

What is Section 3?

(a) *Section 3.* The purpose of section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (section 3) is to ensure that **employment and other economic opportunities** generated by **certain HUD financial assistance** shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, **be directed to low- and very low-income persons**, particularly those who are **recipients of government assistance for housing**, and **to business concerns which provide economic opportunities to low- and very low-income persons.**

So...any agency or business that receives HUD funding, particularly CDBG, HOME, and ESG funds, directly or indirectly, shall comply with the HUD Act of 1968 in creating, implementing and reporting a Section 3 policy to the Department of Community and Economic Development (DCED). This applies to the agency/business itself, as well as any contractors/subcontractors that the agency may utilize in accomplishing the goal set forth by the HUD monies granted to the agency/business.

Who must report?

- **Project recipients** having been **awarded over \$200,000 in federal funds**
- **Project recipients** having a particular project where a **construction/rehabilitation contract was awarded over \$100,000 during the reporting timeframe**, regardless of whether funds were expended
- **Contractors and subcontractors** receiving **contracts in excess of \$100,000. *Project recipients must collect and summarize this information from their contractors***
- Sponsors who do not meet any of the threshold amounts but who have Section 3 practices and policies in place

What is Reported?

- Reporting on Section 3 covered contracts
- Reporting on employment and opportunities made to Section 3 residents and qualified business concerns
- Reporting on impediments to employment of Section 3 residents and business concerns
- Reporting on grievances waged against contractors/subcontractors
- Reporting on outcomes

Who is considered a Section 3 resident or business?

A **Section 3 resident** is someone who is a public housing resident or a resident of the metro area or non metro county in which the Section 3 covered assistance is expended, and who qualifies as a low-income or very low-income person.

A **Section 3 business** is one in which 51% or more of the business is owned by section 3 residents, or 30% of the employed staff are section 3 residents, or 25% of the subcontracts are committed to section 3 businesses.

What are the responsibilities of a HUD assisted agency/business?

The most important responsibility of the HUD assistance agency/business is to maintain that a good faith effort was executed by doing the following:

- Notifying residents
 - Public Housing Authorities
 - Redevelopment Authorities
 - PA Career Link Centers
 - Trade Associations
- Notifying contractors and incorporating the Section 3 clause
- Facilitating training and employment of residents
 - A section 3 resident must meet the qualifications of the position to be filled
 - Examples may include laborers on construction sites, management and administrative support functions.
- Awarding contracts to Section 3 businesses
 - A Section 3 business concern must have the ability and capacity to perform successfully under the terms and conditions of the proposed contract.
- Assisting with compliance among contractors
- Documenting actions to comply
- Meeting numerical goals
 - Employment: 30% annually
 - Contracts: 10% of the total \$ amount of all Section 3 covered contracts for building trades work. 3% of the total \$ of all other Section 3 covered contracts

In order to meet the goals of maintaining Section 3 compliance, the following policy and procedure plan has been put into place.

Section 3 Action Plan

Policy Statement

It is the public policy of Lawrence County to promote the opportunity for full participation by low and very-low income persons, and to business concerns which provide economic opportunities to low income and very low income persons in its Community Development Block Grant (CDBG), HOME Program, Emergency Shelter Grant (ESG) Program, and Neighborhood Stabilization Program (NSP).

Lawrence County will develop a Section 3 Action Plan to identify the goals, objectives, and actions that will be implemented to ensure compliance with the requirements of Section 3.

It is Lawrence County's intent to develop this plan to include input from various municipal departments, as well as DCED and US Department of HUD. Input from other agencies and companies will also be included in this plan when applicable.

Section 3 Employment and Training Goals

It is the policy of Lawrence County to utilize residents and other Section 3 eligible persons and businesses in contracts partially or wholly funded with monies from the Department of Housing and Urban Development (HUD). Lawrence County has established employment and training goals that contractors and subcontractors should meet to comply with Section 3 requirements. (Reference 24 CFR 135.30- Numerical goal for meeting the greatest extent feasible requirement). The numerical goal is:

- Thirty percent (30%) of the aggregate number of new hires in any fiscal year.

It is the responsibility of contractors, vendors and suppliers to implement progressive efforts to attain Section 3 compliance. Any contractor that does not meet the Section 3 numerical goals must demonstrate why meeting the goals were not feasible. All contractors submitting bids or proposals to Lawrence County are required to certify that they comply with the requirements of Section 3.

The Section 3 Contract Clause specifies the requirements for contractors hired for Section 3 covered projects. The Section 3 Clause must be included in all Section 3 covered projects. The Section 3 Contract Clause is included in Exhibit 3.

Section 3 Program Participant Certification Procedure

The Section 3 Compliance Officer will certify Section 3 program participants who reside in the Section 3 covered area and who are seeking preference in training and employment by completing and attaching adequate proof of Section 3 eligibility, as required (see Exhibit 2- Section 3 Participant Eligibility for Preference Form).

1. All persons living in the community who meet the Section 3 eligibility guidelines, can by appointment, visit with the Section 3 Compliance Officer to complete a job readiness assessment.
2. Once this assessment is complete, the Section 3 Compliance Officer will determine if the individual meets the eligibility requirements and is job ready.
3. If the individual is deemed eligible for Section 3 participation, but not ready for employment, a referral will be made to other agencies that are better equipped to address the individual's needs, i.e., substance abuse providers, etc.
4. The Section 3 job readiness component is a part of Lawrence County's commitment to provide economic opportunities and training to residents/eligible participants to become gainfully employed.

Resident Hiring Requirements

Lawrence County has adopted the following scale for resident hiring that is to be used on all construction contracts, service contracts and professional service contracts that contain a labor component. It is expected that an appropriate number of residents with particular qualifications or a willingness to begin unskilled labor will be able to participate in contracted labor efforts. A prime contractor may satisfy Lawrence County Section 3 resident hiring requirements through its subcontractors.

