Construction Contract Specifications and Goals and Timetables (E.O. 11246 -- contracts $10,000 or more) _____
- Section 109 clause _____
- Section 504 Handicapped (contracts of $2,500 or more) _____
- Section 3 clause _____
- Age Discrimination Act of 1975 _____
- Segregated Facilities clause _____
- Clean Air/Water (contracts of $100,000 or more) _____
- Flood Insurance, if applicable _____
- Lead-Based Paint clause _____
- Architect's Certification of Compliance with Architectural Barriers Act of 1968 (copy to DOA) _____
- A-102 Bonding Insurance Provisions ($100,000) _____
- Access to Records/Maintenance of Records clauses _____
- General Administrative Provisions _____
- Review by Attorney *(optional)* _____
- Approval of plans and specs by cognizant agency (water and sewer projects) _____

2. PRE-AWARD

- Date of 10-day Call _____
- Minutes of Bid Opening _____
- Tabulation of Bids *(Send one copy to OCD/DRU)* _____
- Recommendation for Award _____
- Verify Contractor/Subcontractor clearance prior to awarding a construction contract _____
- Authorization of Contract Award _____

3. PRECONSTRUCTION

- Executed Contract _____
- Notice of Contract Award sent to OCD/DRU _____
- Notification of Contractor/Subcontractor Responsibilities _____
- Contractor's/Subcontractor's Section 3 Plan, if required _____

	Date/By
- Contractor's Section 3 Tables A & B completed, if required	_____
- Contractor's Certification regarding Section 3 and Segregated Facilities	_____
- Subcontractor's Certification regarding Section 3 and Segregated Facilities	_____
- Provide Contractor's Guide to Davis-Bacon Wage to contractor	_____
- Requested and received federal wage determination for any classifications not included on wage determination	_____
- If apprentices are to be used on contract, received copy of contractor's apprentice program certifications	_____
- If trainees are to be used on contract, received copy of contractor's trainee program certification	_____
- Bonding/insurance on file	_____

4. CONSTRUCTION/ENFORCEMENT

Payrolls & Statement of Compliance

	Received	Reviewed	Discrepancies	Description
Week 1				
Week 2				
Week 3				
Week 4 (Etc.)				

- Project Inspection	Date/By
1._____	_____
2._____	_____
3._____	_____
4._____	_____
- Complaints, if any, and actions taken	_____
- Correspondence concerning contractor E.O. compliance	_____

Project Inspection Checklist

A. Project Site Posting

1) Federal Wage Determination(s) _____

2) Notice to Employees (W.H. 1321) _____

3) Safety & Health Protection on Job _____

4) Equal Employment Opportunity Requirements (E.O. 11246) _____

B. Employee Interviews

Attach employee interview form for each interview conducted. All classifications represented on the job must be included in interviews.

5. PROJECT COMPLETION

- Files reviewed to determine completeness and establish that all required restitutions have been made and are adequately documented _____
- Labor Standards Enforcement Report(s) _____
- Copy of as-built plans received _____

Office of Community Development / Disaster Recovery Unit

Duplication of Benefit Policy

The Robert T. Stafford Disaster Relief and Emergency assistance Act (Stafford Act) requires that recipients of federal disaster recovery funding make certain that no "person, business concern or other entity" will receive duplicative assistance[1]. Because disaster assistance to each person/entity varies widely based on their insurance coverage and eligibility for federal funding, grantees cannot comply with the Stafford Act without first completing a duplication of benefits (DOB) analysis specific to each applicant.

A DOB occurs when:

- A beneficiary receives assistance, and
- The assistance is from multiple sources, and
- The assistance amount exceeds the need for a particular recovery purpose.

In response to hurricanes Katrina, Rita, Gustav, Ike and Isaac, the State of Louisiana received supplemental disaster recovery assistance through HUD's Community Development Block Grant (CDBG) Program. This assistance is intended to supplement, not replace, other public, private and nonprofit sector resources that have already been provided for the same need or loss. For example, if a family's damaged home costs $100,000 to repair and the homeowner received insurance proceeds in that amount, the homeowner could not also receive federal disaster recovery funds to repair the home. Grantees should ensure that each program provides assistance to a person or entity only to the extent that the person or entity has a disaster recovery need that has not been fully met by funds that have already been, or will be paid, from another source.

The purpose of this document is to outline how the State of Louisiana, Office of Community Development / Disaster Recovery Unit (OCD/DRU) assures that all applications for assistance from the programs funded by OCD/DRU (both housing and non-housing), as well as all projects implemented by OCD/DRU grantees, contractors and subrecipients, will be reviewed for possible duplication of benefits. The procedures described below are also applicable to all OCD/DRU grantees and subrecipients, and must be incorporated in the design and administration of programs/projects undertaken by them.

