



JOINT LEGISLATIVE COMMITTEE ON THE BUDGET

STATE CAPITOL
P.O. BOX 44294, CAPITOL STATION
BATON ROUGE, LOUISIANA 70804
(225) 342-2062

SENATOR BODI WHITE
CHAIRMAN

REPRESENTATIVE JEROME ZERINGUE
VICE-CHAIRMAN

NOTICE OF MEETING

Monday
June 22, 2020
10:00 AM
House Chamber

A G E N D A

I. CALL TO ORDER

II. ROLL CALL

III. BUSINESS

1. Fiscal Status Statement Five-year Baseline Budget
2. Review and approval of the provisions of Act No. 311 of the 2020 Regular Session of the Legislature.

IV. CONSIDERATION OF ANY OTHER BUSINESS THAT MAY COME BEFORE THE COMMITTEE

V. ADJOURNMENT

Persons who do not feel comfortable giving testimony in person may submit a prepared statement in accordance with Senate Rule 13.79, in lieu of appearing before the committee.

Only statements emailed to gasconr@legis.la.gov and received prior to June 19, 2020, at 5:00 p.m., will be included in the record for this meeting.

All persons desiring to participate in the meeting should utilize appropriate protective health measures and observe the recommended and appropriate social distancing.

THIS NOTICE CONTAINS A TENTATIVE AGENDA AND MAY BE REVISED PRIOR TO THE MEETING.

BODI WHITE, CHAIRMAN

**JOINT LEGISLATIVE COMMITTEE ON THE BUDGET
GENERAL FUND FISCAL STATUS STATEMENT
FISCAL YEAR 2019-2020
(\$ in millions)**

June 22, 2020

	<u>MAY 2020</u>	<u>JUNE 2020</u>	<u>JUNE 2020 Over/(Under) MAY 2020</u>
<u>GENERAL FUND REVENUE</u>			
Revenue Estimating Conference, May 11, 2020	\$9,592.800	\$9,592.800	\$0.000
FY18-19 Revenue Carried Forward into FY 19-20	\$87.892	\$87.892	\$0.000
Total Available General Fund Revenue	<u>\$9,680.692</u>	<u>\$9,680.692</u>	<u>\$0.000</u>
<u>APPROPRIATIONS AND REQUIREMENTS</u>			
Non-Appropriated Constitutional Requirements			
Debt Service	\$448.643	\$446.393	(\$2.250)
Interim Emergency Board	\$1.323	\$0.000	(\$1.323)
Revenue Sharing	\$90.000	\$90.000	\$0.000
Total Non-Appropriated Constitutional Requirements	<u>\$539.966</u>	<u>\$536.393</u>	<u>(\$3.573)</u>
Appropriations			
General (Act 10 of 2019 RS)	\$9,058.343	\$8,925.216	(\$133.127)
Ancillary (Act 40 of 2019 RS)	\$0.000	\$0.000	\$0.000
Judicial (Act 60 of 2019 RS)	\$151.460	\$151.460	\$0.000
Legislative (Act 70 of 2019 RS)	\$62.473	\$62.473	\$0.000
Capital Outlay (Act 20 of 2019 RS)	\$0.000	\$0.000	\$0.000
Total Appropriations	<u>\$9,812.242</u>	<u>\$9,675.542</u>	<u>(\$136.700)</u>
Other Requirements			
Funds Transfer Bill (Act 362 of 2019 RS)	\$2.150	\$2.150	\$0.000
Funds Transfer Bill (HB 9 of 2020 1ES) - PENDING	\$0.000	\$3.000	\$3.000
Total Other Requirements	<u>\$2.150</u>	<u>\$5.150</u>	<u>\$3.000</u>
Total Appropriations and Requirements	<u>\$9,814.392</u>	<u>\$9,680.692</u>	<u>(\$133.700)</u>
General Fund Revenue Less Appropriations and Requirements	<u>(\$133.700)</u>	<u>\$0.000</u>	<u>\$133.700</u>

II. FY 2018-2019 Fiscal Status Summary:

In accordance with Act 1092 of the 2001 Regular Session and Act 107 of the 2002 First Extraordinary Session R.S. 39:75 A.(3)(a) " At the first meeting of the Joint Legislative Committee on the Budget after publication of the Comprehensive Annual Financial Report for the state of Louisiana, the commissioner of administration shall certify to the committee the actual expenditures paid by warrant or transfer and the actual monies received and any monies or balances carried forward for any fund at the close of the previous fiscal year which shall be reflected in the budget status report."

FY19 GENERAL FUND DIRECT SURPLUS/DEFICIT - ESTIMATED (millions)

FY18 Surplus/(Deficit)		308.053
Other Obligations Against Cash Carried Over from FY18 to FY19:		
FY17 Surplus	63.026	
General Fund Direct, Carryforwards	63.665	
Transfer to Coastal Protection & Restoration Fund	<u>11.068</u>	
Total Other Obligations Against Cash Carried Over from FY18 to FY19		137.759
FY19 General Fund - Direct Revenues:		10,140.275
BP Settlement Payment		53.333
Total General Funds Available for Expenditure in FY19		10,639.421

FY19 General Fund - Direct Appropriations & Requirements:

Draws of General Fund Direct Appropriations	(8,982.854)	
General Obligation Debt Service	(422.651)	
Transfer to the Revenue Sharing Fund (Z06) - Constitution 7:26	(90.000)	
Transfer to the Revenue Stabilization Fund (Z25) - Constitution 7:10.15	(30.518)	(1)
Transfer to the New Opportunities Waiver Fund (H30) - R.S. 39:100.61	(15.000)	(2)
Transfers - Other per Statute and Legislative Action	(91.159)	(3)
FY17 Surplus - Appropriated or Transferred	(62.952)	(4)
FY18 Surplus - Appropriated or Transferred	(306.893)	(5)
Total FY19 General Fund Direct Appropriations & Requirements		(10,002.027)

General Fund Direct Cash Balance	637.394
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Obligations Against the General Fund Direct Cash Balance:

Unappropriated Use of FY17 Surplus	(0.074)	
Unappropriated Use of FY18 Surplus	(1.160)	
Pending FY19 Transfers to be Finalized in FY20	(13.759)	(6)
General Fund Direct, Carryforwards from FY19 to FY20	(87.892)	
Total Obligated General Fund Direct		(102.884)

General Fund Direct Surplus/(Deficit)	534.510
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Certification in accordance with R.S. 39:75A(3)(a)	\$534,509,518
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- (1) Revenue Stabilization Fund - corporate revenues in excess of \$600 million.
- (2) NOW Fund - 12% of the increase in the REC forecast during FY19 (12% of \$125 million increase = \$15 million)
- (3) Transfers per General Appropriations Bill (20-XXX) and Funds Bill (Act 362 of 2019 RLS)
- (4) FY17 Surplus - Capital Outlay \$22.5 million; DOTD Highway Improvements \$40.5 million
- (5) FY18 Surplus - BSF \$77 million; UAL \$31 million; Coastal \$55 million; Capital Outlay \$144 million
- (6) Pending Transfers - Coastal \$6.4 million; BP Settlement \$7.1 million (\$5.3 million Health Trust Fund, \$1.8 million Medicaid Trust Fund for the Elderly); \$0.2 million Fire Marshal Fund

III. Current Year Items Requiring Action

IV. Horizon Issues Not Contained in 5-Year Plan

State share owed to FEMA upon the final closeout of various disasters, including Hurricane Katrina, for public assistance (state, local, and private non-profits) and hazard mitigation projects. Final closeouts of the various disasters are not expected until FY20 at the earliest, but could extend beyond the 5-year baseline projection window.

In 2008, the State of Louisiana through the Coastal Protection and Restoration Authority Board entered into a Project Partnership Agreement with the United States Army Corps of Engineers to construct a Hurricane and Storm Damage Risk Reduction System (HSDRRS) around the greater New Orleans area. The HSDRRS project is a cost share agreement whereby the State is required to pay a percentage (about 35%) of the total costs of the project. Payback will occur over a 30 year period with the first payment due once the HSDRRS project is completed, which is expected to be in Fiscal Year 2021.

**FIVE YEAR BASE LINE PROJECTION
STATE GENERAL FUND SUMMARY
CONTINUATION**

	Official Current Fiscal Year 2019-2020	Projected Fiscal Year 2020-2021	Projected Fiscal Year 2021-2022	Projected Fiscal Year 2022-2023	Projected Fiscal Year 2023-2024
REVENUES:					
Taxes, Licenses & Fees	\$11,991,900,000	\$11,518,200,000	\$12,262,600,000	\$13,094,400,000	\$13,758,300,000
Less Dedications	(\$2,399,000,000)	(\$2,379,000,000)	(\$2,449,700,000)	(\$2,549,000,000)	(\$2,785,100,000)
TOTAL REC REVENUES	\$9,592,800,000	\$9,139,200,000	\$9,812,900,000	\$10,545,400,000	\$10,973,200,000
ANNUAL REC GROWTH RATE		-4.73%	7.37%	7.46%	4.06%
Other Revenues:					
Carry Forward Balances	\$87,891,744	\$0	\$0	\$0	\$0
Total Other Revenue	\$87,891,744	\$0	\$0	\$0	\$0
TOTAL REVENUES	\$9,680,691,744	\$9,139,200,000	\$9,812,900,000	\$10,545,400,000	\$10,973,200,000
EXPENDITURES:					
General Appropriation Bill (Act 10 of 2019 RS)	\$8,970,450,938	\$9,597,193,491	\$9,826,508,725	\$10,051,303,642	\$10,271,818,797
Ancillary Appropriation Bill (Act 40 of 2019 RS)	\$0	\$0	\$3,984,386	\$4,123,840	\$4,268,174
Non-Appropriated Requirements	\$539,966,015	\$528,600,944	\$485,874,204	\$470,814,678	\$456,661,881
Judicial Appropriation Bill (Act 60 of 2019 RS)	\$151,460,091	\$155,111,092	\$156,944,761	\$158,886,367	\$160,876,513
Legislative Appropriation Bill (Act 70 of 2019 RS)	\$62,472,956	\$62,472,956	\$62,533,365	\$62,533,363	\$62,533,360
Special Acts	\$0	\$0	\$9,017,337	\$9,017,337	\$9,017,337
Capital Outlay Bill (Act 20 of 2019 RS)	\$0	\$0	\$0	\$0	\$0
TOTAL ADJUSTED EXPENDITURES (less carryforwards)	\$9,724,350,000	\$10,343,378,483	\$10,544,862,778	\$10,756,679,227	\$10,965,176,062
ANNUAL ADJUSTED GROWTH RATE		6.37%	1.95%	2.01%	1.94%
Other Expenditures:					
Carryforward BA-7s Expenditures	\$87,891,744	\$0	\$0	\$0	\$0
Supplemental Bill (Act 255 of 20 RS); Funds Bills (Act 362 of 19 RS and HB9 of 20 1ES - Pending)	(\$131,550,000)	\$0	\$0	\$0	\$0
27th Pay Period occurring in FY22-23	\$0	\$0	\$0	\$70,844,235	\$0
Total Other Expenditures	(\$43,658,256)	\$0	\$0	\$70,844,235	\$0
TOTAL EXPENDITURES	\$9,680,691,744	\$10,343,378,483	\$10,544,862,778	\$10,827,523,462	\$10,965,176,062
PROJECTED BALANCE	\$0	(\$1,204,178,483)	(\$731,962,778)	(\$282,123,462)	\$8,023,938
Oil Prices included in the REC forecast on 5/11/2020.	\$46.42	\$32.17	\$45.92	\$51.68	\$54.30

Louisiana Main Street Recovery Program

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by President Trump on March 27, 2020. The CARES Act established the \$150 billion Coronavirus Relief Fund for payments to State, Local, and Tribal governments navigating the impact of the COVID-19 outbreak. Louisiana received over \$1.8 billion in CARES Act funds.