Total Labor Dollars (use total contract amount for service contracts)	Resident Hiring Requirement (as a percent of total labor dollars)
Labor Dollars \$25,000 but less than \$100,000	10 percent of the labor dollars
\$100,000, but less than \$200,000	9 percent of the labor dollars
At least \$200,000, but less than \$300,000	8 percent of the labor dollars
At least \$300,000, but less than \$400,000	7 percent of the labor dollars
At least \$400,000, but less than \$500,000	6 percent of the labor dollars
At least \$500,000, but less than \$1 million	5 percent of the labor dollars
At least \$1 million, but less than \$2 million	4 percent of the labor dollars
At least \$2 million, but less than \$4 million	3 percent of the labor dollars
At least \$4 million, but less than \$7 million	2 percent of the labor dollars
\$7 million or more	1.5 percent of the labor dollars

With this sliding formula, it is expected that an appropriate number of Section 3 certified public housing residents and neighborhood residents with particular qualifications or willingness to begin unskilled labor will be able to participate in contracted labor efforts. A prime contractor, through its subcontractor(s), may satisfy Lawrence County's Section 3 resident hiring requirement set forth above.

Assisting Contractors to Achieve Section 3 Hiring and Contracting Goals

Lawrence County will assist contractors with little or no experience in achieving Section 3 hiring and contracting goals by requiring the contractor to present a list of the number of subcontracting and/or employment opportunities expected to be generated from the initial contract to the Section 3 Compliance Officer.

Lawrence County's Section 3 Compliance Officer will provide the contractor with a list of interested and qualified section 3 residents for construction projects.

Lawrence County's Section 3 Compliance Officer will provide the contractor with a list of Section 3 business concerns interested and qualified for construction projects.

Lawrence County's Section 3 Compliance Officer will provide the contractor of known issues that might affect Section 3 residents from performing job-related duties.

Lawrence County's Section 3 Compliance Officer will review the Section 3 New Hire Clause with contractors and subcontractors to ensure that the requirement is understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to employ Section 3 program participants before any other person when hiring additional employees needed to complete proposed work to be performed with HUD (federal) funds.

Lawrence County, in compliance with Section 3 regulations, will require contractors and subcontractors (including professional service contractors) to direct their efforts towards contracts to Section 3 business concerns in the following priority order:

1. Business concerns that are 51 percent or more owned by residents of Section 3 covered community or public housing development for which the work is performed, or whose full-time, permanent workforce includes 30 percent of these persons as employees.
2. Business concerns that are 51 percent or more owned by residents of the section 3 covered community or Public Housing Authority's public housing development(s) other than the housing development where the work is to be performed; or whose full-time permanent workforce includes 30 percent of these persons as employees.
3. HUD Youthbuild programs being carried out in the city/county of Lawrence, PA, where Section 3 covered assistance is expanded.
4. Business concerns that are 51 percent or more owned by a Section 3 resident(s), or whose permanent, full time workforce includes no less than 30 percent section 3 residents (category 4 business) or that

subcontract in excess of 25 percent of the total amount of subcontracts to section 3 business concerns.

Contractors and subcontractors are expected to achieve the numerical goals established by Lawrence County to the greatest extent feasible.

Evidence of Section 3 Certification

Any business seeking Section 3 preference in the awarding of contracts or purchase agreements with Lawrence County shall complete the Certification for Business Concerns Seeking Section 3 Preference in Contracting and Demonstration of Capability Form (see Exhibit 1), which can be obtained from the Section 3 Compliance Officer. The business seeking Section 3 preference must be able to provide adequate documentation as evidence of eligibility for preference under the Section 3 program.

Certifications for Section 3 preference for business concerns must be submitted to the Section 3 Compliance Officer of Lawrence County prior to the submission of bids for approval. If the Section 3 Compliance Officer previously approved the business concern to be Section 3 certified, then the certification can be submitted along with the bid.

Resident-Owned Business Contracting

Lawrence County will consider utilizing the alternative procurement process (Section 24 CFR Part 963) when contracting with businesses owned in substantial part by housing agency residents (resident-owned business) for public housing services, supplies or construction.

To be eligible for the alternative procurement process, a business must submit evidence to Lawrence County that shows how each of the following requirements has been met:

- a. Submit Certified copies of any city, state, or county municipal licenses that support the type of business activity for which it performs.
- b. Disclose to the Section 3 Compliance Officer, all owners of the business, as well as percentage of each business ownership, and names of individuals who have the authority to make daily decisions.
- c. Submit evidence that business is able to be performed successfully under the terms and conditions of the proposed contract.
- d. Provide a certified listing of all contracts awarded and received under the alternative procurement process within a two year period. If a resident owned business has received under this alternative contracting procedure one or more contracts (within the two-year period), with total combined dollars of \$1 million, then it is no longer eligible for additional contracts under the alternative process until the two-year period is past.

This alternative procurement policy is based upon the procurement procedure and policy set forth in HUD's regulations at 24 CFR, Part 85.36, and only applies to solicitations of resident owned businesses. Lawrence County will utilize the alternative contracting procedure for resident owned businesses only in cases where it is considered to be in the best economic and services interests of Lawrence County.

Efforts to Award Contract Opportunities to Section 3 Business Concerns

Lawrence County will use the following methods to notify and contract with Section 3 business concerns when contracting opportunities exist.

1. Advertise contracting opportunities via newspaper, mailings, posting notices that provide general information about the work to be contracted and where to obtain additional information.
2. Provide written notice of contracting opportunities to all known Section 3 business concerns. The written notice will be provided in sufficient time to enable business concerns the opportunity to respond the bid invitation.

3. Coordinate pre-bid meetings where the Section 3 business concerns would be informed of upcoming contracting opportunities in advance.
4. Conduct workshops on Lawrence County's contracting procedures to include bonding, insurance, and other pertinent requirements in a timely matter in an effort to allow Section 3 business concerns the opportunity to take advantage of any upcoming contracting opportunities.
5. Contact the Lawrence County Business Development Department, business assistance agencies, Minority and Women's Business Enterprise (MBE/WBE) contractor associations and community organizations to inform them of contracting opportunities and to request their assistance in identifying Section 3 businesses.
6. Establish relationships with the Small Business Administration (SBA), Minority and Women's Business Enterprise (MBE/WBE) association, community development corporations, and other sources as necessary to assist Lawrence County with educating and mentoring residents with a desire to start their own business.
7. Seek out referral sources to ensure job readiness for public housing residents through On-the-Job-Training (OJT) and Supported Work Program (SWP) and mentoring to obtain necessary skills that will transfer into the external labor market.