The first step of the DOB determination (calculation) is to determine the amount of assistance needed and the amount of funds previously received, or to be received, for a disaster recovery activity. This is accomplished by first determining the applicant's post-storm disaster need prior to the receipt or potential receipt of other funds. Next, all other sources of recovery assistance received, or available to be received, must be disclosed during the application process and must be verified. Other sources of funds include, but are not limited to: private insurance, the Federal Emergency Management Agency,

[1] Stafford Act, Title III, Sec. 312, (a)

the Small Business Administration (SBA), the National Flood Insurance Program, local and state funds, other federal programs, and private and nonprofit organizations.

The next step is to identify assistance that is not available for the activity. This consists of: funds received that are not for the same purpose as the CDBG activity(s); funds not available to the applicant, eg. forced mortgage payoff, contractor fraud, etc.; funds from private loans not guaranteed by the SBA (forgivable loans are duplicative); and any other asset or line of credit available to the applicant, such as checking and savings accounts, stocks, etc. These funds are not considered to be duplicative and may be excluded from being deducted as a duplication of benefit. Finally, after subtracting from the proposed activity cost the duplicate funds received or available to receive, calculate the maximum CDBG award.

Once the maximum CDBG award has been determined, applicants will be required to sign an agreement (either subrogation or Cooperative Endeavor Agreement) requiring them to return to OCD/DRU any assistance received for the same purpose as the CDBG disaster recovery funds. This agreement is to be monitored by OCD/DRU program staff, grantees and subrecipients at least annually for three years. Unless an additional need is established, disaster recovery funds must be recaptured to the extent they are in excess of the need and duplicate other assistance received by the beneficiary for the same purpose.

The following is an example of the above described process steps for DOB determination:

1. Identify the Applicant's Total Need Prior to Any Assistance..... $100,000
2. Identify All Potential Duplicative Assistance..... $35,000
3. Deduct Assistance Determined to be Duplicative..... $30,000
4. Maximum Eligible Award (Item 1 less Item 3)..... $70,000
5. Program Cap (if applicable)..... $50,000
6. Final Award (lesser of Items 4 and 5)..... $50,000

Unmet Needs

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

The federal regulation pertaining to this OCD/DRU policy and procedure for identifying Duplication of Benefits is found in Federal Register/ Vol. 76, No. 221, November 16, 2011, which should be reviewed as part of determining Duplication of Benefits.

Monitoring for DOB

The process for identifying and then monitoring for DOB begins with the review of each grant application, whether it is for a specific project or an individual beneficiary of disaster recovery CDBG funds. An applicant must provide detailed information about other sources of funds that were received or that may be received related to the activity for which CDBG funds are being requested. OCD/DRU staff review and verify the other funds to determine if they are for the same activity and exceed the need for recovery assistance. Once CDBG funds are awarded, minus any determined to be a DOB, applicants are required to notify OCD/DRU of the receipt of any additional funds received for the same activity. Program staff review individual pay requests and project amendments to determine if other funds have been received that represent a DOB. In the event that additional funds are determined to be a DOB, funds will be withheld from future pay requests, and the approved project budget will be amended. In the event that all funds have been expended and a DOB is identified, the applicant will be required to repay the funds to OCD/DRU for return to the U.S. Treasury.

Monitoring for duplication of benefits will also be incorporated into OCD/DRU monitoring policies and procedures.

Adopted on October 1, 2014

Approved by:

Patrick W. Forbes, Executive Director

SAMPLE DUPLICATION OF BENEFITS (DOB) POLICY

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) requires that recipients of federal disaster recovery funding make certain that no, "person, business concern or other entity" will receive duplicative assistance[1].

A Duplication of Benefits occurs when:

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

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

1. Identify the total need for assistance prior to any assistance being provided.
2. Identify all potentially duplicative assistance received or to be received.
3. Deduct assistance determined to be duplicative.
4. Determine maximum award.
5. Determine program cap (if applicable).
6. Determine final award.

The following is an example of the use of the six step process:

1. Applicant's total need prior to any assistance…….$100,000
2. All potentially available duplicative assistance……..$35,000
3. Assistance determined to be duplicative…….$30,000
4. Maximum eligible award (item 1 less item 3)……$70,000
5. Program cap (if applicable)……$50,000
6. Final award (lesser of items 4 and 5)……$50,000

Since disaster recovery needs are calculated at one point in time, subsequent circumstances may occur that affect need. If, after the assistance has been calculated and/or a CDBG award has been made, an applicant can demonstrate a change in circumstances, the award calculation may be subsequently reevaluated to take the increased need into consideration. Such changes in circumstances may include: vandalism, contractor fraud, an increase in the cost of materials and labor, a change in local zoning law and building codes, or subsequent damage to a home or business that was partially repaired. However,

[1] Stafford Act, Title III, Sec. 312, (a)

the reevaluation must be done before the initial need for which assistance was granted has been fully met (e.g. before a damaged house is fully repaired).

Once funds are awarded, minus any determined DOB, the applicant is required to notify the (City, Parish or Entity) _____ of the receipt of any additional funds received for the same activity. In the event funds that additional funds are determined to be a DOB, funds will be withheld from future pay requests. In the event that all funds have been expended and a DOB is identified, the applicant will be required to repay the funds for return to the U.S. Treasury.