Act 311 of the 2020 Regular Legislative Session created the Louisiana Main Street Recovery Program, administered by the State Treasurer. Act 311 directed \$300 million of the CARES Act funds to the Louisiana Main Street Recovery Fund to provide economic support to eligible Louisiana businesses for costs incurred in connection with COVID-19.

Definitions

Applicant means an eligible business or a representative of an eligible business that completes and submits an application for the program.

Authorized Chief Executive means the authorized representative to request, on behalf of the business, direct payments from the State of Louisiana from the allocation of funds to the Louisiana Main Street Recovery Program.

COVID-19 means the Coronavirus disease 2019.

Eligible Business means a for-profit corporation, a limited liability company, a partnership, or a sole proprietorship that meets all of the following criteria:

- a. Was domiciled in Louisiana as of March 1, 2020;
- b. Is in good standing with the Secretary of State, if applicable;
- c. Suffered an interruption of business caused by forced or voluntary closures or restricted operations due to social distancing measures, decreased customer demand, cleaning or disinfecting expenses, and providing personal protective equipment.
- d. Is at least 50% owned by one or more Louisiana residents, whether individual resident citizens or Louisiana domestic business entities;
- e. Filed Louisiana taxes for tax year 2018 or 2019 or, if an eligible business formed on or after January 1, 2020, intends to file Louisiana taxes for tax year 2020;
- f. Has customers or employees coming to its physical premises;
- g. Had no more than 50 full-time equivalent employees as of March 1, 2020;

- h. Is not a subsidiary of a business with more than 50 full-time equivalent employees, is not part of a larger business enterprise with more than fifty full-time equivalent employees, and is not owned by a business with more than 50 full-time equivalent employees.
- i. Does not exist for the purpose of advancing partisan political activity and does not directly lobby federal or state officials; and
- j. Does not derive income from passive investments without active participation in business operations.

Eligible Expense means a cost incurred by an eligible business due to public health measures or an interruption of business beginning March 1, 2020, and ending December 30, 2020.

Grant means an award by the Treasurer to an eligible business under the Louisiana Main Street Recovery Program.

Interruption of Business means business interruption caused by forced or voluntary closures or restricted operations, including but not limited to social distancing measures, decreased customer demand, cleaning or disinfection expenses, and providing personal protective equipment, related to COVID-19.

Louisiana Resident means every natural person domiciled in the state, and every other natural person who maintains a permanent place of abode within the state or who spends in the aggregate more than six months of the taxable year within the state.

Minority Business Enterprise means a small business organized for profit performing a commercially useful function which is at least 50 percent owned by one or more minority individuals, women, or veterans, who also control and operate the business. If more than one person owns the enterprise, at least 50% of the owners must be resident citizens of the state. “Control” means exercising the power to make policy decisions and “operate” means being actively involved in the day-to-day management of the business.

Grant Awards

Applicants must complete and submit a Program Application Form to qualify for the program. Amounts awarded will be based on eligible expenses, but no award will exceed \$15,000. The purpose of the grant is to provide economic support to eligible Louisiana businesses for costs incurred due to public health measures or an interruption of business. The categories of recipients will be chosen by the applicant based on the North American Industry Classification System (NAICS) code.

It is the obligation of the eligible business to demonstrate how any claimed expense meets the requirements to be deemed an eligible expense, including its relation to the interruption of business and/or public health measures undertaken in response to COVID-19.

Total eligible expenses will be reduced by the amount of any U.S. Small Business Administration Paycheck Protection Program (PPP) loan funds, U.S. Small Business Administration Economic Injury Disaster Loan (EIDL) advance funds, and business interruption insurance proceeds received by the eligible business.

All applicants will be required to disclose if they have applied for but not yet received PPP funds or EIDL funds or if they have made a business interruption insurance claim. Future receipt of any of these funds may result in the applicant paying back some or all of the grant funds received.

Any established procedures may be amended by the Treasury at any time and are further subject to amendment pursuant to any change in the federal or state law providing for the grant funds and the regulations and guidance implemented related thereto.

Number of eligible recipients

Based on the 2020 US Small Business Administration profile, we estimate over 450,000 businesses with up to 50 employees is the eligible pool for the program.

Repayment of Funds

By submitting an application, each applicant will acknowledge and agree under penalty of perjury that the submission of any false, fraudulent, or materially misleading information in the application or in support of the application will result in immediate disqualification and penalties under state and federal law. If such information is discovered following an award of grant funds, the applicant and anyone acting as a representative of the applicant will be prosecuted to the fullest extent of the law and shall repay all grant funds received.

Priority Eligible Businesses

Applications will be taken online through a web portal at the Treasury's website. Reasonable accommodations will be made, on request, to enable all businesses that wish to apply the ability to participate fully in the process and to enjoy all program benefits for which they qualify.

For the first 21 days of the program, the Treasury will only consider and review applications from eligible businesses that did not receive a PPP loan and/or an EIDL advance, reimbursement under any federal program for the expenses that will be reimbursed by a grant under the program, or compensation from an insurance company for an interruption of business.

At least \$40 million in program funds are reserved for awards to eligible businesses constituting minority business enterprises during the first 60 days of the application period.

Applications

All applicants must provide the following information in the application:

1. Authorized Representative name, address, phone number, email address
2. Federal Taxpayer Identification Number;
3. State Taxpayer Identification Number;
4. Louisiana Department of Revenue Account Number;
5. Business legal name;
6. DBA or tradename (if applicable);
7. Date of formation/creation;
8. Business address;
9. Business phone number;
10. Email address;
11. Name of primary contact (if different from authorized representative)
12. Industry category
13. Business type;
14. Louisiana Secretary of State Business ID number (if applicable);
15. Louisiana Workforce Commission Employer ID number (if applicable);
16. For every individual who is a controlling owner:
 - a. Owner name;
 - b. Title of owner;
 - c. Percentage owned;
 - d. Taxpayer identification number;
 - e. Address of owner;
 - f. Indication of any owner who is a Louisiana resident; and
 - g. Indication of any owner who is a participant in the applicant's active day-to-day operations.
17. Number of full-time equivalent employees as of March 1, 2020;
18. Indication that the business is a minority business enterprise (if applicable);
19. Purpose of the grant
20. Confirmation that the business was domiciled in Louisiana as of March 1, 2020;
21. Confirmation that the business was in good standing with the Louisiana Secretary of State (if applicable);
22. Confirmation that the business suffered an interruption of business caused by forced or voluntary closures or restricted operations due to social distancing measures, decreased customer demand, cleaning or disinfecting expenses, and providing personal protective equipment;
23. Confirmation that the business was at least 50% owned by one or more Louisiana residents, whether individual resident citizens or Louisiana domestic business entities;

24. Confirmation that the business filed Louisiana taxes for tax year 2018 or 2019 or, if an eligible business formed on or after January 1, 2020, intends to file Louisiana taxes for tax year 2020;
25. Confirmation that the business had customers or employees coming to its physical premises;
26. Confirmation that the business had no more than 50 full-time equivalent employees as of March 1, 2020;
27. Confirmation that the business is not a subsidiary of a business with more than 50 full-time equivalent employees, is not part of a larger business enterprise with more than 50 full-time equivalent employees, and is not owned by a business with more than 50 full-time equivalent employees;
28. Confirmation that the business does not exist for the purpose of advancing partisan political activity and does not directly lobby federal or state officials;
29. Confirmation that the business does not derive income from passive investments without active participation in business operations;
30. Indication as to whether (and if so, how much) the applicant has applied for and/or received funds from any of the following:
 - a. U.S. Small Business Administration Paycheck Protection Program loan;
 - b. U.S. Small Business Administration Economic Injury Disaster Loan advance;
 - c. Other federal programs; and
 - d. Business interruption insurance proceeds.

In addition to providing answers to these questions, the applicant must submit the following documentation at the time of application:

1. Government issued photo ID of the person signing the application.
2. Business license for sole proprietorships and general partnerships, articles of organization/certification of incorporation for corporations and limited liability corporations, or certificate of limited partnership/LLP registration for limited liability partnerships.
3. A tax return filed for the eligible business for 2018 and/or 2019. If the eligible business formed on or after January 1, 2020, a return will not be required. Those entities that do not file tax returns in the name of the eligible business (e.g., single member LLCs, sole proprietorships and certain partnerships) will submit the Schedule C to the appropriate individual tax return.
4. Business interruption insurance declaration page (if applicable).
5. Evidence of minority business enterprise status (if applicable).
6. Evidence of eligible expenses including, but not limited to, invoices, receipts, rental/lease agreements, contracts, payroll/time records, utility bills, mortgage statements, or other applicable documentation.

The applicant must certify to certain required statements, including a statement that it understands and agrees to all provisions of the program including but not limited to Act 311 of the 2020 Regular Legislative Session and the program procedures. Failure to agree to these certifications and representations will cause the application to be disqualified.

An applicant found to be fully or partially noncompliant with grant requirements will be required to return all or a portion of the grant monies received and may result in additional civil and criminal penalties.

Application Review Process

Applications will be processed in accordance with the priority set forth in law.