Section 3 Residents Recruitment, Training, and Employment Goals

Lawrence County will develop resources to provide training and employment opportunities to Section 3 program participants by implementing the following:

1. Training opportunities will be advertised by distributing flyers via mass mailings and posting in all Lawrence County public housing management offices.
2. Public housing resident councils, resident management corporations, as well as neighborhood community organizations will be contacted to request their assistance in notifying residents of the available training and employment opportunities.
3. Employment opportunities will be advertised by posting job vacancies in common areas of all of the Section 3 covered community, Lawrence County public housing developments, as well as contacting resident councils, resident management corporations, and neighborhood community organizations.
4. A secured database of certified Section 3 residents of public housing and other Section 3 covered residents will be established.
5. A secured database will be established to maintain a skill assessment of all Section 3 residents of public housing and other Section 3 covered residents.
6. A secured database will be established of eligible qualified Section 3 Business concerns to contact with respect to the availability of contract opportunities.
7. Relationships will be established with local area employers in an effort to solicit job vacancies to determine skills needed in their workforce, thereby providing training to residents developing skills that will transfer into the external labor market.
8. A provision for a specific number of housing or Section 3 program participants to be trained or employed by the contractor will be incorporated into the contract.

Employment of Section 3 Program Participants

1. The Section 3 Compliance Officer will hold a meeting with all residents before being hired by a contractor.
2. The meeting will assess job-readiness (i.e., childcare, transportation, work maturity, job retention skills). Only residents meeting the minimum qualifications of the contractor or subcontractor will be referred to the job site. Residents not deemed job-ready would be referred elsewhere. It is imperative that the resident's basic needs are met prior to employment.
3. If a resident is referred to a contractor and does not perform satisfactorily due to poor work habits (i.e., tardiness, absenteeism, alcohol/drugs, abusive language, fighting, etc.) he/she will be allowed two additional opportunities to be referred to other contractors at Lawrence County's discretion, based on the nature of the incident. If after that time the resident still does not perform satisfactorily, it will be mandatory that he/she attend and complete a job-readiness class, alcohol/drug treatment center, or any other program that he or she may be required to attend. After successful completion the resident will be given the opportunity to be reinstated on the list of residents available for work.
4. Residents experiencing problems with contractors should first communicate the problem to the employer. If the problem cannot be resolved between the employee and the employer, the Section 3 Compliance Officer will meet with the parties involved to assist in trying to resolve the problem. Residents and employers (contractors or subcontractors) should document problems whenever they occur, and record any and all efforts to correct them. The written documentation should be submitted to the Section 3 Compliance Officer.
5. To qualify for employment with contractors, residents must be Section 3 certified residents or public housing residents who have their name(s) on a Lawrence County Public Housing Authority lease, be current on rent, be at least 18 years of age, and not be involved in any legal action with Lawrence County Public Housing Authority regarding current documented eviction, criminal and drug activity or trespassing.
6. Residents not interested in construction employment opportunities will be assessed for other skills (clerical, administrative, etc.) and will have the opportunity to receive help with interviewing techniques, mock interviews, resume preparation, application assistance, employment leads, and how to dress for success when conducting a job search.
7. Residents interested in pursuing job-readiness training and continued education will be referred to those resources by the Section 3 Compliance Officer who will maintain with the Lawrence County Public Housing Authority to monitor the progress of residents.

Contractor's Requirements in Employing Section 3 participants:

Under the Lawrence County Section 3 Program, contractors and subcontractors are required to:

1. Provide employment opportunities to Section 3 residents/participants in the priority order listed below:
 - a. Category 1- Section 3 Resident
Residents of the Section 3 covered community or public housing developments for where the contract shall be expended.
 - b. Category 2- Section 3 Resident
Residents of other housing developments managed by the public housing authority of Lawrence County.
 - c. Category 3- Section 3 Resident
Participants in HUD Youthbuild programs being carried out in the project boundary area.
 - d. Category 4- Section 3 Resident
Section 8 residents of the Lawrence County Public Housing Authority as well as all other residents residing in the Section 3 covered community who meet the income guidelines for Section 3 preference (refer to Section 3 Income Limits).
2. After the award of contracts, the contractor must, prior to the beginning of work, inform Section 3 participants of the development at which the work will be performed, by providing the following;
 - a. Names of the Section 3 business concerns to be utilized.
 - b. Estimates of the number of employees to be utilized for contracting.
 - c. Projected number of available positions, to include job descriptions and wage rates (construction wages consistent with Davis Bacon).
 - d. Efforts that will be utilized to seek Section 3 participants. (See Exhibit 2)
 - e. Contractors must notify the Section 3 Compliance Officer of their interest in employing Section 3 participants prior to hiring. The Section 3 Compliance Officer will ensure that the participant is Section 3 eligible by assessing the Section 3 database to ensure job readiness. Additionally, the legal department will be contacted to ensure that the individuals are not involved in any legal proceedings against/with the Lawrence County Public Housing Authority.
 - f. A list of core employees (including administrative, clerical, planning, and other positions pertinent to the construction trades) at the time of contract award.
 - g. Document the performance of Section 3 participants (positive and negative), regarding punctuality, attendance, etc., and provide this information to the Section 3 Compliance Officer.

- h. Immediately notify the Section 3 Compliance Officer of any problems experienced due to the employment of Section 3 participants.
- i. Immediately notify the Section 3 Compliance Officer if a participant quits, walks off, or is terminated for any reason. The contractor must provide written documentation of all such incidents to support such decisions to the Section 3 Compliance Officer to determine if an investigation is warranted.

