



Section 3

Implementation Plan and Administrative Guide

INTRODUCTION

The Housing Authority of the City of Augusta, Georgia is pleased to present its Section 3 Program, which will assist staff, contractors and developers in complying with the requirements of Section 3 of the HUD Act of 1968, as amended in 1994. This program will ensure that employment, training, and other economic opportunities generated by HUD financial assistance shall, to the greatest extent feasible, be directed to low and very-low income persons, particularly those who are public housing residents and to businesses which provide economic opportunities to low and very-low income persons.

The Authority has established goals for both hiring and contracting that, when met, will demonstrate satisfactory efforts to comply with Section 3.

The Housing Authority of the City of Augusta, Georgia, by this program, affirms its commitment to maximize, to the greatest extent feasible, the creation of employment, training, and contracting opportunities for low and very-low income persons.

The Housing Authority of the City of Augusta, Georgia also commits to providing contractors and developers with procedural assistance on all matters relating to this program, as needed, to achieve the program's goal.

SECTION 3
IMPLEMENTATION PLAN
AND
ADMINISTRATIVE GUIDE

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EXECUTIVE SUMMARY

The Housing Authority of the City of Augusta, Georgia (AHA) is committed to helping the residents of its communities achieve their goals of self-sufficiency by providing opportunities for training and employment. AHA provides employment opportunities on construction projects by encouraging its contractors to hire qualified residents of AHA communities, connecting residents to job training and placement activities, and providing program coordination that facilitates economic opportunities to residents. AHA also provides employment opportunities by hiring qualified residents of AHA communities for available AHA positions.

Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1994, requires that, to the greatest extent feasible, employment and other economic opportunities generated by HUD funds be directed to low- and very low-income residents. 24 CFR Part 135 establishes the standards and procedures to be followed by Public Housing Authorities in order to ensure that the requirements of Section 3 are met.

In order to be considered by HUD to be in compliance with the provisions of 24 CFR Section 135, AHA will take four concurrent courses of action. These actions are as follows:

1. The AHA will formalize recruiting and hiring policies and practices that sets a goal of 30% of the aggregate number of new hires each year at AHA to be qualifying public housing residents or other low-income city residents.
2. The AHA will establish a goal that all contractors and subcontractors hire qualifying Section 3 residents for a least 30% of the new positions created as a result of contracts with AHA.
3. The AHA will establish a goal that at least 10% of the total dollar amount of contracts for construction, repair and rehabilitation be awarded to qualifying Section 3 business concerns. Also, that at least 3% of the total dollar amount of all other AHA contracts are awarded to qualifying Section 3 business concerns.
4. The AHA will implement efforts to have a ready pool of public housing residents to fill the positions offered by the AHA, its contractors, or subcontractors. AHA training programs will be geared to ensure that residents will meet the minimum requirements, i.e. valid driving license, high school diploma or equivalent, drug free workplace requirement, and criminal background checks, for AHA and contractor employment positions. The AHA will make every effort to assist those residents with obtaining adequate support services such as day care and transportation. It will also ensure that residents of AHA communities are aware of opportunities as they become available and those contractors know how to reach the ready pool of potential employees from AHA communities.

II. SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968

Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1994, requires that, to the greatest extent feasible, employment and other economic opportunities generated by HUD funds be directed to low- and very low-income residents. 24 CFR Part 135 establishes the standards and procedures to be followed to ensure that the objectives of Section 3 are met. The terms used in this Implementation Plan are as defined in 24 CFR Part 135.

24 CFR Part 135 requires that the AHA make best efforts to ensure that 30% of new hires of the AHA and of its contractors funded through development assistance, operating assistance or modernization assistance from HUD be residents of AHA communities. Furthermore, it requires that best efforts be made to ensure that 10% of all construction or repair related contracts and 3% of all other contracts be awarded to Section 3 business concerns. A Section 3 business concern is defined as a business that is 51% owned by an AHA resident or other qualified Section 3 resident, or a business that attests to 30% or more of its permanent full time employees are AHA or other Section 3 residents or have been within the past three years.

In order to comply with 24 CFR Part 135, AHA is required to establish programs and procedures that facilitate the training and employment of residents of AHA communities by undertaking activities such as:

1. Publicizing the availability of positions with AHA or its contractors or subcontractors.
2. Providing assistance and counseling in job placement, job interviews, and job applications.
3. Maintaining current lists of available and qualified residents and making them available to contractors.
4. Providing job training, either independently or in conjunction with existing institutions.
5. Maintaining lists of Section 3 business concerns and their specialties.

III. OUTREACH AND RECRUITMENT OF QUALIFIED RESIDENTS AND BUSINESSES

Outreach and recruitment of qualified residents and businesses for Section 3 employment or contracting opportunities is a three-stage process that includes:

1. Recruiting residents to participate in employment training programs provided by the AHA and its partners;
2. Notifying qualified residents of positions as they become available; and
3. Providing residents with the support necessary to successfully apply and interview for the job.