The amount requested for each grant will be calculated based on the proof of eligible expenses submitted by the applicant.

Non-qualifying applicants will be notified of the disqualification.

A final grant award amount will be determined and notice will be provided to the eligible business.

At any point during this process, the Treasury may contact the applicant for further information or supplemental documentation.

The Treasury reserves the right to independently verify any information submitted.

Distribution of Funds

All grant funds will be disbursed by written check in the name of the eligible business and mailed to the physical address provided in the application.

Appeals Process

An applicant may appeal any award or disqualification notice received from the Treasury.

Fraud Referrals

In cases in which fraud is suspected or where false or materially misleading information or documentation has been provided by an applicant and/or an applicant's representative, a written

referral will be made to the Louisiana Legislative Auditor's Office, the Louisiana Attorney General's Office, or in certain cases the Office of the United States Attorney. The Treasury will cooperate fully in such investigations and provide all information and documentation it has received or gathered on the applicant and/or the applicant's representative.

Availability of Funds

This program is contingent upon the availability of funds as appropriated by the Legislature and provided by the federal government.

Request for Qualifications
and
Solicitation for Offers

for assistance with the

**Administration of the Louisiana
Main Street Recovery Program**



DATE ISSUED: Friday, June 12, 2020

DATE REVISED: Tuesday, June 16, 2020

RESPONSES ARE NOW DUE BY FRIDAY, JUNE 19, 2020 at 4:30 pm CDT

Table of Contents

Project Overview and Statement of Need	3
Authorization to Solicit Offers	4
Instructions to Respondents	4
Scope of Work Components	6
Intake of new grant applications online	6
Ability to modify saved, but not yet submitted online applications and other system interactions	7
Prospective Grant Application Review Work	8
Payment Issuance and Tracking	8
Customer Service - Call Center Operations	9
Analytics and Reporting	9
Information Security & Data Privacy Concerns	10
Information Security & Access Control	10
Data Sources (Information needed for planned system)	11
Data Privacy	11
System Security Plans	11
Critical Timelines	11
Program Marketing Plan	12
Program Success Criteria (Desired Project Outcomes)	13
Questions for Respondents	13
Additional Information Needed	14
Pricing Guidance	15
Message from the Treasurer	16
Appendix A - Enrolled Version of SB-189	17
OFFER FORM (Appendix B)	18
Appendix C - Defined Application Questions and Attestation Verbiage	19
Appendix D - Check Requisition File Format Specifications	26

Definitions of terms used in this document

RFQ/SFO - means this document and any subsequent published versions of it.

MBE - means minority owned (controlling interest), or female owned, or veteran owned

IP - means Internet Protocol

URL - means Uniform Resource Locator, or world wide web address

SSL - means Secure Sockets Layer

SFTP - means Secure File Transfer Protocol

API - means Application Program Interface

1. Project Overview and Statement of Need

The purpose and objective of this RFQ/SFO is to identify (a) prospective professionals and professional organizations who wish to be considered as potential contractors, and (b) to solicit input from them, and (c) to obtain offers from those interested and qualified experts to assist the State of Louisiana, Department of Treasury with administering a newly created grant program, as promulgated by recent law and specifically herein referred to as the MAIN STREET RECOVERY PROGRAM (herein referred to as “MSRP”). <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1179175>.

This program is in direct response to the COVID-19 pandemic caused by the Coronavirus. It is targeted at Louisiana-owned small businesses that need financial help. The program will initially consist of advertising and marketing to get eligible small businesses to make online applications to obtain grant money that has been made available to the State via the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”), the amount of up to \$300 million. <https://www.congress.gov/bill/116th-congress/house-bill/748>.

We anticipate a high volume demand for services to include customer service call and email management, grant application review and award recommendation decisioning, payment issuance, and other related program services. We need help to service the anticipated demand levels.

In accordance with Senate Bill 189 of the 2020 Regular Session of the Louisiana Legislature, the Treasurer, at his discretion, and with anticipated input from his advisory committee, may choose a single contractor to administer a substantial portion of this Program (as defined herein and with details yet to be fully defined), OR multiple contractors may be selected in a “best of breed” contracting model. The primary criteria to be utilized in the selection process is who can demonstrate the highest likelihood of helping the MSRP achieve the success criterion defined herein (see Section 8) in the most expedited manner, with the highest quality of service methods, and with an overall competitive proposed cost.

The respondent must demonstrate their ability to adapt to continued compliance change demands with federal and state laws, rules, guidance, and official legal opinions throughout the service term of this program.

2. Authorization to Solicit Offers

~~In anticipation of the~~The enactment of Senate Bill 189 (SB 189) of the 2020 Regular Session of the Louisiana Legislature, ~~we proceed today with this RFQ/SFO as if it will become enacted only because of~~ **drives** the urgent nature and need to get these funds distributed without unnecessary delay. However, we must caution that ~~if this bill fails to become law,~~ or if changes in the state or federal laws impact this **new law**, there may not be a need for one or more of these services (described herein) and that a respondent's investment in time and necessary costs to respond to this solicitation will not be reimbursable or in any way become compensable by the State.

The Treasurer of the State of Louisiana envisions a plan to administer this program by using a combination of existing state resources within his department, those within other departments or state agencies, and with the help from private sector organizations that are so willing to participate in this project under one or more service contracts in order to achieve program success.

3. Instructions to Respondents

Respondents are required to read the enrolled or enacted version of SB 189 of the 2020 Regular Session of the Louisiana Legislature (see **Appendix A** - SB NO. 189 - enrolled version). Respondents are also required to read and understand to a high or expert degree the Federal Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") and particularly Section 5001 and how it and subsequent numerous amendments and guidance bulletins that may be found in the Federal Register or elsewhere found that have been issued and thus apply or relate to defining eligible reimbursable expenses related to COVID-19, and also what defines an eligible business entity.

Respondents are expected to describe in their written submission in response to this RFQ/SFO, and potentially in person or by videoconference, how their organization would assist the Louisiana State Treasurer with fulfilling his obligations and duties in the proper disbursement of the up to \$300 million in appropriated funds only to eligible Louisiana small businesses who have eligible expenses or losses directly resulting from the COVID-19 pandemic.

Determination of the selected proposer's responsibility relating to this RFQ/SFO shall be made according to the standards set forth in LAC 34:V.2536. The State must find that the selected proposer:

- Has adequate financial resources for performance, or has the ability to obtain such resources as required during performance
- Has the necessary experience, organization, technical qualifications, skills, and facilities, or has the ability to obtain them
- Is able to comply with the proposed or required time of delivery or performance schedule
- Has a satisfactory record of integrity, judgment, and performance; and
- Is otherwise qualified and eligible to receive an award under applicable laws and regulations

Respondents should ensure their proposals contain sufficient information for the State to make its determination by presenting acceptable evidence of the above to perform the services called for in this RFQ/SFO and any resulting services contract. Your company's financial information or trade secrets should be clearly marked as "PROPRIETARY & CONFIDENTIAL" so as to assist with document redaction efforts should your proposal material be subject to L.R.S. 44:1 et seq., *the Public Records Law*. However, it would be improper to mark the entirety or substantial portions of your submitted proposal with this label. You should not mark your "Offer Form" as confidential.

All respondents must complete the "[Offer Form](#)" (referred to as [Appendix B](#)) which must list a contact person who has full authority to commit the respondent's organization to all terms and conditions and to negotiate on behalf of the responding organization. Additional information needed on that form is proposed pricing and date you would be ready to go live.

The Treasurer's staff is expected to begin evaluating responses received on or after Monday, June 15th. This is a highly time-sensitive project, therefore, we are **purposely leaving the response deadline as open-ended setting the deadline for responses to be June 19, 2020**. However, one should anticipate that the Treasurer, as required by this legislation, will be presenting a high-level plan at the Joint Legislative Committee on the Budget (herein referred to as "JLCB") meeting at the State Capitol on or about June 19th. Ideally, in his presentation to that Committee, his plan outline will show which respondents as "subject matter experts" have been responsive, selected, or have been identified through this RFQ/SFO process as top contenders and thus are or might be expected to be in contract negotiations to provide the services described herein.¹

¹ It would be prudent for respondents and potential respondents to check the Treasurer's official website or contact the office at the above established email account to obtain information on the selection process so that if a contract has been awarded already time is not being spent on a response for that work component.

Respondents are to **email** their response to this RFQ/SFO. It must be in the Adobe PDF file format and sent to MSRP@treasury.la.gov. There is a 20 Mb file attachment limitation which may necessitate your needing to send your response in multiple email messages. We ask that you avoid using file compression tools unless you are sure the State will be able to decompress your attachments.

Respondents should expect a reply confirmation email message once your offer has been received, loaded to the appropriate server location, and tested for readability. No visitor appointments will be scheduled relating to this project. No hard copies of your materials will be accepted at this time. Respondents may email questions with the expectation that those questions and the answers provided could be published to the Treasurer's website to give all respondents a chance to see them.