Internal Section 3 Complaint Procedure

In an effort to resolve complaints generated due to non-compliance through an internal process, Lawrence County encourages submittal of such complaints to its Section 3 Compliance Officer as follows:

1. Complaints of non-compliance should be filed in writing and must contain the name of the complainant and brief description of the alleged violation of 24 CFR 135.
2. Complaints must be filed within 30 calendar days after the complaint becomes aware of the alleged violation.
3. An investigation will be conducted if the complaint is found to be valid. The Section 3 Compliance Officer will conduct an informal, but thorough investigation affording all interested parties, if any, an opportunity to submit testimony and/or evidence pertinent to the complaint.
4. The Section 3 Compliance Officer will provide written documentation detailing the findings of the investigation of the alleged complaint. The Section 3 Compliance Officer will review the findings for accuracy and completeness before it is released to complainants. The findings will be made available no later than 30 days after filing the complaint.

If complainants wish to have their concerns considered outside of the agency's Compliance Officer, a complaint may be filed with:

Assistant Secretary for Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410

The complaint must be received not later than 180 days from the date of the action or omission upon which the complaint is based, unless the time for filing is extended by the Assistant Secretary for good cause shown.

Section 3 Action Plan Completed By: _____,
Section 3 Compliance Officer for Lawrence County, PA

Signature

Date

Procedures- Invitations for Bids (IFB) or Request for Proposal (RFP)

A. Advertisement- IFB only

All invitations to bid will include the following information:

“The bidders must submit documentary evidence of Section 3 business concerns who have been contacted and to whom commitments have been made. Documentation of such solicitations and commitments shall be submitted concurrently with the bid.”

B. Notification of Section 3 Business Concerns – IFB and RFP

The procedure for Lawrence County to notify Section 3 business concerns of contract opportunities will be as follows:

1. Notice of Invitation for Bid Request Proposals- Lawrence County is responsible for developing a listing of qualified Section 3 business concerns and will provide a copy of the Notice of Invitation for Bids or Requests for Proposals (RFPs) will be sent by Lawrence County to all Section 3 business concerns listed.
2. Other Notices- Notices are to be sent to the following organization(s) as appropriate:
 - a. Appropriate Minority Business Technical Assistance Organizations and/or Schools
 - b. Appropriate Minority/Women Contractor Associations
 - c. Appropriate Minority/Women Trade Associations
 - d. Other media organizations, such as community television networks, local newsletters, and radio advertising.
3. Plans and Specifications- Plans and Specifications or Invitations for Bids on all projects will be made available to minority/women contractor associations and trade organizations.
4. List of Planholders- The names of bidders/offers requesting bid documents will be made available upon request to Section 3 business concerns shown on the provided listing.
5. List of Section 3 Business Concerns- Each bidder/offeree obtaining plans and specifications or RFP's for projects will be provided a list of Section 3 Business Concerns to be used in soliciting subcontract bids and for materials and services.

C. Section 3 Contract Solicitation and Commitment

The Section 3 Compliance Officer shall track all MBE/WBE solicitations and commitments on DCED-CCD-186 (2/08) and maintain this document in their Section 3 files (see Exhibit 3). In

addition, this report shall be submitted to DCED with each contract meeting Section 3 thresholds.

Participation Requirements for Section 3 Residents and Business Concerns

A. Construction Contracts (IFB)

Lawrence County has established minimum levels of participation for the employment and/or training of Section 3 residents, and for the utilization of Section 3 business for each project in each bid category to be used solely as a guide in determining bidder responsibility. The minimum participation level for employment/training of Section 3 residents is 30 percent the aggregate number of new hires and 30 percent for the utilization of Section 3 business concerns.

1. Participation Level

- i. Lawrence County has established minimum participation levels (MPLs) at 30 percent for the employment/training for Section 3 residents and 30 percent for the utilization of Section 3 business concerns for this project to be used solely as a threshold in determining bidder responsibility. A bidder will not be rejected as not responsible solely because it fails to reach the MPLs.
- ii. A Section 3 business concern who is the prime bidder on a project will receive no MPL credit for its own work effort for services provided. A Section 3 business bidding as prime proposer must solicit other certified Section 3 Business Concerns for participation for material and/or supplies and attempt to hire Section 3 residents.

2. Responsiveness

- i. Bidders must complete and submit the Section 3 Contract/Solicitation and Commitment Statement and the Section 3 Work Force Needs Table with the bid. Failure to submit these forms with the bid will result in the bid being rejected as non-responsive.
- ii. A bidder should only solicit Section 3 subcontractors, vendors, manufacturers, or suppliers whose services, material, or supplies are within the scope of work and who the bidder reasonably believes it will choose to subcontract with or purchase from.
- iii. Bidders failing to meet the minimum levels of participation must submit concurrently with the bid, an explanation of why the MPLs have not been met. The evidence submitted by the bidder must demonstrate the following:
 1. Indicate whether Section 3 business concerns were solicited for each type of work the bidder expects to subcontract for, and for all materials that the bidder expects to procure and, if not, the reason(s) why no such solicitation was made.

2. Indicate the reason why a Section 3 business concern has not been committed to for a type of subcontract work or materials in any area where a quote was received from a Section 3 business concern.
 3. In any case where no quotations are received nor commitments made to a Section 3 Business Concern, indicate on Contract/Solicitation and Commitment Statement that no quotes were received, and any additional reasons for the lack of commitments.
 4. If the bidder fails to submit such evidence, the bid submission shall be considered non-responsive and the bid rejected.
 5. Information related to the above may be submitted on the Contract/Solicitation and Commitment Statement or on additional paper.
3. Access to Information
- Lawrence County may obtain documents and information from any bidder, contractor, subcontractor, supplier, or manufacturer that may be required in order to ascertain bidder or contractor responsibility. Failure to provide requested information may result in the contractor being declared not responsible.

B. Professional/Personal Services- Request for Proposals (RFP)

For contracts and subcontracts awarded under the competitive proposals awarded under the RFP method LAWRENCE COUNTY shall identify all evaluation factors (and their relative importance) to be used to rate proposals in their RFP.

One of the evaluation factors shall address both the preference for Section 3 business concerns and the acceptability of the strategy for meeting the greatest extent feasible requirement (Section 3 strategy), as disclosed in proposals submitted by all business concerns (Section 3 and non-Section 3 business concerns). This factor shall provide for a range of 15 to 25 percent of the total number of available points be set aside for the evaluation of these two components.