Resident Services Responsibilities

The AHA's Resident Services Department will conduct Section 3 outreach and referrals to housing authority residents. Outreach efforts will include knocking on doors, job fairs, and information sessions. The Resident Services Department will work with Housing Management to develop Section 3 mailings to be included in the **Resident Spotlight**. Section 3 program information will also be presented during Resident Association meetings.

The AHA's Resident Services staff will build and maintain a database of residents by conducting an agency-wide survey to collect the following information:

- Employment status
- Income and income source
- Educational level
- Self-description of skills
- Job training completed, including type of training and name of organization that provided the training
- Requests for training and support services

Resident Services staff will work with development managers to update the database during annual re-certifications.

At least once a year, the Resident Services staff will prepare and distribute to each resident, information and a schedule regarding job readiness and training opportunities available to AHA residents. These will include programs sponsored by AHA, as well as training opportunities available through other resources in the community.

This information will include eligibility requirements and prerequisites, a contact name and number for each program or institution listed, and a contact person at the AHA who will provide application assistance. Individual flyers will be prepared and distributed via the **Resident Spotlight** to remind residents of impending programs and registration deadlines.

Section 3 Coordinator Responsibilities

The Section 3 Coordinator will work with all AHA internal departments, contractors, Section 3 business owners, members of the community, residents and resident councils to coordinate and monitor all activities that contribute to Section 3 compliance. The Section 3 Coordinator will:

1. Work with representatives of the construction industry to increase resident access to industry training programs.
2. Work with the AHA residents to help interested residents complete necessary prerequisites, such as math and literacy skills.

3. Monitor outreach and recruitment efforts to ensure that eligible and qualified residents of AHA communities are aware of and successfully apply for new positions with contractors working for the AHA and for vacancies available within the AHA.
4. Monitor the status of referrals to the contractors and Section 3 placements made by Resident Services.

In addition to the goal of hiring residents at the AHA and through AHA contractors, the AHA will also use resident-owned Section 3 businesses in its contracting, subcontracting and procurement, as is feasible. It is the responsibility of the Section 3 Coordinator to:

1. Work with residents identified through the Resident Services Department as being interested in and capable of starting or expanding a business. Include information on small business development in the catalog of available training opportunities and develop procurement and contracting procedures that encourage the participation of small businesses.
2. Create an atmosphere of support for Section 3 businesses so that they are prepared to take advantage of Section 3 contracting opportunities. Such support may include assistance with writing business plans or other managerial and operational advice and assistance where possible.
3. Maintain a current and complete list of AHA businesses and provide it to all contractors as part of the bid document package. Ensure that all Section 3 businesses are registered with the Purchasing Agent.
4. Ensure all AHA issued Requests for Proposals or Invitations for Bids are sent to Section 3 businesses registered with the AHA.
5. Assist in the distribution of AHA issued Requests for Proposals or Invitation for Bids to area minority contracting associations, community development corporations, and other business assistance agencies and community organizations.

IV. SELF-SUFFICIENCY/EMPLOYMENT TRAINING OPPORTUNITIES AT THE HOUSING AUTHORITY OF THE CITY OF AUGUSTA, GEORGIA

Jobs for residents of AHA communities, created through the Section 3 program are just one component of a successful resident employment initiative at the AHA. Section 3 applies only to new hires, and the majority of the contracting jobs created as a result of Section 3 are construction-related and thus not long term at any one site. Therefore, to maximize the benefits of its Section 3 program, AHA will employ the following techniques:

- Utilize the Section 3 Program as only one of several opportunities to provide jobs for residents that are successful participants in its self-sufficiency and apprenticeship training programs.
- Provide supportive services to help ensure the success of residents employed as a result of the provisions of Section 3.

- Work with representatives of the construction industry to increase the access for residents of AHA communities to existing construction training programs provided by the industry.

V. PROCUREMENT AND CONTRACTING

The Director of Planning and Development along with the Purchasing Agent will develop, implement and monitor procurement and contracting policies and procedures to:

- Ensure that AHA contractors and subcontractors maximize hiring of residents of AHA communities, and
- Facilitate contracting with Section 3 business enterprises.