4. Scope of Work Components

The Treasurer's staff has identified a technology solution offered by an existing contracted software services vendor. Respondents are welcome to present an alternative solution that includes the use of their own technology and business application software, so long as it can be demonstrated to have similar capabilities including the required minimum functions described in this section and can ALSO satisfy requirements that it can scale to meet demand (IP traffic), can be quickly and properly debugged, can be enhanced in a manner that is faster than considered typical, and can also address vulnerabilities and cyber threats that many systems face today:

4.1. Intake of new grant applications online

- 4.1.1. Need to stand up a static URL physically hosted within the United States
- 4.1.2. Need for the site visitor to read written web browser presented content (which we author or approve) so as to help them ascertain if their business qualifies for a grant by reading and understanding what the eligibility requirements are as well as what information they might need to gather in advance of initiating the application process (clicking the button)
- 4.1.3. Need for a secure, highly available, easy to use web portal
- 4.1.4. Ability for a user to register and create a new user account
- 4.1.5. Ability for an authorized user to initiate an application on behalf of a Louisiana domiciled small business with certain validation points to avoid fraudulent claims being submitted (see [Appendix C - Defined Application Questions and Attestation Verbiage](#))
- 4.1.6. Need for a logical web form fill and workflow with branching and trigger points during a wizard style information capture and validation process (estimate between 100 and 200 data elements among multiple tables in a

- modern hosted secure database) with the potential for integration with at least two other systems via common API methods or web services
- 4.1.7. Need for (applicant) users to then do an on screen application review, have edit capabilities, attestation/signature, perform secure documentation uploads, then have the system send email confirmation with a token or control number issuance. Otherwise offer a “save here” option to return later capabilities

4.2. Ability to modify saved, but not yet submitted online applications and other system interactions

- 4.2.1. Provide for the user who created the online application now wishes to come back and edit those fields which are editable, complete and submit the application, check the status of a submitted application, or upload more supporting documentation relative to a specific application
- 4.2.2. Provide for typical login process, password management, and help tools for self service
- 4.2.3. Input and validation of record search using assigned token obtained from previous submission step as found in the confirmation email or by record affiliation with their user ID. Specifically disallow users to see applications not created by their ID
- 4.2.4. Upload capabilities of supporting documentation stored as binary objects with limits on file size and file types as found typically within the industry practices (like whitelist allowed file extensions)
- 4.2.5. Certain field level changes allowed, but with change auditing and logging capabilities that can be viewed from an admin level persona
- 4.2.6. Status explanation online in plain English to reduce customer service calls
- 4.2.7. One user to many applications supported
- 4.2.8. Need for approved programmatically scripted record level updates using approved methods for operational maintenance of the database

The Treasury wishes to reiterate that a technology solution has been identified prior to issuing this RFQ/SFO and there is a belief that it will be sufficient for the anticipated needs of the program. Therefore, assume that your organization could have users who would be using that system, provided at no charge to you by the Treasurer's Office, to perform the services described below, particularly in Sections 4.3 and 4.5. Alternatively, a respondent could propose a bundled solution that might have all the services needed for the project, but perhaps except those described in 4.5 in which case another party would be contracted to do the Call Center work which would require that primary service provider offering their bundled solution to allow access to their information systems as needed by the Call Center vendor.

4.3. Prospective Grant Application Review Work

- 4.3.1. Admin level access with a user persona with rights and abilities to search, select, and review applications including viewing uploaded supporting documents
- 4.3.2. Ability to work a queue of pending applications ranked by a potential preference value or by date
- 4.3.3. Ability to search for and identify duplicate applications
- 4.3.4. Ability to enter and save certain information such as notes which are to be user, date, time stamped
- 4.3.5. Ability to enter recommended award amounts to be paid and potentially a worksheet that captures line item values to result in a sum and support for making additional subsequent claim amounts on the same application record, but with logic to never exceed a set maximum benefit value
- 4.3.6. Ability to change or promote the status value of the application record
- 4.3.7. Ability to email the contact to question the application information if needed
- 4.3.8. Provide daily, weekly, monthly, and inception to date key performance metrics on volume of work performed, backlog, throughput, and other meaningful data driven reports with weekly action plans from management for improvement
- 4.3.9. Define a plan and describe your capabilities to scale your team size and their supporting resource needs, and/or work hours up or down to meet varying demand
- 4.3.10. Ability to ensure compliance with requirements of H.R. 748 "Cares Act" of the 116th Congress and SB 189 of the 2020 Regular Session of Louisiana Legislature

4.4. Payment Issuance and Tracking

- 4.4.1. Upon application award amount approval from the selected vendor, the Treasurer's office intends to be responsible for payment (check) issuance of the award to the recipient via bank issued check by the State's depository bank of record
- 4.4.2. The Treasurer's office will be responsible for escheat matters, and recognizes that it may get questions about if, when, and where a check issued was cashed or deposited. If necessary, this office will provide the required evidence or a cleared item which is obtained from the bank
- 4.4.3. Management of and servicing needs for check void, stop-payment, re-issuance, refund accounting, and related banking matters

- 4.4.4. Ability to export data from the Application Management System utilized into a Treasury Office specified file format for check generation (see [Appendix D - Check Requisition File Format Specifications](#)) and the ability to mark the record accordingly after the batch is created
Encryption of that file to prevent tampering is required by agreed upon methods. Need for control reports by the process to be emailed. (These services to be provided by systems provider)

4.5. Customer Service - Call Center Operations

- 4.5.1. Providing scripted and non-scripted Help Services to applicants and potential applicants with telephone and email questions about the program (chat bot technology may also be useful but not required)
- 4.5.2. Providing technical Help Services to applicants with portal access and use questions (via calls, online chat, emails)
- 4.5.3. Answering Application status questions from the customer (via calls and emails)
- 4.5.4. Providing for a decision appeals process (via form provided to customer)
- 4.5.5. Ability for web content change recommendations and updates to be initiated and validated by contractor (coordination of change effort by multiple parties)
- 4.5.6. Incident escalation policy or guidelines to provide supervisory level help to a caller that requests escalation
- 4.5.7. Provide daily, weekly, monthly, and inception to date call volume, hold times, duration times, and other industry standard metrics by call type.
- 4.5.8. Provide a plan for continuous improvement, quality assurance, initial and ongoing training for customer service representatives handling these customer service calls and emails.
- 4.5.9. Provide for meaningful data driven reports (metrics) with management's action plans for improvement on a weekly basis
- 4.5.10. Define a plan and describe your capabilities to scale your team size and their supporting resource needs, and/or work hours up or down to meet varying demand
- 4.5.11. Present a normal business hours solution versus a 12 hour per day or per weekday solution and give your recommendations
- 4.5.12. Give thoughts on an in-person assistance offering for business owners who make an appointment for in-person help with making their MSRP application

4.6. Analytics and Reporting

Note: A solution for this component has been identified by the Treasurer's staff and is already in place and used on another project, but it needs some relatively

minor configuration work to get it operational for this MSRP project. If a vendor's proposed application management system is going to be utilized instead of the already identified Application Management system, then that vendor system must integrate with this existing "Treasury's Public Transparency"² system (at their expense) or else have a similar business intelligence /reporting system that is effectively equivalent in features and functionality and available 24/7 to the Treasurer's designated staff for MRSP performance reporting as is required by the legislation.

- 4.6.1. Objectives are to show daily metrics on the key performance indicators of the Program so as to provide:
 - 4.6.1.1. Transparency to the public on volumes of applications and rates of review and payment decisioning, amounts awarded, paid
 - 4.6.1.2. Show who has received and what amount and when (TBD)
- 4.6.2. Requirements for Internal Reporting
 - 4.6.2.1. Distinguish applications by business address parish, request amount, awarded amount, paid amount, dates for trend analysis, MBE versus non, mean time between receipt of completed application and decision to award, etc.
 - 4.6.2.2. Spend or burn rates in comparison to applications received
 - 4.6.2.3. Ad hoc report development, save, and refresh abilities against live data

5. Information Security & Data Privacy Concerns

Respondents providing any IT solution in their offering should address the need for each of the following areas of concern to the level of specificity you feel is needed to convey your intentions and your capabilities to mitigate known risks associated with handling non-publicly available data and also with preventing misuse of these systems.

5.1. Information Security & Access Control

- 5.1.1. Source data to be collected by the Treasurer's office IT staff securely from its origins on a routine and periodic basis and logged, then encrypted and sent to the contracted destination party (system provider) via SFTP or other acceptable method for loading into system tables with confirmation after completion
- 5.1.2. Treasurer designated IT staff to have the ability to create and suspend admin level user accounts on the host application tracking system directly OR by order to the host application support team with rapid turnaround.

² <https://stories.opengov.com/latreasurer/published/5mrQu6ZH9>

- 5.1.3. Ability to generate usage reports by user from the host application for security and management purposes

5.2. Data Sources (Information needed for planned system)³

- 5.2.1. Necessary - Department of Revenue and Taxation (for FEIN, SSN, Name, Address, Parish, and Line value on 2018 and 2019 return, etc)
- 5.2.2. Likely - Workforce Commission (for, UIAN, employee count info and NAICS code)
- 5.2.3. Possible - LDI (for businesses with Business Interruption Coverage)
- 5.2.4. Very Likely - Secretary or State (for corporation status and charter #)
- 5.2.5. Possible - Dept of Education (listing of childcare providers)

5.3. Data Privacy

- 5.3.1. The less non-public information put into the system, the better
- 5.3.2. What applicants put into the system that is non-public information needs to be protected and safeguarded and erased and destroyed when it is no longer needed, but only after that information has been properly and securely archived for auditing and other purposes (likely back inside a State owned and controlled environment)

5.4. System Security Plans

- 5.4.1. Secure cloud (public or private, but U.S. hosted), SSL encryption, Database encryption, field level encryption, SFTP with encryption for batch data in motion, authorized personnel only, password management user authentication capabilities, user account monitoring and auditing, change control practices, IT best-practice governance and other quality assurance checks and controls
- 5.4.2. Probable need for third party certification to do a penetration test of the app before go live date for vulnerability assessment

6. Critical Timelines

- 6.1.1. Treasurer presents his plan of action to Joint Legislative Committee on Budget on June 19 (expected). *Ideally one or more prospective respondents have been identified, selected and contract negotiations are underway*
- 6.1.2. Treasurer must announce publicly the program 's start date by July 1 (required by the legislation). **Determination of the official program start date is highly dependent on the capabilities and commitments from the one or more selected respondents.**

³ API and web service capabilities, particularly with the La. Dept. of Revenue and Taxation, are being explored and it looks very promising that system integration with them is optimal. This is their preference over the alternative method of batch data preloading and reloading of tables with structured data.

- 6.1.3. Ideally contracts with one or more organizations have been negotiated and executed by not later than July 3rd
- 6.1.4. In the first 60 days of the program (from the actual launch date), the program must award \$40 million from the fund to qualified (MBE's) minority, veteran, and women owned businesses. **A critical need is to get MBE business owners to make application for grants and to give some degree of preference to these applications so as to achieve this requirement.** This is where the needs defined in Section 7 become critical
- 6.1.5. Applications received must be reviewed within 15 days of receipt and paid or payment generated, ordered, or issued within 5 days thereafter - for a 20 day span of time from date of application acceptance to award and pay, deny the application/grant request, or formally issue delay notice pending necessary documentation or certification from the applicant. That is our "cycle time"

7. Program Marketing Plan

- 7.1.1. Identify and select an experienced marketing and media expert to help inform the public, and specifically Louisiana business owners and to intelligently drive applicants to the website
- 7.1.2. Identify specific strategies to drive MBE owned businesses as quickly as possible
- 7.1.3. To assist the project team members in identifying ways to make the application process for the business owner⁴ as clear and easy as possible or as easy as can be for the application process experience for the end user (customer or business owner or accounting professional making their claim)
- 7.1.4. Ways to measure effectiveness of marketing techniques employed and to have an agile or flexible plan should one or more approaches prove less than effective at driving the traffic and applications submitted upward.
- 7.1.5. Describe your plan with a hypothetical budget that you feel is needed to reach the population of people we are trying to serve and how your plan would use media advertising (print, tv, radio, social media, digital, and other forms you identify) to achieve the success targets defined in **Section 8**, other targets that you suggest, or ones that are yet to be jointly defined?