The component of this evaluation factor designed to address the preference for Section 3 business concern must establish a preference for these business concerns in order of category (e.g., Category 1, Category 2).

With respect to the second component (the acceptability of the Section 3 strategy), the RFP shall require the disclosure of the contractor's Section 3 strategy to comply with Section 3 training and employment preference, or contracting preference, or both, if applicable. A determination of the

contractor's responsibility will include the submission of an acceptable Section 3 strategy. The contract award shall be made to the responsible firm (either Section 3 or non-Section 3 business concerns) whose proposal is determined most advantageous, considering price and all other factors specified in the RFP.

Procedures- Contractor Compliance Process

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

1. The work to be performed under this contract is subject to the requirements of Section 3 of the HUD 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-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.
2. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, 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 135 regulations.
3. The contractor agrees to send to each labor organization, representative, or 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.
4. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, 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 135. 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 135.
5. The contractor will certify that any vacant employment positions, including training positions, that are filled after the contractor is selected, but before the contract is executed, and with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

6. Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD-assisted contracts.
7. Work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

Contractor's Requirements in Employing Section 3 participants:

Under the Section 3 Program, contractors and subcontractors are required to:

- A. Provide employment opportunities to Section 3 residents/participants in the priority order listed below:
 - a. Category 1- Section 3 Resident
 - i. Residents of the Section 3 covered community or public housing development for which the contract shall be expended
 - b. Category 2- Section 3 Resident
 - i. Residents of other public housing developments managed by the housing authority of Lawrence County.
 - c. Category 3- Section 3 Resident
 - i. Participants in HUD Youthbuild Program being carried out in the project boundary area.
 - d. Category 4- Section 3 Resident
 - i. Section 8 of the Lawrence County Public Housing Authority as well as all income guidelines for Section 3 preference (refer to Section 3 Income Limits). This information may also be obtained by having potential Section 3 residents complete the Section 3 survey, which can be obtained by the Section 3 Compliance Officer.
- B. After the award of contracts, and prior to beginning work the contractor must, inform Section 3 participants of the development at which the work will be performed by providing the following:
 - a. Names of the Section 3 business concern to be utilized,
 - b. Estimates of the number of employees to be utilized for contract,
 - c. Projected number of available positions, to include job descriptions and wage rates (construction wages consistent with Davis Bacon).
 - d. Efforts that will be utilized to seek Section 3 participants (See Exhibit 2).
- C. Contractors must notify the Section 3 Compliance Officer of their interests regarding employment of Section 3 participants prior to hiring, utilizing the Section 3 Work Force Needs Table/Certification- DCED-CCD 192 (see Exhibit 5). The Section 3 Compliance Officer will ensure that the participant is Section 3 eligible, by assessing the Section 3 database to ensure job readiness. Additionally, the legal department will be contacted to ensure that the individuals are not involved in any legal proceedings against/with the Lawrence County Public Housing Authority.
- D. Submit a list of core employees (including administrative, clerical, planning, and other positions pertinent to the construction trades) at the time of contract award.
- E. Document the performance of Section 3 participants (positive and negative), regarding punctuality, attendance, etc., and provide this information to the Section 3 Compliance Officer.

- F. Immediately notify the Section 3 Compliance Officer of any problems experienced due to the employment of Section 3 participants.
- G. Immediately notify the Section 3 Compliance Officer if a participant quits, walks off, or is terminated for any reason. The contractor must provide written documentation of all such incidents to support such decisions to the Section 3 Compliance Officer to determine if an investigation is warranted.

Section 3 Grievance Procedures

In an effort to resolve complaints generated due to non-compliance through an internal process, Lawrence County encourages submittal of such complaints to its Section 3 Compliance Officer as follows:

1. Complaints of non-compliance should be filed in writing and must contain the name of the complainant and brief description of the alleged violation of 24 CFR 135.
2. Complaints must be filed within thirty (30) calendar days after the complainant becomes aware of the alleged violation.
3. An investigation will be conducted if complaint is found to be valid. The Section 3 Compliance Officer will conduct an informal, but thorough investigation affording all interested parties, if any, an opportunity to submit testimony and/or evidence pertinent to the complaint.
4. The Section 3 Compliance Officer will provide written documentation detailing the findings of the investigation of the alleged offense. The Compliance Officer will review the findings for accuracy and completeness before it is released to complainants. The findings will be made available no later than thirty (30) days after the filing of the complaint.

If complainants wish to have their concerns considered outside of LAWRENCE COUNTY's Section 3 Compliance Officer, a complaint may be filed with:

Assistant Secretary for Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410

The complaint must be received not later than 180 days from the date of the action or omission upon which the complaint is based, unless the time for filing is extended by the Assistant Secretary for good cause shown.

The Section 3 Compliance Officer will forward a copy of the grievance to DCED within 72 hours of receipt.

The Section 3 Compliance Officer will maintain an official Complaint Register (see Exhibit 6).

Section 3 Recordkeeping

Records must be maintained by the Section 3 Compliance Officer to demonstrate compliance with the requirements noted in 24 CFR 135.92:

“HUD shall have access to all records, reports, and other documents or items of the recipient that are maintained to demonstrate compliance with the requirements of this part, or that are maintained in accordance with the regulations governing the specific HUD program under which Section 3 covered assistance is provided or otherwise made available to the recipient or contractor.”

In accordance with this rule, the sub-grantee (Lawrence County) will maintain records related to:

1. Examples of efforts to offer training and employment opportunities to Section 3 residents.
2. Examples of efforts to award contracts to Section 3 business concerns.
3. Examples of procurement procedures that provide for preference for Section 3 business concerns.
4. Listings of certified Section 3 residents.
5. Listings of certified Section 3 business concerns.
6. Grievances filed by Section 3 residents or Section 3 business concerns.
7. Listings of Section 3 residents trained and/or employed.
8. Listings of Section 3 business concerns contracted under each contract meeting Section 3 thresholds.