To accomplish these goals, the Director of Planning and Development will employ a series of strategies, which include, but are not limited to, the following:

1. All Section 3 covered contracts will include the “Section 3 clause” as required by 24 CFR 135.38
2. Offering documents will include notification that the bidder/proposer must include:
 - A Schedule of Workforce and Hiring Projections
 - Section 3 Opportunities Plan, which proposes a strategy for accomplishing or exceeding the goal of hiring residents of AHA properties for at least 30% of new positions that become available with the contractor or subcontractors after the contract is awarded. Any bidder/proposer’s failure to present a satisfactory projection of new hires, a conscientious Section 3 Opportunities Plan and a stated goal to hire at least 30% of new employees on the job from among qualified residents may render the bid non-responsive and cause the contractor to be disqualified.
3. Contractors will be required to submit, as part of their bid package, a comprehensive list of all of the firm’s employees at the time the bid was submitted and those of each of the subcontractors which s/he is anticipating using. This list will indicate the name, address, race or ethnicity, gender, trade or position and whether they are residents of AHA communities. This will be the “core employee” list and will be used to determine new hires. Once a preliminary selection has been made, and before the contract is awarded, an updated list must be provided before the contract can be awarded, negotiated and executed. Similarly, when changes occur in subcontractors, the contractor shall provide the Planning and Development Department with a core employment list from the contractor before executing the contract.

In reviewing bid packages, the Director of Planning and Development will review the Section 3 Opportunity Plan provided by the Contractor to determine if the bid is responsive. In order for a Section 3 Opportunity Plan to be deemed fully responsive by the Contracting Officer, it should include the following basic components:

1. Bidder’s commitment to develop and implement the Section 3 Opportunities Plan.

2. Assignment of new employees to individual journeymen to learn trades, work habits, and standards.
3. Agreement to provide to the Section 3 Coordinator with a written evaluation of employees who are AHA residents.
4. Acknowledgment that the hiring of a resident of an AHA community is a commitment to the career development of that employee and that the hiring goals will not be met simply by temporarily hiring a resident.
5. A subcontracting plan and outreach and support strategy for awarding 10% of the value of all construction subcontracts and 3% of all others to Section 3 businesses.

During the evaluation process and before any contract is awarded, the Director of Planning and Development will review the Section 3 Opportunity Plan to determine if it complies with AHA's policies.

Contract Size

If the estimated value of the contract is \$0 –24,999, Section 3 requirements apply, but no additional documentation from the contractor will be required. However, proper documentation will assist in determining qualification as a Section 3 Business.

If the estimated value of the contract is \$25,000 - \$99,999, bidders will be required to submit a modified Section 3 Plan as follows:

1. 30% (as defined) of new employees will be hired from among qualified Section 3 residents.
2. Offering documents will include a modified Section 3 Opportunities Plan.
3. Any bidder/proposer's failure to present a modified Section 3 Opportunities Plan and a commitment to hire at least 30% of new employees on the job from among qualified Section 3 residents may render the bid non-responsive and cause the contractor to be disqualified.

If the estimated value of the contract is in excess of \$100,000, bidders will be required to submit a detailed Section 3 action plan consisting of the forms and documents listed below

1. Section 3 Business Application
2. Section 3 Business Certification
3. Section 3 Business Utilization Plan
4. Resident Opportunity Data

SECTION 3 PROCUREMENT NOTICE

The purpose of Section 3 of the Housing and Urban Development Act of 1968 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.

The Contractor will be required to hire Section 3 employees as 30% of all new hires. A new hire is defined as any persons hired after the signing of the contract. At the time of contract negotiation specific new hires will be determined based on the contractor's plan/schedule for completing the job. Positions for new hires shall not be filled immediately prior to undertaking work in order to circumvent regulations set forth in 24 C.F.R. Part 135.

Procurement Documents

Each bidder/proposer must include a Section 3 Opportunities Plan, which indicates its commitment to meet the AHA's resident hiring requirement.

If a bidder/proposer fails to submit a Section 3 Opportunities Plan and the related data along with the bid/proposal, such bid/proposal may be declared as non-responsive.

Section 3 Plan

The proposal submitted by the interested bidder shall include a Section 3 Action Plan outlining the plan of the company for incorporating Section 3 as part of the contract. Prior to the award of any contract, the contractor shall negotiate with the AHA the number of AHA residents or other Section 3 residents to be trained or employed through the contract. This number shall be subject to AHA's approval and shall be a minimum of 30% of new hires. The resulting provision will be incorporated into the contract and shall obligate the contractor to achieve the stated goal. The AHA reserves the right to review the plan and request additional information and/or changes to the plan. This plan shall include the following:

1. A narrative of the steps that will be taken to aggressively pursue and comply with Section 3;
2. A narrative plan for the outreach, implementation, monitoring and enforcement of the Section 3 program; along with the following completed forms.
 - Section 3 Business Application
 - Section 3 Business Certification
 - Section 3 Business Utilization Plan
 - Resident Opportunity Data

Compliance

The AHA will monitor contractor compliance over the life of the contract as follows:

1. Review compliance monthly and cumulatively.
2. Monitor contractor response to deficiencies in compliance.

The contractor shall provide a status report identifying its progress in meeting the Section 3 goals, as established, on a monthly basis throughout the contract period. The monthly status report shall be submitted with the Request for Partial Payment no later than 15 days after the end of each calendar month of the contract (e.g. April 15 for March). For any goal not met, the report shall identify any other economic opportunities, which the contractor has provided or intends to provide to AHA residents. This report will provide the AHA with all information required to monitor compliance with its Section 3 plan including, but not limited to, new hires, core employees, certified payroll, workforce utilization and other relevant data to be specified.