⁴ Think of the business owner (or his or her agent or accounting professional filing their claim) as our customer. How do we attract them, provide them with a great experience, and leave them with a good impression of their State Treasury and this program?

8. Program Success Criteria (Desired Project Outcomes)

- 8.1. Overall success of the program is defined as having all of the funds available being sent to qualified Louisiana small businesses before the planned end of the program on December 31, 2020.
 - 8.1.1. Success Target # 1 is an on-time launch of the web portal by the Treasurer
 - 8.1.2. Success Target # 2 is 99% web-application (system) availability measured per week 24/7 as reported by external independent monitoring services to be deployed.
 - 8.1.3. Success Target # 3 is achieving a 98% or higher compliance rate for meeting the prescribed timelines for ordering the award checks to be issued and mailed.
 - 8.1.4. Success Target # 4 is to email 100% of the users who created an account and also submitted an application to later be invited to complete an online customer satisfaction survey and to have positive ratings from those who completed the survey.
 - 8.1.5. Success Target # 5 is to have developed a robust solution, using technology, data, people, and available resources to get money expeditiously into the hands of the eligible small businesses with a retrospective audit findings of less than 3% of the funds were improperly awarded, but not due to accidental, willful, or intentional deception by the applicant.
 - 8.1.6. Success Target # 6 is to achieve the mandate of sending out \$40 million in awards to minority, female, and veteran owned small businesses within 60 days of the launch of the program by using an effective marketing strategy.

9. Questions for Respondents

Please answer or complete the following questions or statements on a separate page or section in your response.

1. What is the legal name of your business entity?
2. Where is the primary business location or headquarters?
3. What business presence does your business have in Louisiana already?
4. Give a succinct history of your company and describe current ownership structure.

5. Is there minority, female, or veteran participation in the ownership of your company? If yes, please describe and include or be prepared to later document this claim.
6. Approximately how many employees do you have and where are they located?
7. For each component that you are interested in servicing, describe your qualifications to serve as a contractor to the State Treasurer's Office identifying each with the same label herein described above in Section 4 "Scope of Work Components" and/or ALSO Section 7 "Marketing Plan..."
8. Describe any previous (last 10 years) relevant work performed by your company or by the active principals of your company serving a governmental entity with similar size and scope.
9. Describe the person (include resume) who would work with the State on a daily basis on this project who has operational decision making authority. Is that person a current employee or under contract at this time?
10. Describe the size, scope, and contract start and end date of any and all contracts your organization currently has with the State of Louisiana.
11. Do you have any pending claims, actions, or lawsuits against the State of Louisiana, any other state, or any governmental body at this time? If so, please describe in detail the nature of each.
12. Answer YES or NO to the following questions please:
 - 12.1. Are you willing to negotiate your proposed fees with us in good faith?
 - 12.2. Will you be able to provide certificates of business insurance coverage for general liability, workers compensation, errors and omissions, and possibly more as required by the State (in a usual and customary course of business)?
 - 12.3. Will you accept variable compensation, subject to a negotiated not to exceed cap, based on measurable events such as application records created and stored or telephone calls received and answered? An example might be \$10 per call received and recorded or logged on behalf of this program or project.
 - 12.4. Would you be willing to provide your proposed services and get paid for those services on a percentage of the amount each month that is sent to the applicants in the form of program awards?
 - 12.5. Do you understand and agree that any and all written proposal or offers made, oral presentations made, emails sent, or other communications made to the staff of the Treasurer of the State of Louisiana will be considered part of the potential binding services contract that is being contemplated by this solicitation?

13. Additional Information Needed

You are encouraged to present your own vision, idea, and plans of how you would choose to comply with the federal and state laws that are applicable to this MSRP while

we endeavor to put money into the hands of eligible small businesses and help our economy recover as quickly and as efficiently as possible.

We are operating on a very tight timeline and understand this requires an extremely fast turnaround on your part. Please choose speed over perfection. We would prefer you to submit a proposal as quickly as possible rather than taking your time to submit the “perfect” proposal.

Please be prepared to provide us on short notice with at least two (2) business references of current or past relationships which you believe have the most applicability to this project. Expect that we will reach out to one or both.

Given what you know about the project and what you know your capabilities to be, with all given factors, do your best to describe a **realistic date** you firmly believe you will be ready for live operations with the work components you are offering to service. Provide that information to us within the [Offer Form](#) sheet that you include with your response.

14. Pricing Guidance

Describe how you would want to be paid for your services. If possible, but not required, please give more than one option **in addition to your fixed fee or not to exceed amount PER work component**. Potential optional pricing methods may include:

- Cost per event, transaction, or other measurable unit of work
- Cost per hour or day per person per role with concurrence on labor scaling needs
- A One-time setup, mobilization, or initialization fee followed by cost per hour per skillset once the program is launched.
- Cost Plus Overhead and Profit factors with a pro-forma budget to be included and not to exceed caps you set.
- Percentage of actual paid grant awards
- Some other creative, yet understandable method of your choosing
- Using one or more of the above methods, applicants should also submit a total cost, inclusive of all elements.

Know that we understand there are pricing risk factors such as uncertainty of the duration of engagement, scaling capabilities, numerous yet to be known volumes and complexity factors, and also this obvious short notice problem. All of those factors contribute to your cost and price calculations. Recognizing this, it is our intent that you be fairly compensated for your efforts and for the delivered services.

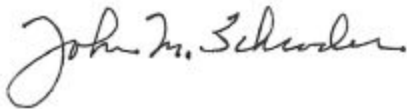
15. Message from the Treasurer

While we love the idea of saving tax-payer money while also getting and delivering the best service in order to achieve our stated success criteria, please recognize that our primary mission is to get help to the small businesses that our legislature wants to financially help as quickly as it can be done in a responsible manner. Any money we can save in administrative costs could potentially be used as grant awards - and that is the spirit and attitude we have.

We are looking for trusted partners who share our vision and who can get the job done!

We promise to do our utmost best in the process of selecting the right organizations to help us achieve our objectives. We will be fair. We thank you for considering this project and for wanting to help the thousands of small Louisiana businesses that need our help.

On behalf of the taxpayers of Louisiana, I thank you for making the time to respond to this request and solicitation and I look forward to working with your company in a partnership model that achieves great success.



John M. Schroder
State Treasurer

Appendix A - Enrolled Version of SB-189

<https://www.legis.la.gov/legis/ViewDocument.aspx?d=1179175>

OFFER FORM (Appendix B)

for the Main Street Recovery Program

Respondent Name: _____

1. For **Work Components “4.1” and “4.2” relating to technology**, for 12 months of continuous and unlimited access (by the State and its contracted vendors) to the technology services we are offering as described in our submission and presentation to the State, our fixed and not to exceed fee is:

(describe)

(and our ready to go live firm date is _____)

2. For **Work Component “4.3 - Prospective Application Review Work”** - our not to exceed fees are presented along with our suggested methods:

(describe)

(and our ready to go live firm date is _____)

3. For **Work Component “4.5 - Customer Service - Call Center Operations”** - our not to exceed fees are presented along with our suggested methods:

(describe)

(and our ready to go live firm date is _____)

4. For **Work Component “4.6 - Analytics and Reporting”** for 12 months of continuous and unlimited access to the technology platform we are offering, our fixed and not to exceed fee is:

(describe)

(and our ready to go live firm date is _____)

5. For **Work Component “7 - Program Marketing Plan”**, our fees follow and are with a not to exceed cap are:

(describe)

(and our ready to go live firm date is _____)

Presented by: Signature, Name, Title, Date, Contact email and phone numbers

Appendix C - Defined Application Questions and Attestation Verbiage

Louisiana Main Street Recovery Fund	
Small Business Registration	data issues
Application Number	system assigned
Application Date	auto filled
State Tax ID #	verified against Revenue data; allow only 1 application per tax ID?
FEIN	verified against Revenue data; allow only 1 application per FEIN?
LDR Account # or SSN	verified against Revenue data
Business Type	drop down list - for profit corporation, LLC, partnership, sole proprietorship
Industry Category	drop down list of NAICS categories; verified against Revenue data
Business Name, Address and Phone Number	filled in by applicant
Authorized Chief Executive Name, Address and Phone Number	filled in by applicant
Is the business organized for profit, performing a commercially useful function, and at least 50% owned by one or more minority individuals? Y/N	may have to self certify and verify on back end
Is the business organized for profit, performing a commercially useful function, and at least 50% owned by one or more women? Y/N	may have to self certify and verify on back end
Is the business organized for profit, performing a commercially useful function, and at least 50% owned by one or more veterans? Y/N	may have to self certify and verify on back end
Eligibility Verification	data issues
Is the business a for profit corporation, a limited liability company, a partnership, or a sole proprietorship? Y/N	verified against Revenue data
Was the business domiciled in Louisiana as of 3/1/20? Y/N	may be able to verify against SOS data using Tax ID
Was the business in good standing w/SOS, if applicable? Y/N	may be able to verify against SOS data using Tax ID

Did the business suffer business interruption caused by closures or restricted operations due to social distancing measures, decreased customer demand, cleaning and disinfecting expenses, and providing PPE? Y/N	not verified at time of application
Was the business at least 50% owned by 1 or more LA residents, whether individual resident citizen or LA domestic business entities? Y/N	not verified at time of application
Did the business file Louisiana taxes for tax year 2018 or 2019, or if an eligible business formed on or after 1/1/20, intends to file Louisiana taxes for tax year 2020? Y/N	verified against Revenue data
Verification Question (e.g., what was your tax amt in tax year 2018)	verified against Revenue data
Did the business have customers or employees coming to its physical premises? Y/N	not verified at time of application
Did the business have no more than 50 full time equivalent employees as of 3/1/20? Y/N	may be able to verify against WFC data using Tax ID
Is the business not a subsidiary of a business with more than 50 full time equivalent employees, not part of a larger business enterprise with more than 50 full time equivalent employees, and not owned by a business with more than 50 full time equivalent employees? Y/N	not verified at time of application
Does the business not exist for the purpose of advancing partisan political activity and does not directly lobby federal or state officials. Y/N	not verified at time of application
Does the business not derive income from passive investments without active participation in business operations? Y/N	not verified at time of application
Did the business receive a U.S. Small Business Administration-Guaranty Paycheck Protection Program loan or a U.S. Small Business Administration Economic Injury Disaster Loan Emergency Advance? Y/N	"Y" would hold the application until after the first 21 days. Not verified at time of application.
Did the business receive and has the business been awarded reimbursement under any other federal program for the expenses that will be reimbursed by a Louisiana Main Street Recovery grant? Y/N	"Y" would hold the application until after the first 21 days. Not verified at time of application.
Did the business receive compensation from an insurance company for the interruption of business? Y/N	"Y" would hold the application until after the first 21 days. Not verified at time of application.