Section 3 Reporting Requirements

DCED requires that all sub-grantees of CDBG, HOME, ESG and NSP funds to report annually (applies to all reports except the Section 3 Complaint Register) on all Section 3 activities if the amount of any combined CDBG, combined HOME, combined ESG, or combined NSP grants that are currently active exceed \$200,000 and any contract or sub-contract received exceeds \$100,000.

Reporting forms include:

1. Section 3 Contract Solicitation and Commitment Statement (DCED-CCD 186, 2/08)
2. Section 3 Summary Report (HUD form 60002-exp.11/30/2010).
3. Section 3 Work Force Needs Table and Certification (DCED-CCD 192, 2/08).
4. Section 3 Complaint Register (HUD form 958-exp.8/31/07).

The Sub-grantee must complete and submit Section 3 Contract Solicitation and Commitment Statements (DCED-CCD 186, 2/08) for each contract which meets the Section 3 threshold as defined above,

In addition, the developer, contractor, or sub-contractor will submit a Section 3 Work Force Needs Table and Certification (DCED-CCD 192, 2/08) to the sub-grantee demonstrating how it is implementing its Section 3 Action Plan, if any contract or sub-contract received from the sub-grantee exceeds \$100,000. The sub-grantee will maintain a copy of this report in its Section 3 Program files, as well as submit a copy to DCED on an annual basis.

Sub-grantees must then submit a Section 3 Summary Report (HUD form 60002) to DCED on an annual basis.

In the event that a resident in a Section 3 covered area or Section 3 business concern has filed a grievance against the sub-grantee, developer, or contractor, the sub-grantee must submit a copy of the Complaint Register to DCED within 72 hours.

Questions on completion of these forms should be directed to Lawrence County's Compliance Officer at (telephone number).

Attachment A
Outreach and Recruitment Additional Guidance
Examples of Efforts to Offer Training and Employment Opportunities to
Section 3 Residents:

1. Entering into “first source” hiring agreements with organizations representing Section 3 residents.
2. Sponsoring a HUD-certified “Step-Up” employment and training program for Section 3 residents.
3. Establishing training programs, which are consistent with the requirements of the Department of Labor, for public and Indian housing residents and other Section 3 residents in the building trades.
4. Advertising the training and employment positions by distributing flyers which identify the positions to be filled, the qualifications required, and where to obtain additional information about the application process to every occupied dwelling unit in the housing development(s) where category 1 or category 2 persons (as defined in 135.34) reside.
5. Advertising the training and employment positions by posting flyers (which identify the positions to be filled, the qualifications required, and where to obtain additional information about the application process) in the common areas or other prominent areas of the housing development(s). For public housing authorities, post such advertising in the housing development(s) where category 1 or category 2 persons reside; for all other recipients, post such advertising in the housing development(s) and transitional housing in the neighborhood or service area of the Section 3 covered project.
6. Contacting resident councils, resident management corporations, or other resident organizations, where they exist, in the housing development where category 1 or category 2 persons reside, and community organizations in HUD-assisted neighborhoods, to request the assistance of these organizations in notifying residents of the training and employment positions to be filled.
7. Sponsoring (scheduling, advertising, financing or providing in-kind services) a job informational meeting to be conducted by a PHA or contractor representative(s) at a location in the housing development(s) where category 1 or category 2 persons reside, or in the neighborhood or service area of the Section 3 covered project.
8. Arranging assistance in conducting job interviews and completing job applications for residents of the housing development(s) where category 1 or 2 persons reside, and in the neighborhood or service area in which a Section 3 project is located.
9. Arranging for a location in the housing development(s) where category 1 persons reside, or the neighborhood or service area of the project, where job applications may be delivered to and collected by a recipient or contractor representative(s).

10. Conducting job interviews at the housing development(s) where category 1 or category 2 persons reside, or at a location within the neighborhood or service area of the Section 3 covered projects.
11. Contacting agencies administering HUD Youthbuild programs, and requesting their assistance in recruiting HUD Youthbuild program participants for the Housing Authorities or contractor's training and employment positions.
12. Consulting with State and local agencies administering training programs funded through JTPA or JOBS, probation and parole agencies, unemployment compensation programs, community organizations and other officials or organizations to assist with recruiting Section 3 residents for the Housing Authorities or contractor's training and employment positions.
13. Advertising the jobs to be filled through local media, such as community television networks, newspapers of general circulation, and radio advertising.
14. Employing a job coordinator, or contracting with a business concern that is licensed in the field of job placement (preferably one of the Section 3 business concerns identified in Part 135), that will undertake, on behalf of the PHA, other recipient or contractor, the efforts to match eligible and qualified Section 3 residents with the training and employment positions that the PHA or contractor intends to fill.
15. For a PHA, employing Section 3 residents directly on either a permanent or a temporary basis to perform work generated by Section 3 assistance. (This type of employment is referred to as "force account labor" in HUD's Indian housing regulations. See 24 CFR 905.102, and 905.201 (a) (6).
16. Where there are more qualified Section 3 residents than there are positions to be filled, maintaining a file of eligible qualified Section 3 residents for future employment positions.
17. Undertaking job counseling, education and related programs in association with local educational institutions.
18. Undertaking such continued job-training efforts as may be necessary to ensure the continued employment of Section 3 residents previously hired for employment opportunities.
19. After selection of bidders, but prior to execution of contracts, incorporating into the contract a negotiated provision for a specific number of public housing or other Section 3 residents to be trained or employed on the Section 3 covered assistance.
20. Coordinating plans and implementation of economic development (e.g. job training and preparation, business development assistance for residents) with the planning for housing and community development.