The contractor and sub-contractors will be required to be in compliance with the Owner's Section 3 Plan throughout the duration of the contract.

Alternative Compliance

Contractors may demonstrate compliance with Section 3 by committing to employ Section 3 residents as 30% of the aggregate number of new hires for the duration of the contract.

DEFINITIONS

Core Employee - The core crew employee is an individual who is a bona fide employee of the contractor at the time the contract is awarded, and was employed by the contractor not less than 120 days prior to the contract award or worked not less than 350 hours during the 120 days preceding the contract award. The contractor is responsible for verifying that core employees are defined by and meet the criteria of the Housing Authority.

New Hires – Full-time employees for permanent, temporary, or seasonal employment opportunities.

Low Income Persons - Families (including single persons) whose incomes do not exceed 80 percent of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of the Secretary's finding that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families.

Very Low Income Persons - Families (including single persons) whose incomes do not exceed 50 percent of the median family income for the area, as determined by the Secretary with adjustment for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

Qualified Section 3 Resident - Any individual who meets the low-income or very low-income criteria, who is 18 years of age or older, who is a resident in good standing of public housing, whose name appears on the lease, or who is a resident of the surrounding community. Qualified Section 3 residents should receive recruiting and hiring priority in the following order:

- AHA residents
- Youth-build participants

- AHA Section 8 residents
- Other low- or very low-income residents

HUD Youth-build - HUD Youth-build programs are programs that receive assistance under subtitle D of Title IV of the National Affordable Housing Act, as amended, and provide disadvantaged youth with opportunities for employment, education, leadership development, and training in the construction or rehabilitation of housing for homeless individuals and members of low- and very low-income families.

30% of New Hires/Employees - 30% of new hires/employees is calculated by dividing the total hours worked by all new hires into the total hours worked by Section 3 new hires. The result must be greater than or equal to 30% for compliance.

VI. MONITORING AND COMPLIANCE

Resident Services, through the Section 3 Coordinator, will monitor the contractor's and subcontractor's outreach and hiring practices. The Contracting Officer will review the subcontracts to determine the dollar value awarded to Section 3 concerns.

All contracts will be evaluated at closing for compliance with the Section 3 program. The contractor's compliance with the program may be used to determine contractor responsibility and bid responsiveness on future contracting opportunities with the Housing Authority of the City of Augusta, Georgia.

The contractor will provide the following reports to the Director of Planning and Development to facilitate monitoring Section 3 hiring and contracting activity, compliance with Davis-Bacon Wage Rate requirements and the provision of economic opportunities for women and minorities.

1. Report on interview and evaluation of each AHA resident referred by the AHA that is not hired, with a copy faxed to the Section 3 Coordinator when the decision is made and the resident notified.
2. A biweekly certified list of all new hires for each contractor and subcontractor, The certified lists will include: name, address, trade, section category, gender and ethnic group or race, date hired, indication of how contact was made (AHA referral, walk-in, resident council referral, etc.)
3. A weekly certified payroll for each contractor and subcontractor. The certified payroll will indicate: trade and status (i.e., apprentice, journeyman, master, foreman, superintendent, etc.), wage rate and hours worked each day, whether claimed as Section 3 employee, name and address of each employee.
4. A copy of each subcontract when executed, with cover sheet indicating dollar value of contract and gender and race or ethnicity of 51% owner and whether or not the business is a certified Section 3 business.

The contractor shall maintain documentation of Section 3 outreach and recruitment activities available for review by the Section 3 Coordinator. Items to be made available for review include:

- Walk-in applicant list indicating which job applicants were residents of AHA communities and status of their application/employment;
- List of applicants and their application or employment status;
- Equal Employment Opportunity Policy;
- Sexual Harassment Policy; and
- Certification of non-segregated facilities.

The contractor will notify the Section 3 Coordinator in writing of any walk-in applicants or applicants recruited or interviewed through any source other than the Section 3 Coordinator. Further, in order to maximize Qualified Section 3 resident hiring, the contractor will interview and hire according to the following order of priority:

- AHA public housing residents walk-ins or referred through the Resident Services Department.
- Youth-build participants referred through AHA training programs.
- Any low- or very low-income candidates referred through an Augusta area social service provider
- Any low- or very low-income candidates from any source
- Any candidate from any source

The Section 3 Coordinator will be responsible for preparing the annual report to HUD on Economic Opportunities for Low-Income Persons in conjunction with Assisted Projects. (Form HUD 60002).