Louisiana Main Street Recovery Fund	
Grant Funds Request	data issues
description of expense (multiple lines)	drop down (business interruptions expenses, cleaning/disinfecting supplies, PPE, other); need guidance to applicant on what business interruption expenses are eligible and what would fall under "other"
expense amount (multiple lines)	amount by category
total amount requested	sum of individual expenses listed above; max \$15k

Louisiana Main Street Recovery Fund
Certification
<u>FEDERAL FUNDING CERTIFICATION AND AGREEMENT TO HOLD HARMLESS AND INDEMNIFY</u>
I, _____, am the authorized representative of _____, (hereinafter "Business Unit") and I certify that:
1. I have the authority, on behalf of the Business Unit, pursuant to the attached Resolution by the Business Unit,1 to request direct payments from the State of Louisiana from the allocation of funds to the Louisiana Main Street Recovery Program Fund, hereinafter referred to as the "Recovery Fund", created by the Louisiana Legislature from federal funds provided to the State of Louisiana from the Coronavirus Relief Fund created by the CARES Act (hereinafter "Act").
2. I understand that the State of Louisiana will rely on this Certification as a material representation in making direct payments to the Business Unit.
3. I acknowledge that the Business Unit will use funds provided by the State from the Recovery Fund, to reimburse those actual expenditures that-
a. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) ("necessary expenditures");
b. Were not accounted for in the budget most recently approved as of March 27, 2020, for the Business Unit; and

c. Were incurred during the period beginning March 1, 2020, and ending December 30, 2020.2

4. I acknowledge that funds provided as direct payment from the State of Louisiana pursuant to this Certification for eligible expenditures incurred and paid during the period beginning March 1, 2020, and ending December 30, 2020, must be submitted to the State of Louisiana on or before January 31, 2021.

5. I acknowledge that funds provided as a direct payment from the State of Louisiana pursuant to this Certification must adhere to the requirements of the Act as further explained in the official federal guidance issued or to be issued on what constitutes an eligible expenditure. Any funds received from the Recovery Fund by the Business Unit not in strict compliance with the Act and as further explained in the associated federal guidance shall be returned to the State of Louisiana within 14 days of such finding by any executive, administrative, legislative, or judicial body.

1 Business Unit must attach to this document the Resolution which conveys legal authority to the individual signing this *Federal Funding Certification and Agreement to Hold Harmless and Indemnify*.

2 See Federal Guidance and Frequently Asked Questions for a more detailed explanation of eligible expenditures at

<https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf> and

<https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf>

6. I acknowledge that if the Business Unit or its subrecipient(s) fail(s) to timely return the funds in accordance with sections 4 or 5 above, then the State of Louisiana shall have the right to seek judicial enforcement in the Nineteenth Judicial District Court, Parish of East Baton Rouge, for the return of such funds.

7. I acknowledge that, in order to receive funds from the State of Louisiana, the Business Unit shall submit documents sufficient to support each expenditure for which it is requesting reimbursement. These documents may include, but are not limited to, invoices and/or sales receipts. Such documentation shall be produced to the State of Louisiana at the time the Business Unit requests payment of the funds and anytime thereafter upon request by the State of Louisiana.

8. I acknowledge that the Business Unit shall retain documents sufficient to support each eligible expenditure for which it has received funds for a period of ten (10) years from final payment under this program, or December 31, 2031, whichever date is later.

9. The Business Unit is subject to the audit provisions of La. R.S. 24:513.

~~10. I acknowledge that the Business Unit has made, or will make, reasonable efforts to comply with all applicable federal, state, and/or local procurement laws and regulations and has or will use competitive procurement methods for all expenditures submitted pursuant to this agreement.~~

11. I acknowledge that Recovery Fund payments cannot be used to replace lost revenue or offset shortfalls in revenue. That is, revenue replacement is not a permissible use of Recovery Fund payments.

12. I acknowledge that Business Unit has an affirmative obligation to identify and report any duplication of benefits. Funds received pursuant to this Certification neither have nor will be used for expenditures for which the Business Unit has received or will receive any other supplemental funding, whether state, federal, or private in nature, for that same expenditure. I understand that the State of Louisiana has an obligation and the authority to recover, deobligate or offset any duplicated benefits.

13. I acknowledge that expenses reimbursed by business interruption insurance or disallowed by the Act or any guidance or regulation issued by the United States Department of the Treasury shall not be an eligible expense.

~~14. I acknowledge that the Business Unit has customers or employees coming to its physical premises.~~

~~15. I acknowledge that the Business Unit does not exist for the purpose of advancing partisan political activity and does not directly lobby federal or state officials.~~

~~16. I acknowledge that "minority business enterprise" means a small business organized for profit performing a commercially useful function which is at least fifty percent owned by one or more minority individuals, women, or veterans, who also control and operate the business. I acknowledge that if more than one person owns the enterprise, at least fifty percent of the owners must be resident citizens of the State. For the purposes of this item, "control" means exercising the power to make policy decisions and "operate" means being actively involved in the day-to-day management of the business.~~

17. I agree that the Business Unit will indemnify, save, and hold harmless, the State of Louisiana from any and all claims brought against the State for the recovery of funds disbursed by the State of Louisiana to the Business Unit or to any subrecipient(s) that are misappropriated, converted, and/or spent for any purpose other than those authorized by and in accordance with the CARES Act as determined by any executive, administrative, or judicial body of competent jurisdiction.

I certify under penalty of law that I have read the statements included in this application, including the Certifications above, and my statements contained herein are true and correct to the best of my knowledge, information and belief.

Digital Signature	
By: _____	
Signature: _____	
Title: _____	
Date: _____	
Subscribed and sworn to before me this _____ day of _____, 2020.	

Notary Public	
My Commission expires _____	

Categories of Work	Examples of Eligible Expenses	Documentation Required
Labor		
	Additonal employees to handle delivery and takeout services	Hiring data for the new employee. Time or payroll records to support hours claimed.
	Payroll Costs and Expenses	Payroll Expense Report
Materials and Supplies		
	Personal Protective Equipment (PPE)	Invoices
	Cleaning Supplies	Invoices
	Signage for business (such as social distancing, etc)	Invoices
Contract Work		
	Santization and Cleaning Services	Invoices, proof of payment, and contract

		(if applicable)
	Delivery Services	Invoices, proof of payment, and contract (if applicable)
Other Expenses		
	Payment of any short term (less than 24 months) or credit card debt incurred by the applicant to support the applicant's business during the emergency	Official bank/credit card statements (no screenshots, must have financial institution logo, account # and name of applicant
	Rent or mortgage payments (unless otherwise waived by lessor/lender)	Lease Agreement, Mortgage Statement, proof of payment
	Utilities Payments	Utility Bills
	Business related equipment	Invoices, proof of payment
	Expenses incurred to replenish inventory or other necessary re-opening expenses	Invoices, proof of payment

Appendix D - Check Requisition File Format Specifications

MSRP CHECK FILE LAYOUT REQUIREMENTS

Version 1.0

The system management the grant applications for this program must be capable of outputting data into a CSV text file on a routine basis as required by the program director and further, the script which creates this file must also update those records which were selected to need a check with appropriate information to at least include a date and time stamp and preferably the actual output file name for auditing and tracing purposes.

The output file shall be generated by the system and automatically encrypted with an agreed upon secure method to prevent unauthorized editing. This process should also produce a control report that describes the count and sum of the amounts being paid. This control report should be automatically emailed by the procedure to a defined list of recipients for control purposes.

The contents of the output file are to be

Important: Each check template type has a standard delimited file format available. The Standard field separator is a comma for both Multi-Line Records and Single-Line Record standard formats. The Standard text delimiter is Pipe |. If you are using one of the standard formats for Multi-Lines Records, you must use the Pipe | as the text delimiter. If you are using one of the standard formats for Single-Line Records, you must use the double quote (") as the text delimiter.

Field information -- Note: The following fields do not apply to all formats. An asterisk (*) below indicates that the field is required.

*Courier Code - This will match the courier code you set up.

Characters 1 - 5 would be the Courier Code

Characters 6 - 8 would be the Special Handling Code

Note: When creating the test file while setting up the Form Code, you must use an Overnight courier code along with a Special Handling Code.

When you begin use the application in production, you can use the Courier Code you created for U.S. Postal. There is no need to put spaces for the Special

Handling Code, you would just enter the Courier Code if not using a Special Handling Code.

*Form Code - This will match the Form Code you setup (LA TREAS TO PROVIDE THIS VALUE)

*Payment Date - This will be the date printed on the check, must be current or future date. Format can be MM/DD/YYYY or MMDDYYYY

*Payment Amount - This will be the total amount of the check. Do not enter the \$ or comma, if you do not include a decimal whole dollar will be assumed

*Account Number - Account number the check will be drawn on

*Check Number - This is your check number, this must be unique

*Payee Name 1 - First Line of Payee Name

Payee Name 2 - The second Line of Payee Name (not required)

*Vendor Number - This is a required field, this will print on the Remittance section of the check in the Payment Information section

*Payee Address Line 1 - First Line of Payee Street Address

Payee Address Line 2 - Second Line of Payee Street Address

Phone - This is required if courier code is being used WITHOUT special handling. This will be printed on the courier coversheet; it will not appear on the checks

Payee Address Line 3 - Third Line of Payee Street Address

Payee Address Line 4 - Fourth Line of Payee Street Address

*Payee City - Payee City

*Payee State - 2 character State code (See rules in the Check Print Standard File Format User Guide)

*Payee Zip - Payee zip (See rules in the Check Print Standard File Format User Guide)

*Payee Country - Country code (see ISO Country Codes in the Check Print Standard File Format Guide)

Invoice Number - Invoice number; the field can be blank

Description - Description that will print on the Remittance page; the field can be blank

*Invoice Date - This is the date that will print on the Remittance page, Format MMDDYYYY or MM/DD/YYYY

*Net Amount - This field will print on the Remittance page, the amount must match the check amount. If adding multiple remittances, the sum of Net amounts (positive or negative) must match the Amount.

