CMHA

Prospective Business Vendor:

Enclosed, you will find a variety of forms regarding Section 3 (Housing & Urban Development Opportunities Act of 1968, as amended). Please complete and attach the Section 3 forms with your bid submission. ***Failure to submit the appropriate forms may jeopardize the proposal/bid up to and including the possibility of said proposal/bid being deemed non-responsive***

Anyone claiming to be a Section 3 Business Concern shall be required, as set forth by procedure, to provide evidence of such status. Section 3 Business Concerns claiming Section 3 Preference status must meet that status at the time the bid, quote or proposal is submitted to CMHA.

Section 3 Required Forms:

1) Section 3 Assurance of Compliance & Section 3 Clause
2) Section 3 Action Plan
3) Section 3 Certification for Preference
4) Preference Category Acknowledgement S3 Residents

If you need any assistance or help regarding Section 3, feel free to contact us. We look forward to assisting you with Section 3 implementation.

Section3@cintimha.com

CMHA
Section 3 Assurance of Compliance Form

Training, Employment, and Contracting Opportunities for Section 3 Residents and Section 3 Business Concerns

A. The project assisted under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 170u. Section 3 requires that to the *greatest extent feasible*, *newly created opportunities* that are generated by the awarding of this contract be given to:

- Section 3 Workers upon their qualifications. 25% or more of all labor hours worked by all workers employed with PHA financial assistance must be Section 3 workers.
- 5% or more of all labor hours worked by all workers employed with PHA financial assistance must be Targeted Section 3 workers.

B. Notwithstanding any other provision of this contract, the applicant shall carry out the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary set forth in 24 CFR Part 75, and all applicable rules and orders of the Secretary issued thereunder prior to the execution of this contract. The requirements of said regulations include but are not limited to development and implementation of a Section 3 Action Plan/Strategy for utilizing Section 3 Business Concerns; the making of a good faith effort, as defined by the regulation, to provide training, employment and business opportunities required by Section 3; and incorporation of the "Section 3 Clause" specified by Section 75.9 and 75.17 of the regulations in all contracts for work in connection with the project. The applicant and recipient agency, certifies and agrees that it is under no contractual or other disability which would prevent it from complying with these requirements.

C. Compliance with the provision of Section 3, the regulations set forth in 24 CFR Part 75, and all applicable rules and orders of the Secretary issued thereunder prior to approval by the Government of the application of this contract, shall be a condition of the Federal financial assistance provided to the project, binding upon the applicant, its contractors and subcontractors, its successors, and assigns to the sanctions specified by the contract, and to such sanctions as are specified by 24 CFR Section 75.

Applicant: _____

Signature: _____

Address: _____

Date: _____

Section 3 Clause

All Section 3 covered contracts shall include the following clause (referred to as the "Section 3 Clause"):

A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.

C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.

E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 75.9 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.9

F. Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

G. In the event of a determination by the Executive Director or his/her designee that the Contractor is not in compliance with the section 3 clause or any rule, regulation, or report submission requirements of the CMHA, this contract may be canceled, terminated, or suspended in whole or in part, and the Contractor may be declared ineligible for further CMHA contracts for a period of one to three years.

CMHA

Contractor
Section 3 Action Plan Submission

The Section 3 Action Plan is a requirement for contracting opportunities with CMHA. The Section 3 Action Plan must indicate/describe the proposed strategies for achieving the Section 3 training and/or employment goals, and subcontracting numerical goals, when and if **newly created opportunities** are generated upon awarding of contracts. ***Failure to submit the Section 3 Action plan may jeopardize the proposal/bid up to and including the possibility of said proposal/bid being deemed non-responsive.***

Please review the Section 3 Action Plan information attached. ***All Sections need to be completed and signed.*** This information will help to assist you in formulating your Section 3 Action Plan. You will need to address each question and check the appropriate boxes in regards to how your company will strive to achieve Section 3 Compliance to the "**greatest extent feasible**".

Please identify individual(s) responsible for planning, implementing and tracking the projects' Section 3 training, employment and/or contracting goals:

Name(s): _____

Contact Info: _____

Title(s): _____

Section 3 % Í ÐÌÏÙ Í ÅÎô/Training Opportunity Strategies

Please check any and all efforts from the below mentioned categories that your company will utilize to recruit, solicit, encourage, facilitate and hire Section 3 7 ÏÒËÅÒÓ ÁÎÄ 4ÁÒÇÅÔÅÄ 3ÅÃÔÉÏÎ σ 7 ÏÒËÅÒs when new hiring/training opportunities are generated through the awarding of the contract. **Some of the items will be mandatory as indicated with **.** Your ÁÃËÎÏ×ÌÅÄÇ Í ÅÎô is still needed, so please check accordingly.

The Section 3 Action Plan is subject to audit at anytime during the awarding of the contract through the duration of the contract by the Section 3 Compliance Coordinator.

****☐Commit that the company and/or subcontractors as a result of the contract, çυ% of thÅ ÌÁÂÏÒ ÈÏÕÒÓ will be Section 3 7 ÏÒËÅÒÓ.**

****☐Contact the CMHA Section 3 Compliance Coordinator regarding Å Í ÐÌÏÙ Í ÅÎô and training opportunities.**

****☐Provide the CMHA Section 3 Compliance Coordinator with a monthly report listing all Å Í ÐÌÏÙ Í ÅÎô and training opportunities.**

****☐Post notice (placards) at the worksite where the work is being done, indicating any Å Í ÐÌÏÙ Í ÅÎô and training opportunities**

☐Facilitate or co-facilitate Hiring Halls within close proximity to where the work is being done for Section 3 7 ÏÒËÅÒÓ ÁÎÄ 4ÁÒÇs.