VII. PROTEST AND COMPLAINT PROCESSING

Definitions

Complaint: An allegation of noncompliance with regulations

Complainant: The party, which files a complaint with the Assistant Secretary, alleging that a recipient or contractor has failed or refused to comply with the regulations.

Noncompliance with Section 3: Failure of the contractor to comply with the requirements.

Respondent: The AHA or contractor against which a complaint of has been filed.

Section 3 Coordinator: Section 3 and Labor Standards Coordinator for the Housing Authority of the City of Augusta, Georgia

Cooperation in Achieving Compliance

The AHA recognizes that the success of ensuring that Section 3 residents and Section 3 business concerns have the opportunity to apply for jobs and to bid for contracts generated by covered HUD financial assistance depends upon the cooperation and assistance of the housing authority, the contractors and subcontractors.

All recipients shall cooperate fully and promptly with the HUD in Section 3 compliance reviews, in investigations of allegations of noncompliance made and with the distribution and collection of data and information.

The AHA shall refrain from entering into a contract with any contractor after notification to the recipient by HUD that the contractor has been found in violation of the regulations. The provisions of 24 CFR Part 24 apply to the employment, engagement of services, awarding of contracts or funding of any contractors or subcontractors during any period of debarment, suspension or otherwise ineligible status.

Filing and Processing Complaints

Who may file a complaint? The following individuals and business concerns may, personally or through an authorized representative, file with the HUD a complaint alleging noncompliance with Section 3:

1. Any Section 3 resident on behalf of himself or herself, or as a representative of persons similarly situated, seeking employment, training or other economic opportunities, or by a representative who is not a Section 3 resident but who represents one or more Section 3 residents;
2. Any Section 3 business concern on behalf of itself or as a representative of other Section 3 business concerns similarly situated, seeking contract opportunities generated from the expenditure of Section 3 assistance from a recipient or contractor, or by an individual representative of Section 3 business concerns.

Where to file a complaint. A complaint must be filed with the AHA's Director of Planning and Development, Reid Administration Building, 1435 Walton Way, Augusta, Georgia 30901 or with the Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, Washington, DC 20410.

Time of Filing

1. A 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.

2. Where a complaint alleges noncompliance with Section 3 and the regulations of this part that is continuing, as manifested in a number of incidents of noncompliance, the complaint will be timely if filed within 180 days of the last alleged occurrence of noncompliance.
3. Where a complaint contains incomplete information, the Assistant Secretary shall request the needed information from the complainant. In the event this information is not furnished to the Assistant Secretary within sixty (60) days of the date of the request, the complaint may be closed.

Contents of Complaint

Written complaints: Each complaint must be in writing, signed by the complainant, and shall include:

- Name and address of the complainant;
- The name and address of the respondent;
- A description of the acts or omissions by the AHA that is sufficient to inform the Assistant Secretary of the nature and date of the alleged non-compliance; and
- A complainant may provide information to be contained in a complaint by telephone to HUD.

Amendment of Complaint

Complaints may be reasonably and fairly amended at any time. Such amendments may include, but are not limited to, amendments to cure, technical defects or omissions, including failure to sign or affirm a complaint, to clarify or amplify the allegations in a complaint, or to join additional or substitute respondents. Except for the purposes of notifying respondents, amended complaints will be considered as having been made as of the original filing date.

Resolution of complaint by the AHA

1. Within ten (10) days of a timely filing of a complaint, that contains complete information, the Director of Planning and Development shall determine whether the complainant alleges an action or omission by a recipient or the recipient's contractor that if proven qualifies as noncompliance with Section 3. If a determination is made that there is an allegation of noncompliance with Section 3, the complaint shall be sent to the recipient for resolution.
2. If the Contracting Officer believes that the complaint lacks merit, the Contracting Officer must notify the Assistant Secretary, in writing, of this recommendation with supporting reasons, within thirty (30) days of the date of receipt of the complaint. The determination that a complaint lacks merit is reserved to the Assistant Secretary.

3. If the Contracting Officer determines that there is merit to the complaint, the AHA will have sixty (60) days from the date of receipt of the complaint to resolve the matter with the complainant. At the expiration of the sixty (60) day period, the AHA must notify the Assistant Secretary in writing whether a resolution of the complaint has been reached.

If resolution has been reached, the notification must be signed by both the AHA and the complainant, and must summarize the terms of the resolution reached between the two parties.

4. Any request for an extension of the sixty (60) day period by the recipient must be submitted in writing to the Assistant Secretary, and must include a statement explaining the need for the extension.
5. If the recipient is unable to resolve the complaint within the sixty (60) day period (or more if extended by the Assistant Secretary), the complaint shall be referred to the Assistant Secretary for handling.

Judicial relief: Nothing in this procedure precludes a Section 3 resident or Section 3 business concerning from exercising the right, which may otherwise be available, to seek redress directly through judicial procedures.