*Gross Amount - This will print on the Remittance page; this can be 0

*Discount Amount - This will print on the Remittance page, this can be 0

More examples will be provided to the chosen systems provider upon execution of the contract.

NOTICE TO RESPONDENTS

Relative to the
Request for Qualifications
and
Solicitation for Offers

for assistance with the

Administration of the Louisiana Main Street Recovery Program



DATE POSTED: Tuesday, June 16, 2020

LATEST UPDATES TO THIS DOCUMENT WERE MADE ON:

NOTICE # 1 - Posted on June 16, 2020 at about 11:30 am. Due to SB-189 being signed into law by the Governor, we now notify all interested parties that

RESPONSES ARE NOW DUE BY FRIDAY, JUNE 19, 2020 at 4:30 pm CDT

And a revised version (2.5) of the RFQ/SFO document has been posted to reflect this change along with other minor changes which are predominantly marked up in red text and with strike through text.

SENATE BILL NO. 189

BY SENATORS WHITE AND CLOUD

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AN ACT

To enact Subpart M of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.41 through 100.47 and R.S. 47:1508(B)(43), relative to special funds; to create special funds for the deposit of certain federal monies; to create the Coronavirus Local Recovery Allocation Fund, the Louisiana Main Street Recovery Fund, and the State Coronavirus Relief Fund; to create and to provide relative to the Coronavirus Local Recovery Allocation Program and the Louisiana Main Street Recovery Programs relative to the use of monies in the funds; to provide relative to the allocation, use, and disbursement of the monies in the funds; to provide relative to the powers and duties of the commissioner of administration, the Governor's Office of Homeland Security and Emergency Preparedness, the treasurer, and the legislative auditor with respect to such monies; to provide for legislative intent; to provide for the dedication of certain revenues and for the deposit of and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart M of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41 through 100.47, are hereby enacted to read as follows:

SUBPART M. COVID -19 DISASTER FUNDS

§100.41. Legislative Intent

It is the intent of the Legislature to provide economic support to Louisiana political subdivisions and businesses for costs incurred for and continued response to the Coronavirus disease (COVID-19) pandemic from federal funds provided pursuant to Section 5001 of the CARES Act, which

1 created the Coronavirus Relief Fund from which the State received over one
2 billion eight hundred million dollars (CARES Act), of which the State's portion
3 is over nine hundred ninety-one million dollars. The State desires to use a
4 portion of the remaining portion of the CARES Fund monies in the amount of
5 five hundred eleven million one hundred seventy-eight thousand seven hundred
6 four dollars for economic support through the Coronavirus Local Recovery
7 Program for local government units to be administered by the division of
8 administration and the Governor's Office of Homeland Security and
9 Emergency Preparedness. The State further desires to use a portion of the
10 CARES Fund monies in the amount of three hundred million dollars for the
11 Louisiana Main Street Recovery Program for economic support for eligible
12 businesses to be administered by the State Treasurer, all as established in this
13 Subpart.

14 §100.42. Definitions

15 For the purposes of this Subpart, the following terms shall have the
16 following meanings:

17 (1) "Allocation Fund" shall mean the Coronavirus Local Recovery
18 Allocation Fund.

19 (2) "Allocation Program" shall mean the Local Recovery Allocation
20 Program administered by the commissioner of administration and GOHSEP.

21 (3) "CARES Act" shall mean the Coronavirus Aid, Relief, and Economic
22 Security Act, Public Law 116-136 and any guidance or regulations issued by the
23 United State Treasury as of the date of this Act or thereafter relative to the
24 CARES Act.

25 (4) "CARES Fund" for the purposes of this Subpart, shall mean the
26 monies received by the state from the federal government pursuant to the
27 CARES Act for in the amount of one billion eight hundred two million six
28 hundred nineteen thousand three hundred forty-two dollars.

29 (5) "Commissioner" shall mean the Commission of the division of
30 administration of the State.

1 (6) "COVID-19" means the Coronavirus disease 2019.

2 (7) "Eligible business" means a for profit corporation, a limited liability
3 company, a partnership, or a sole proprietorship that meets all of the following
4 criteria:

5 (a) Was domiciled in Louisiana as of March 1, 2020.

6 (b) Is in good standing with the Secretary of State, if applicable.

7 (c) Suffered an interruption of business caused by forced or voluntary
8 closures or restricted operations due to social distancing measures, decreased
9 customer demand, cleaning or disinfection expenses, and providing personal
10 protective equipment.

11 (d) Has at least fifty percent owned by one or more Louisiana residents,
12 whether individual resident citizens or Louisiana domestic business entities.

13 (e) Filed Louisiana taxes for tax year 2018 or 2019, or, if an eligible
14 business formed on or after January 1, 2020, intends to file Louisiana taxes for
15 tax year 2020.

16 (f) Has customers or employees coming to its physical premises.

17 (g) Had no more than fifty full-time equivalent employees as of March
18 1, 2020.

19 (h) Is not a subsidiary of a business with more than fifty full-time
20 equivalent employees, is not part of a larger business enterprise with more than
21 fifty full-time equivalent employees, and is not owned by a business with more
22 than fifty full-time equivalent employees.

23 (i) Does not exist for the purpose of advancing partisan political activity.
24 Does not directly lobby federal or state officials.

25 (j) Does not derive income from passive investments without active
26 participation in business operations.

27 (8) "Grant" means an award by the Treasurer to an eligible business.

28 (9) "GOHSEP" shall mean the Governor's Office of Homeland Security
29 and Emergency Preparedness.

30 (10) "Interruption of business" means business interruption caused by

1 forced or voluntary closures or restricted operations, including but not limited
2 to social distancing measures, decreased customer demand, cleaning or
3 disinfection expenses, and providing personal protective equipment, related to
4 COVID -19.

5 (11) "Louisiana taxes" means all taxes administered by the secretary of
6 the Department of Revenue pursuant to Title 47 of the Louisiana Revised
7 Statutes of 1950, as amended.

8 (12) "Local government unit" means a parish, municipality, town,
9 township, village or other unit of general government below the State level with
10 parishwide jurisdiction including, but not limited to, sheriffs, coroners, and
11 district attorneys. Entities which do not fit within the definition of political
12 subdivision as used in this Subpart, shall have the parish with which they are
13 affiliated submit the application.

14 (13) "Minority business enterprise" means a small business organized
15 for profit performing a commercially useful function which is at least fifty
16 percent owed by one or more minority individuals, women, or veterans, who
17 also control and operate the business. In addition to the requirements of this
18 Subparagraph, if more than one person owns the enterprise, at least fifty
19 percent of the owners must be resident citizens of the State. For the purposes
20 of this Subparagraph, "control" means exercising the power to make policy
21 decisions and "operate" means being actively involved in the day-to-day
22 management of the business.

23 (14) "Recovery Program" means the Louisiana Main Street Recovery
24 Program.

25 (15) "State" means the state of Louisiana.

26 (16) "Treasurer" means the state treasurer of Louisiana.

27 §100.43. Coronavirus Local Recovery Allocation Program

28 A. There is hereby created the Coronavirus Local Recovery Allocation
29 Program to be administered by the commissioner of the division of
30 administration, in consultation with the Governor's Office of Homeland

1 Security and Emergency Preparedness, in accordance with the provisions of this
2 Subpart.

3 B. There is hereby created and established in the state treasury, as a
4 special fund, the Coronavirus Local Recovery Allocation Fund, hereinafter
5 referred to as the "Allocation Fund" for the purpose of providing monies to
6 local governments for the expenditures incurred and in response to the COVID-
7 19 pandemic.

8 C. Pursuant to legislative appropriation, the treasurer is hereby
9 authorized and directed to deposit in and credit to the Allocation Fund five
10 hundred eleven million one hundred seventy-eight thousand seven hundred four
11 dollars pursuant to Section 5001 of the CARES Act. The monies in the
12 Allocation Fund shall be invested in the same manner as monies in the state
13 general fund. Interest earned on the investment of monies in the Recovery Fund
14 shall be deposited in and credited to the Allocation Fund. Except as provided
15 in this Section and if applicable under federal guidelines, unexpended and
16 unencumbered monies in the Allocation Fund shall remain the Allocation Fund.
17 Monies in the Allocation Fund shall be appropriated and used solely as
18 provided in this Section.

19 D. From the initial amount deposited into and credited to the Allocation
20 Fund, one-half of one percent shall be available for appropriation to GOHSEP
21 to be used for administering the program. GOHSEP is hereby authorized to use
22 staff as necessary from the office of Community Development for administrative
23 and technical support. One-half of one percent shall be available to be
24 appropriated to the legislative auditor for the costs of reviewing the program.
25 The remaining monies in the Allocation Fund shall be available to GOHSEP to
26 provide funds to political subdivisions in Fiscal Years 2020 and 2021 pursuant
27 to the Allocation Program as established in this Section.

28 E. The commissioner of administration, in consultation with GOHSEP
29 and the Office of Community Development in the division of administration,
30 shall develop procedures to govern the administration of the program, and

1 determine the maximum allocation of monies in the Allocation Fund available
2 for each parish to submit eligible applications for funds. The commissioner may
3 promulgate emergency rules, as necessary for the administration of this
4 program. The commissioner shall institute the program no later than June 5,
5 2020. The commissioner shall cause information regarding the program to be
6 published on the websites of the State, the division of administration, and
7 GOHSEP. The commissioner shall notify each parish of the provisions herein.

8 F. The commissioner of administration shall develop a method to
9 determine the maximum allocation for each parish based on total population of
10 the parish and the number of confirmed cases of COVID-19 within the parish.
11 The commissioner shall notify each applicant that there is no guarantee that the
12 amount of funds received by the local government units of a parish shall equal
13 the maximum amount allocated to the parish. If on November 1, 2020, any
14 parish has an unobligated portion of their allocation, the unobligated portion
15 may be moved by the commissioner of administration to other parishes which
16 have used all of their allocation and have remaining submissions, subject to
17 approval of the Joint Legislative Committee on the Budget.

18 G. The monies allocated to local government units in each parish shall
19 only be for eligible expenses as provided in the CARES Act.