Attachment B

Bidding Process Additional Guidance

Examples of Efforts to Award Contracts to Section 3 Business Concerns:

- (1) Utilizing procurement procedures for Section 3 business concerns similar to those provided in 24 CFR part 905 for business concerns owned by Native Americans (see section III of this Appendix)
- (2) In determining the responsibility of potential contractors, consider their record of Section 3 Compliance as evidenced by past actions and their current plans for the pending contract.
- (3) Contracting business assistance agencies, minority contractors associations and community organizations to inform them of contracting opportunities and requesting their assistance in identifying Section 3 businesses, which may solicit bids or proposals for contracts for work in connection with Section 3 covered assistance.
- (4) Advertising contracting opportunities by posting notices, which provide general information about the work to be contracted and where to obtain additional information, in the common areas or other prominent areas of the housing development(s) owned and managed by the PHA.
- (5) For Public Housing Authorities, contacting resident councils, resident management and corporations, or other resident organizations, where they exist, and requesting their assistance in identifying Category 1 and Category 2 business concerns.
- (6) Providing written notice to all known Section 3 business concerns of the contracting opportunities. This notice should be in sufficient time to allow the Section 3 business concerns to respond to the bid invitations or Request for Proposals (RFP).
- (7) Following up with Section 3 business concerns that have expressed interest in the contracting opportunities by contacting them to provide additional information on the contracting opportunities.
- (8) Coordinating pre-bid meetings where Section 3 business concerns could be informed of upcoming contracting and subcontracting opportunities.
- (9) Carrying out workshops on contracting procedures and specific contract opportunities in a timely matter so that Section 3 business concerns can take advantage of upcoming contracting opportunities with such information being made available in languages other than English where appropriate.
- (10) Advising Section 3 business concerns as to where they may seek assistance to overcome limitations; such as inability to obtain bonding, lines of credit, financing, or insurance.
- (11) Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways to facilitate the participation of Section 3 business concerns.

- (12) Where appropriate, breaking out contract work items into economically feasible units to facilitate participation by Section 3 business concerns.
- (13) Contacting agencies administering HUD Youthbuild programs, and notifying these agencies of the contracting opportunities.
- (14) Advertising the contracting opportunities through trade association papers and newsletters, and through the local media; such as community television networks, newspapers of general circulation, and radio advertising.
- (15) Developing a list of eligible Section 3 business concerns.
- (16) For Public Housing Authorities, participating in the “Contracting with Resident-Owned Businesses” program provided under 24 CFR Part 963.
- (17) Establishing or sponsoring programs designed to assist residents of public or Indian housing in the creation and development of resident-owned businesses.
- (18) Establishing numerical goals (number of awards and dollar amount of contracts) for award of contracts to Section 3 business concerns.
- (19) Supporting businesses, which provide economic opportunities to low-income persons by linking them to the support services available through the Small Business Administration (SBA), the Department of Commerce and comparable agencies at the state and local levels.
- (20) Encouraging financial institutions in carrying out their responsibilities under the Community Reinvestment Act to provide no or low interest loans for providing working capital and other financial business needs.
- (21) Actively supporting joint ventures with Section 3 business concerns.
- (22) Actively supporting the development or maintenance of business incubators that assist Section 3 business concerns.

Attachment C

Procurement and Awarding of Bids Additional Guidance

Examples of Procurement Procedures That Provide for Preference for Section 3 Business Concerns:

This Section provides specific procedures that may be followed by recipients and contractors (collectively referred to as the “contracting party”) for implementing the Section 3 contracting preference for each of the competitive procurement methods authorized in 24 CFR 85.36 (d).

1. Small Purchasing Authorities Procedures
 - a. For Section 3 covered contractors aggregating no more than \$25,000, the methods set forth in this paragraph or the more formal procedures set forth in paragraphs 2 and 3 of this section may be utilized.
 - i. Solicitation
 1. Quotations may be solicited by telephone, letter or other informal procedure provided that the manner of solicitation provides for participation by a reasonable number of competitive sources. At the time of solicitation, the parties must be informed of:
 - a. The Section 3 covered contract to be awarded with sufficient specificity.
 - b. The time within which quotations must be submitted.
 - c. The information that must be submitted with each quotation.
 - ii. Award
 1. Where the Section 3 covered contract is to be awarded based upon the lowest price, the contract shall be awarded to the qualified Section 3 business concern with the lowest responsive quotation, if it is reasonable and no more than 10 percent higher than the quotation of the lowest responsive quotation from any qualified source. If no responsive quotation by a qualified Section 3 business concern is within 10 percent of the lowest responsive quotation from any qualified source, the award shall be made to the source with the lowest quotation.
 2. Where the Section 3 covered contract is to be awarded based on factors other than price, a request for quotations shall be issued by developing the particulars of the solicitation, including a rating system for the assignment of points to evaluate the merits of each quotation.

The solicitation shall identify all factors to be considered, including price or cost. The rating system shall provide for a range of 15 to 25 percent of the total number of available rating points to be set aside for the provision of preference for Section 3 business concerns. The purchasing Authorities order shall be awarded to the responsible firm whose quotation is the most advantageous, considering price and all other factors specified in the rating system.

2. Procurement by Sealed Bids (Invitations for Bids- IFB)
 - a. Preference in the award of Section 3 covered contract that are awarded under a sealed bid (IFB) process may be provided as follows:
 - i. Bids shall be solicited from all businesses (Section 3 business concerns, and non-Section 3 business concerns). An award shall be made to the qualified Section 3 business concern with the highest priority ranking and with the lowest responsive bid if that bid-
 1. is within the maximum total contract price established in the contracting party's budget for the specific project for which bids are being taken, and
 2. is not more than "X" higher than the total bid price of the lowest responsive bid from any responsible bidder.
 - ii. If no responsive bid by a Section 3 business concern meets the requirements of the invitation, the contract shall be awarded to a responsible bidder with the lowest responsive bid.
3. Procurement under the competitive proposals method of procurement (RFP)
 - a. For contracts and subcontracts awarded under the competitive proposals method of procurement (24 CFR 85.36(d)(3)), a Request for Proposals (RFP) shall identify all evaluation factors (and their relative importance) to be used to rate proposals.
 - b. One of the evaluation factors shall address both the preference for Section 3 business concerns and the acceptability of the strategy for meeting the greatest extent feasible requirement (Section 3 strategy), as disclosed in proposals submitted by all business concerns (Section 3 and non-Section 3 business concerns). This factor shall provide for a range of 15 to 25 percent of the total number of available points to be set aside for the evaluation of these two components.
 - c. The component of this evaluation factor designed to address the preference for Section 3 business concerns must establish a preference for these business concerns in the order of priority ranking as described in 24 CFR 135.36.