VIII. DEPARTMENTAL RESPONSIBILITIES

Every AHA department has a role and responsibilities in ensuring that these courses of action are successfully pursued. The Resident Services and the Planning and Development departments will have the lead responsibility for this effort. The Executive Administration, Human Resources and the Purchasing Agent also have key functions in implementing the Section 3 Plan at AHA.

Executive Administration

- Monitor AHA department compliance with Section 3 goals and objectives.

Human Resources

Duties and Responsibilities:

- Implement procedures designed to notify residents about training and employment opportunities within the AHA.
- Document Section 3 hiring within the AHA.
- Notify various departments working with resident initiatives of vacant positions within the AHA.
- Provide to the Director of Planning and Development a list of positions filled and indicate which of the new hires are residents of AHA communities.

Procurement

Duties and Responsibilities:

- Ensure every invitation for Bid or Request for Proposal includes compliant Section 3 notification language.
- Ensure qualified Section 3 businesses are aware of the requirement that they be certified prior to their participation in a procurement and that they are in fact certified. The Department maintains a current list of certified Section 3 businesses and their capabilities.
- Provide potential AHA contractors a current list of Section 3 businesses and make aware of the systems that AHA has in place to facilitate the hiring of qualified Section 3 residents (as defined in 24 CFR, Part 135).
- In evaluating bids and proposals, ensure that the lead contractor made best efforts to include qualified Section 3 businesses for at least 10% (for building related contracts) or 3% (all other contracts) of the dollar amount of the contract
- Require every contract to include a certification from the contractor that he/she will comply with the AHA Section 3 requirements. This certification will include making the best efforts to hire at least 30% of new employees from among qualified Section 3 residents.
- Require every bidder to submit a Section 3 Opportunity Plan. The plan will include workforce projections identifying projected new hires; a strategy for ensuring that a least 30% of those new hires are qualified Section 3 residents. The plan will also provide a method to assure that 10% of the value of a construction contract or 3% of all others are awarded to Section 3 subcontractors. Modified Section 3 compliance will apply to bids estimated to be between \$25,000 and \$100,000.
- If the estimated value of the contract is in excess of \$100,000, bidders will be required to submit a detailed Section 3 Action Plan consisting of the following forms
 - Section 3 Business Application
 - Section 3 Business Certification
 - Section 3 Business Utilization Plan
 - Resident Opportunity Data
- Immediately upon execution of the contracts, require the contractor to submit a schedule of expected new hires for each project and that the Section 3 Coordinator is notified of this schedule.
- Require every contractor to submit accurate biweekly reports on new hires and certified payrolls once the contracted scope is underway.

- Ensure files and data are maintained to document AHA compliance with Section 3 requirements in contracting and employment, and the required annual performance reports are submitted to HUD.

Resident Services

Duties and Responsibilities:

- Conduct outreach and recruiting efforts that refer residents to the Section 3 Coordinator.
- Provide ongoing training and assessments for residents in the areas of projected hiring needs to qualify residents to fill projected AHA vacancies.
- Maintain postings of all vacancy announcements at multiple locations, including every AHA community and all AHA sponsored training sites.
- Coordinate outreach activities, such as job fairs, to promote awareness of Section 3 opportunities.

Special Conditions

Special Conditions

Section 3 Requirements, 24 CFR Part 135

Section 3 of the HUD Act of 1968, as amended in 1994 applies to direct financial assistance awarded, provided, or otherwise made available under any program administered by HUD, in the form of loans, grants, cooperative agreements, subsidies, contributions, or other types of financial assistance provided in aid of housing, urban planning, development, redevelopment, or renewal, public or community facilities, and new community development. *Refer to Clause 40 of the General Conditions of the Contract for Construction, Public and Indian Housing Programs, form HUD-5370 dated November 1992.*

Section 3 Area, for the purposes of job training and employment, for this project is the City of Augusta and Richmond County, Georgia.

Section 3 Area Resident for this project, means any individual who resides within the City of Augusta and Richmond County, Georgia, and whose family income does not exceed 80% of the median income of the metropolitan statistical area in which the project is located and as updated by the US Department of Housing and Urban Development.

Section 3 business for this project means any business that is owned 51% or more by Section 3 Residents: A business whose current full time employees, either temporary, seasonal or permanent, consist of at least 30% Section 3 Residents or whose current permanent, full time employees were Section 3 Residents when they were first hired and the period from the date they were first hired to the date of certification does not exceed three (3) years, or a business that provides sufficient evidence to assure a commitment to subcontract more than 25% of the total dollar amount of all subcontracts to Section 3 Business.