20 H. Within fifteen calendar days after receiving a submission for
21 reimbursement pursuant to this Section, GOHSEP and the division of
22 administration shall review and, if eligible, approve the submission, and
23 forward the approved eligible expenditures to GOHSEP for disbursement.
24 Funds for verified claims shall be disbursed by GOHSEP within five business
25 days of receipt by GOSHEP.

26 I. Any claims for expenses incurred after December 30, 2020, or
27 submitted to the division of administration after January 31, 2021, shall be
28 ineligible for payment pursuant to the provisions of the CARES Act.

29 J. No later than the fifteenth day of each month, the director of GOHSEP
30 and the commissioner of administration jointly shall submit a report to the

1 Joint Legislative Committee on the Budget detailing by parish the amounts
2 requested for reimbursement pursuant to this Section, the amounts actually
3 reimbursed, and the average time for disbursing funds to each parish.

4 K. Each local governmental unit shall provide a certification, on a form
5 developed by the commissioner of administration and GOHSEP, signed by the
6 authorized chief executive of the local government that the proposed uses of the
7 funds are consistent with the CARES Act. The certification shall also provide
8 that the local government unit shall hold the State harmless and indemnify the
9 State in the event that payments were misappropriated, converted, and/or spent
10 for any purpose other than those authorized by and in accordance with the
11 CARES Act as determined by any executive, administrative, or judicial body of
12 competent jurisdiction.

13 L. Any unobligated balance in the fund on December 1, 2020, shall be
14 transferred to the State Coronavirus Relief Fund.

15 **§100.44. Louisiana Main Street Recovery Program**

16 A. There is hereby created the Louisiana Main Street Recovery Program
17 to be administered by the state treasurer in accordance with the provisions of
18 this Subpart.

19 B. There is hereby created in the state treasury, as a special fund, the
20 Louisiana Main Street Recovery Fund, hereinafter referred to as the "Recovery
21 Fund", to provide economic support to eligible Louisiana businesses for costs
22 incurred in connection with COVID-19, including business interruptions caused
23 by forced closures or restricted operations resulting from voluntary closures
24 instituted to promote social distancing, and resulting decreased customer
25 demand, cleaning or disinfection, and providing personal protective equipment.
26 Expenses reimbursed by business interruption insurance or disallowed by the
27 CARES Act or any guidance or regulation issued by the United States
28 Department of the Treasury shall not be an eligible expense.

29 C. Pursuant to legislative appropriation, the treasurer is hereby
30 authorized and directed to deposit in and credit to the Recovery Fund three

1 hundred million dollars of the federal monies allocated to Louisiana pursuant
2 to Section 5001 of the CARES Act. The monies in the Recovery Fund shall be
3 invested in the same manner as monies in the state general fund. Interest earned
4 on the investment of monies in the Recovery Fund shall be deposited in and
5 credited to the Recovery Fund. Except as provided in this Section and
6 applicable under federal guidelines, unexpended and unencumbered monies in
7 the Recovery Fund shall remain in the Recovery Fund. Monies in the Recovery
8 Fund shall be appropriated and used solely as provided in this Section.

9 D. Up to five percent of the monies initially deposited in the Recovery
10 Fund shall be appropriated to the treasurer for use in Fiscal Years 2020 and
11 2021 to develop procedures for the administration of and for the costs of
12 administering the Louisiana Main Street Recovery Program. Such expenses
13 may include costs for the treasurer and the legislative auditor for work
14 performed in execution of the program. Notwithstanding any provision of law
15 to the contrary, the treasurer may enter into a consulting services contract as
16 an emergency procurement, to expedite the distribution of the funds
17 appropriated for the Recovery Program. The cost of such contract shall be an
18 administrative expense of the Recovery Program.

19 E. All remaining monies in the Recovery Fund, after providing for
20 administrative expenses, shall be appropriated for grants to eligible businesses
21 that submit applications pursuant to this Section provided that any grant
22 programs have been approved by the Joint Legislative Committee on the
23 Budget.

24 F.(1) No later than June 20, 2020, the treasurer shall submit a proposal
25 for distribution of grants available through the Louisiana Main Street Recovery
26 Program to the Joint Legislative Committee on the Budget for approval prior
27 to any disbursement. The proposal shall contain recommendations from the
28 treasurer and shall reflect the work product of any contract consultants and the
29 legislative auditor. The proposal shall include details of the program, including
30 the amount of each grant, the purpose of the grant, the category of recipients

1 of each grant, the number of eligible recipients, documentation required for
2 receipt of a grant and the planned method of distribution. Any proposal
3 submitted to the Joint Legislative Committee on the Budget shall contain
4 recommended proposals to address, within the first twenty-one days, the needs
5 of eligible businesses that meet all of the following criteria:

6 (a) The eligible business did not receive a United States Small Business
7 Administration-Guaranty Paycheck Protection Program loan or a United States
8 Small Business Administration Economic Injury Disaster Loan Emergency
9 Advance.

10 (b) The eligible business did not receive and has not been awarded
11 reimbursement under any other federal program for the expenses that will be
12 reimbursed by a grant under this Section.

13 (c) The eligible business did not received compensation from an
14 insurance company for the interruption of business.

15 (2) The proposal shall next address the needs of eligible businesses after
16 the initial twenty-one day period.

17 G. The treasurer shall develop application forms to be used in operation
18 of the Recovery Program.

19 H. In no event shall any grant exceed fifteen thousand dollars.

20 I. The treasurer shall work with the Department of Revenue to verify
21 applicant tax information and with the Department of Education to promote
22 applications by childcare organizations.

23 J. Notwithstanding any provision of this Section to the contrary, the
24 treasurer shall ensure that within the first sixty days of the Recovery Program
25 no less than forty million dollars in grants, exclusive of administrative expenses,
26 shall be awarded to minority business enterprises.

27 K. Each recipient of a grant shall provide a certification, on a form
28 developed by the treasurer, signed by the authorized chief executive of the
29 eligible business, as defined in the program approved by the Joint Legislative
30 Committee on the Budget, that the proposed use of the funds are consistent with

1 the CARES Act. The certification shall also provide that the business shall hold
2 the State harmless and indemnify the State in the event that payments were
3 misappropriated, converted, and/or spent for any purpose other than those
4 authorized by and in accordance with th CARES Act as determined by any
5 executive, administrative, or judicial body of competent jurisdiction.

6 L. Within fifteen calendar days after receiving a submission pursuant to
7 this Section, the treasurer shall review and, if the grant is eligible under the
8 provisions of this Section and the procedures developed by the treasurer and
9 approved by the Joint Legislative Committee on the Budget, the treasurer may
10 approve the grant, funds appropriated for verified claims shall be disbursed by
11 the treasurer within five business days of the approval.

12 M. Any claims for expenses incurred after December 30, 2020, or
13 submitted to the treasurer after January 31, 2021, shall be ineligible for
14 payment pursuant to the provisions of the CARES Act.

15 N. No later than the fifteenth day of each month, the treasurer shall
16 submit a report to the Joint Legislative Committee on the Budget detailing the
17 number of grant submissions, the number of grants awarded, the amount of
18 each grant awarded, the purpose of the grant, the recipient of each grant, the
19 number of eligible recipients who have requested a grant and have not received
20 an award, and the obligated and unobligated balances in the Recovery Fund,
21 and the average time for disbursing funds to each recipient of a grant.

22 O. No later than July 1, 2020, the treasurer shall announce the date the
23 program shall begin.

24 P. Notice of the Recovery Program, and the availability of awards from
25 the Recovery Fund shall be provided to the commissioner to be published on the
26 web pages of each department in the executive branch, the main pages for the
27 legislative website, and in statewide news outlets at least ten days to the
28 beginning of the program.

29 Q. Any unobligated balance in the fund on December 1, 2020, shall be
30 transferred to the State Coronavirus Relief Fund.

1 **§100.45. State Coronavirus Relief Fund**

2 **A. There is hereby created and established in the state treasury, as a**
3 **special fund, the State Coronavirus Relief Fund, hereinafter the "Relief Fund".**
4 **The treasurer is authorized and directed to deposit monies appropriated by the**
5 **legislature from the CARES Fund to the Relief Fund. On December 1, 2020, the**
6 **treasurer is authorized and directed to transfer any unobligated monies in the**
7 **Coronavirus Local Recovery Allocation Fund and the Louisiana Main Street**
8 **Recovery Fund to the Relief Fund. Monies in the Relief Fund may be used by**
9 **the State, subject to appropriation, for the purposes of providing monies to local**
10 **government units, eligible businesses, or the state in accordance with the**
11 **provisions of this Subpart and the CARES Act.**

12 **B. The monies in the Relief Fund shall be invested in the same manner**
13 **as monies in the state general fund. Interest earned on the investment of monies**
14 **in the Relief Fund shall be deposited in and credited to the Relief Fund. If**
15 **applicable under federal guidelines, unexpended and unencumbered monies in**
16 **the Relief Fund shall remain in the Relief Fund.**

17 **§100.46. Changes in federal legislation**

18 **If federal legislation introduced and enacted which authorizes federal**
19 **disaster funds to be used for revenue loss, the Joint Legislative Committee on**
20 **the Budget is authorized to transfer any remaining funds to the Coronavirus**
21 **Local Recovery Allocation Fund for disbursement.**

22 **§100.47. Duties of the legislative auditor**

23 **For purposes of this Subpart, the legislative auditor is hereby authorized**
24 **to review all applications for compliance with the provisions of the programs**
25 **established in this Subpart. The treasurer's office and the Governor's Office of**
26 **Homeland Security and Emergency Preparedness shall be responsible for**
27 **providing the legislative auditor all claims and necessary documentation to**
28 **carry out his reviews. The legislative auditor shall report any findings to the**
29 **Legislative Audit Advisory Council and the Joint Legislative Committee on the**
30 **Budget.**

1 Section 2. R.S. 47:1508(B)(43) is hereby enacted to read as follows:

2 §1508. Confidentiality of tax records

3 * * *

4 B. Nothing herein contained shall be construed to prevent:

5 * * *

6 **(43) The sharing or furnishing, in the discretion of the secretary, of**
7 **information to the Department of the Treasury to be used solely for the**
8 **purposes of administering the Louisiana Main Street Recovery Program and**
9 **Fund as provided in R.S. 39:100.44. The secretary shall not disclose any data**
10 **from returns or reports provided by the Internal Revenue Service. Any**
11 **information shared or furnished shall be considered and held confidential and**
12 **privileged by the Department of the Treasury to the same extent provided for**
13 **in Subsection A of this Section.**

14 * * *

15 Section 3. This Act shall become effective upon signature of the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
19 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____