- d. With respect to the second component (the acceptability of the Section 3 strategy), the RFP shall require the disclosure of the contractor's Section 3 strategy to comply with the Section 3 training and employment preference, or contracting preference, or both, if applicable. A determination of the contractor's responsibility will include the submission of an acceptable Section 3 strategy. The contract award shall be made to the responsible firm (either Section 3 or non-Section 3 business concerns) whose proposal is determined most advantageous, considering price and all other factors specified in the RFP.

Exhibit 1

**CERTIFICATION FOR BUSINESS CONCERNS SEEKING SECTION 3 PREFERENCE
IN CONTRACTING AND DEMONSTRATION OF CAPABILITY**

Name of Business: _____

Business Address: _____

Type of Business: Corporation Partnership
 Sole Proprietorship Joint Venture

Attached is the following documentation as evidence of status:

For business claiming status as a Section 3 resident-owned enterprise:

- Copy of resident lease Copy of receipt of public assistance
- Copy of evidence of participation Other evidence
 in a public assistance program

For business entity as applicable:

- Copy of Articles of Incorporation Certificate of Good Standing
- Assumed Business Name Certificate Partnership Agreement
- List of owners/stockholders and Corporate Annual Report
 percent ownership of each Latest board minutes appointing officers
- Organizational chart with names, titles Additional documentation
 and brief function statement

**For business claiming Section 3 status by subcontracting 25 percent of the dollar
awarded to qualified Section 3 businesses:**

- List of subcontracted Section 3 businesses and subcontract amount

**For business claiming Section 3 status, claiming at least 30 percent of their
workforce as currently Section 3 residents, or were Section 3 eligible residents
within 3 years of date of first employment with the business:**

- List status of all current full-time employees
- List of employees claiming Section 3 status
- PHA/IHA Residential lease less than 3 years from date of employment
- Other evidence of Section 3 status less than 3 years from the day of employment

Evidence of ability to perform successfully under the terms and conditions of the
proposed contract:

- Current financial statement
- Statement of ability to comply with public policy
- List of owned equipment
- List of all contracts for the past two years

_____ (Corporate Seal)
Authorizing Name and Title

Attested By:

Exhibit 2

Certification for Resident Seeking Section 3 Preference in Training and Employment

LAWRENCE COUNTY RESIDENT EMPLOYMENT OPPORTUNITY DATA
ELIGIBILITY FOR PREFERENCE

Eligibility for Preference: A Section 3 resident seeking the preference in training and employment provided by this part shall certify, or submit evidence to the recipient contractor or subcontractor, if requested, that the person is a Section 3 resident, as defined in Section 135.5. (An example of evidence of eligibility for the preference is evidence of receipt of public assistance, or evidence of participation in an public assistance program.)

Certification for Resident Seeking Section 3 Preference in Training and Employment

I, _____, am a legal resident of the _____ and meet the income eligibility guidelines for a low or very low-income person as published on the reverse.

My permanent address is _____

I have attached the following documentation as evidence of my status:

- Copy of Lease
- Copy of receipt of public assistance
- Copy of Evidence of Participation in a public housing program
- Other evidence

Signature: _____

Print Name: _____

Date: _____

Exhibit 2 continued

Lawrence County

Section 3 Income Limits

All residents of public housing developments of the Lawrence County Public Housing Authority qualify as Section 3 residents. Additionally, individuals residing in Section 3 properties of Lawrence County who meet the income limits set forth below may also qualify for Section 3 status.

A picture identification card and proof of current residency is required.

Eligibility Guidelines

Number in Household	Very Low Income	Low Income
1 individual	18,350	29,350
2 individuals	20,950	33,500
3 individuals	23,600	37,700
4 individuals	26,200	41,900
5 individuals	28,300	45,250
6 individuals	30,400	48,600
7 individuals	32,500	51,950
8 individuals	34,600	55,300

Exhibit 3

Section 3 Contract Solicitation and Commitment Statement

(1) Name of Bidder	(2) IFB Number
Address	Bid Opening Date
Telephone Number	Contact Person

(8) Note: List those certified minority/women owned businesses from which you solicited quotes or which contacted you and gave you quotes in regard to this invitation for bid. Bidders contact with Subcontractors and suppliers should be at least five days prior to the bid opening date.

(3) * Company Name & Telephone Number	(4) * EIN or SSN	(5) Section 3 (x)	(6) Type of Construction, equipment, services and/or supplies to be provided to the project

(10) NOTE: Minimum Levels (MPL): Section 3-10%
 A presumption of responsibility may be made if the dollar commitment of Section 3's reflects the minimum participation level.

(11) Prepared By: _____

Use additional sheets if necessary

Explanation of Column Items

(Section 3 Contract Solicitation and Commitment Statement)

1. Provide your company name, address, telephone number.
2. Provide the Invitation for Bid (IFB) number, if available, bid opening date and bidder's contact person.
3. Company's name and telephone number with area code are mandatory items.
4. Employer Identification Number (EIN) or Social Security Number (SSN).
5. Indicate whether or not the firm is a Section 3 firm. Place a check mark in the Section 3 column.
6. Indicate type of work to be performed and/or material to be supplied.
7. Enter the total dollar amount of the quote received.
8. Enter the dollar amount of the commitment which you have made to the Section 3 firm. If no amount is provided in this space, it will be presumed that your firm made no commitment.
9. NOTE: You must include information on both solicited and unsolicited quotes. Failure to include a firm providing solicited or unsolicited quotes may result in the rejection of the bid. Five days is a guide. However, adequate time must be provided for subcontractors and suppliers to respond to bids.
10. NOTE: If the minimum participation levels for this project are not achieved, you must provide a written explanation on this on a separate sheet explaining the failure to achieve the MPL. Failure to provide this explanation will result in rejection of the bid as non-responsive.
11. Indicate the name and title of the person(s) who prepared form, along with an e-mail address.

* KEY NOTE: Mandatory Items: Failure to provide mandatory items will result in rejection of the bid as non-responsive. These items appear in Columns 3, 4, and 8.