Points of Contact:

The University of Georgia
Small Business Development Center
1450 Greene Street, Suite 3500
Augusta, Georgia 30901
Phone (706) 721-4545
FAX (706) 721-4554

Georgia Department of Labor
Career Service Center
601 Greene Street
Augusta, Georgia 30901
Phone (706) 721-3131
FAX (706) 721-7680

Richmond/Burke Job Training Authority, Inc.
209 Seventh Street
Augusta, Georgia 30901
Phone (706) 721-1858

In order to properly document that each of our contractors is attempting to obtain the required number of applicants, the successful bidder will be requested to forward a copy of their letter of introduction to each organization contacted. A sample copy of a form letter may be obtained if requested from the Planning and Development Department of the Augusta Housing Authority.

To the greatest extent possible where there is a training program, Section 3 area residents receiving preference for training. The contractor and subcontractor are obligated under part 1235 Subpart B of the regulations to the maximum number of persons in training categories and to fill all vacant training positions which remain unfilled after a good faith effort has been made to fill them with eligible/qualified Section 3 area residents.

In general the contractor and subcontractors must:

- a. Identify the number of positions, by skill level, required to plan and implement the work done under the Section 3-covered project;
- b. Determine how many of these positions are currently filled and which are not filled by regular, permanent employees; and
- c. Establish a target within each occupational category for the number of positions to be filled by Section 3 area residents.

Examples of actions demonstrating a good faith effort include:

- a. Targeted recruitment of Section 3 area residents for training and employment positions by taking such steps as:
 - Advertising in local media,
 - Prominently placing a notice of commitments under Section 3 at the project site or other places where applications for training and employment are taken,
 - Contacting local job training centers, employment service agencies and community organizations,
 - Developing on-the-job training opportunities or participating in job training programs,
 - Contacting assisted housing resident councils.
- b. Keeping a list of Section 3 area residents who apply on their own or by referral for available positions;
- c. Sending to labor organizations or representatives of workers with whom the contractor and subcontractors have a collective bargaining agreement or other understanding, a notice about contractual commitments under Section 3; and
- d. Selection of Section 3 area residents for training and employment positions.

Contractors and subcontractors must fulfill their obligations to utilize Section 3 business concerns by developing and implementing a Business Utilization Plan. A Business Utilization Plan should be submitted by each contractor or subcontractor submitting a bid for a covered project. The Business Utilization Plan will be a part of the evaluation process of each bid to determine whether the proposed Business Utilization Plan will accomplish the stated goals. The Business Utilization Plan includes:

- a. An approximate number and dollar value of contracts to be awarded over the duration of the Section 3 covered project (this estimate should be broken down by type of business or profession);
- b. Based on an analysis of the estimated contract needs, a target number and value of contracts to be awarded to Section 3 business concerns (these targets should consider the availability of Section 3 business concerns

within the categories identified in the initial estimate of contract needs);
and

- c. A program or strategy for achieving the targets established for awards to Section 3 business concerns, such as dividing total work requirements into small sub-tasks; joint ventures between a large business and a Section 3 business concern.

Section 3 regulations require contractors to keep records and submit reports which will allow HUD and the housing authority to ascertain compliance with Section 3 regulations. In addition to submission of the Business Utilization Plan will accomplish the stated goals. The Business Utilization Plan with the contractor's bid, the following documents must also be submitted with the contractor's bid:

- a. A Section 3 Business Application and
- b. Section 3 Business Certification.
- c. Section 3 Business Re-Certification (if Applicable)

In addition to the weekly payrolls required to be submitted by the contractor and each subcontractor in accordance with Clause 47 of the General Conditions of the Contract for Construction, Public and Indian Housing, form HUD-5370 dated November, 1992, the contractor and each subcontractor shall submit a listing of Section 3 area residents employed on this project with each weekly payroll.

The contractor will also return a completed copy of the Section 3 Reporting form provided by the Augusta Housing Authority to the Authority with the completion documents and/or at the end of each budget fiscal year. The Authority will notify the contractor of the dates for submission of this document.

Failure or refusal to comply and give satisfactory assurances of future compliance with the requirements of the Section 3 Clause shall be proper basis for applying sanctions. Any or all of the following sanctions may be taken, as appropriate: cancellation, termination, or suspension in whole or in part of the contract; a determination of ineligibility or debarment from any further contracts with respect to which the failure or refusal occurred until satisfactory evidence has been received, and referral to the Department of Justice for appropriate legal action.

Supplemental Forms

Section 3 Business Application

Company Contact Information

Company Name	
Street Address	
City, ST, ZIP Code	
Contact Name	
Phone	
E-Mail Address	

Instructions

The business concern or contractor (hereinafter "Applicant") must satisfy at least one of the following minimum requirements to be qualified as a Section 3 Business before being awarded contracts under Section 3 status. Please check the appropriate line

___ A majority 51% or more ownership of Applicant business shall be held by low to very-low income residents of the designated area.

___ At Least 30% of the employees of the business are low to very-low income residents of the designated area.

___ More than 25% of all contract work shall be performed by businesses that meet either of the criteria set forth in the two options above.