☐Contact/Meet with Resident Associations informing them of new training and Å Í ÐÌÏÙ Í ÅÎô opportunities.

☐ Advertise new training and Å Í ÐÌÏÙ Í ÅÎô opportunities in community and diversity newspapers/websites.

☐Sponsor or participate in job informational meetings or job fairs in the neighborhood or service area of the Section 3 covered project.

☐Establish an internal training program (pre-apprenticeship) that is consistent with Dept. of Labor requirements to provide Section 3 7 ÏÒËÅÒÓ ÁÎÄ 4ÁÒÇÅÔÅÄ 3ÅÃÔÉÏÎ σ 7 ÏÒËÅÒs with the opportunity to learn skills and job requirements.

☐Distribute flyers to CMHA owned sites indicating the number and types of jobs that will be offered with contact information.

☐ Maintain a file of eligible qualified Section 3 7 ÏÒËÅÒÓ ÁÎÄ 4ÁÇÅÔÅÄ 3ÅÃÔÉÏÎ σ 7 ÏÒËÅÒs for future employment opportunities.

☐ Incorporate into contract (after selection of bidders but prior to the execution of contracts), a negotiated provision for a specific number of Section σ ÁÎÄ 4ÁÒÇÅÔÅÄ 3ÅÃÔÉÏÎ σ 7 ÏÒËÅÒs to be trained and/or employed during the contract.

☐Other:

_____

_____

Note: You are required to the provide opportunities to "the greatest extent feasible" in order to comply with the requirements of Section 3. In the event that you are not able to hire/train and/or contract with Section 3 Residents and/or Section 3 Business Concerns, you will be required to document why you were unable to meet the numerical goals.

Signature: _____ *Date:* _____

Section 3 Subcontracting Opportunity Strategies

Please check any and all efforts from the below mentioned categories that your company will utilize to recruit, solicit, encourage, facilitate and contract with Section 3 Business Concerns when new subcontracting opportunities are generated through the awarding of the contract. **Some of the items will be mandatory as indicated with **.** Your acknowledgement is still needed, so please check accordingly.

The Section 3 Action Plan is subject to audit at anytime during the awarding of the contract through the duration of the contract by the Section 3 Compliance Coordinator.

****☐Commit that when subcontracting occurs, 10% of the total dollar amount subcontracted out by the company and/or by subcontractors will go to Section 3 Business Concerns.**

****☐Contact the CMHA Section 3 Compliance Coordinator regarding all new subcontracting opportunities.**

****☐Provide the CMHA Section 3 Compliance Coordinator with a monthly report listing all subcontracting opportunities.**

☐Advertise new contracting opportunities in community and diversity newspapers/websites.

☐Maintain a file of eligible qualified Section 3 Business Concerns for future contracting opportunities.

☐Incorporate into contract (after selection of bidders but prior to the execution of contracts), a negotiated provision for a specific amount of work to be contracted with Section 3 Business Concern(s) during the contract.

☐Sponsor or participate in minority, women, small business expositions and or conferences in the Cincinnati, Ohio area to network and promote contracting opportunities with Section 3 Business Concerns.

☐Outreach to business assistance agencies, minority contracting associations, community organizations, to network and promote contracting opportunities with Section 3 Business Concerns.

☐Contact/Meet with Resident Associations informing them of new contracting opportunities.

☐Outreach to trade/labor organizations to network and promote contracting opportunities with Section 3 Business Concerns.

☐Host/Facilitate workshops geared to Section 3 Business concerns on contracting procedures and opportunities.

☐Become an active mentor to Section 3 Business Concerns.

☐Other:

_____

_____

Note: You are required to the provide opportunities to "the greatest extent feasible" in order to comply with the requirements of Section 3. In the event that you are not able to hire/train and/or contract with Section 3 Residents and/or Section 3 Business Concerns, you will be required to document why you were unable to meet the numerical goals.

Signature: _____ *Date:* _____

Cincinnati Metropolitan Housing Authority Section 3
CERTIFICATION FOR PREFERENCE

Please note that a contract with Cincinnati Metropolitan Housing Authority is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended **AND** to the Section 3 Action Plan submitted with the proposal for this project.

Type of Business: ☐ Corporation ☐ Partnership ☐ Sole Proprietorship ☐ Joint Venture ☐ LLC ☐ MBE ☐ WBE
(**check all that apply**)

Business Name: _____

Contact Person:_____Phone:_____Email: _____

You *self-certify that your business is, documented within the last six months a Section 3 Business Concern based on one of the below eligibility criteria's.* (Check the one that qualifies your business):

☐ Category 1
51 percent or more owned and controlled by low- or very low-income persons (based on household income under HUD-income limits); **or**

☐ Category 2
75 percent or more of the business labor hours to perform the business are performed by low-very low income persons; **or**

☐ Category 3
51 percent owned and controlled by current residents of public housing or Section 8-assisted housing.

OR

☐ My business does not meet the Section 3 eligibility criteria and wishes to forgo Section 3 preferences in the awarding of this contract, but understand that we are still responsible for meeting Section 3 compliance.

"I hereby certify that the information provided on this form is true and correct, and understand any falsification of any of the information could subject me to punishment under the law."

Signature_____ Date_____
Authorized Signer

Title:_____

If you would like more information or to register your business in the Section 3 program, please send an email to **Section3@Cintimha.com**.

Section 3 is a provision of the Housing and Urban Development (HUD) Act of 1968 that helps foster local economic development, neighborhood economic improvement, and individual self-sufficiency. The Section 3 program requires that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low-or very-low income residents in connection with projects and activities in their neighborhoods.