Company Ownership

Please include information for all owners for the past calendar year.

	Name & Address of Owner	Social Security #	% of Ownership	Annual Income	# In Household
1					
2					
3					
4					

Employees

List all employees currently employed by your business

	Name & Address of Employee	Social Security #	Employment Status	Annual Income	# In Household
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					

Subcontractors

List all work performed by businesses meeting the conditions of Section 3 Business Status:

	Name & Address of Business	Phone Number	Qualifying Condition	Total Contract Award
1				
2				
3				
4				

Previous HUD Funded Project

Please list all HUD funded projects this company has completed

Name of Project	Project location/Presiding Municipality

Company Information

Please fill out the following information

Company Establishment Date:	
Type of Company (LLC, Corp., etc):	
Has the company operated under another name:	
Is the company Minority Owned:	
Is the company Women Owned:	
General character of work the company performs:	
Business Federal Identification Number:	
Has the company defaulted on contracts? If so, please attach explanation:	

Affidavit:

By submitting this application, I affirm that the facts set forth in it are true and complete. I understand that if I am accepted as a Section 3 Business, any false statements, omissions, or other misrepresentations made by me on this application may result in immediate contract dismissal and/or debarment from future federally-funded projects. The Undersigned hereby authorizes and requests any person, firm or corporation to furnish any information requested by the Augusta Housing Authority in verification of the recitals comprising this _____ day of _____, 20__.

Name of Contractor/Owner

Title

State of Georgia)
)SS
County of _____)

_____ being duly sworn, deposes and says that he/she is _____ of _____ and that the answers to the forgoing questions and all statements therein contained are true and correct.

Subscribed and sworn to before me this _____ day of _____, 20__

Notary Public

My Commission Expires:

SECTION 3 BUSINESS CERTIFICATION

The undersigned bidder/contractor certifies as part of its bid or contract that it is a section 3 business as indicated below (check applicable box):

- Category 1 Business: A business that is owned 51% or more by Section 3 Residents.
- Category 2 Business: A business whose current full time employees, either temporary, seasonal or permanent, consist of at least 30% Section 3 Residents or whose current permanent, full time employees were Section 3 Residents when they were first hired and the period from the date they were first hired to the date of certification does not exceed three (3) years.

A Section 3 resident is defined as any low or very low income person residing within Richmond County. Low income is defined at 80% of the area median income based on family size.

<u>Family Size</u>	<u>Maximum Income</u>
1	\$32,450
2	\$37,050
3	\$41,700
4	\$46,300
5	\$50,050
6	\$53,750
7	\$57,450
8	\$61,150

- Category 3 Business: A business that provides sufficient evidence to assure a commitment to subcontract more than 25% of the total dollar amount of all subcontracts to Section 3 Businesses.
- Is not a Section 3 Business.

Business Name	Project
Business Address	Certifying Signature
Title	Date

Affidavit:

By submitting this application, I affirm that the facts set forth in it are true and complete. I understand that if I am accepted as a Section 3 Business, any false statements, omissions, or other misrepresentations made by me on this application may result in immediate contract dismissal and/or debarment from future federally-funded projects. The Undersigned hereby authorizes and requests any person, firm or corporation to furnish any information requested by the Augusta Housing Authority in verification of the recitals comprising this _____ day of _____, 20____.

Name of Contractor/Owner

Title

State of Georgia)
)SS
County of _____)

_____ being duly sworn, deposes and says that he/she is _____ of _____ and that the answers to the forgoing questions and all statements therein contained are true and correct.

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

My Commission Expires:

SECTION 3 BUSINESS RE-CERTIFICATION

The undersigned bidder/contractor certifies as part of its bid or contract that it is a section 3 business as indicated below (check applicable box):

- Category 1 Business: A business that is owned 51% or more by Section 3 Residents.

- Category 2 Business: A business whose current full time employees, either temporary, seasonal or permanent, consist of at least 30% Section 3 Residents or whose current permanent, full time employees were Section 3 Residents when they were first hired and the period from the date they were first hired to the date of certification does not exceed three (3) years.

A Section 3 resident is defined as any low or very low income person residing within Richmond County. Low income is defined at 80% of the area median income based on family size.

<u>Family Size</u>	<u>Maximum Income</u>
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2	\$37,050
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6	\$53,750
7	\$57,450
8	\$61,150

- Category 3 Business: A business that provides sufficient evidence to assure a commitment to subcontract more than 25% of the total dollar amount of all subcontracts to Section 3 Businesses.

- Is not a Section 3 Business.

Business Name	Project
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Business Address	Certifying Signature
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Title	Date
-------	------

Affidavit:

By submitting this application, I affirm that the facts set forth in it are true and complete. I understand that if I am accepted as a Section 3 Business, any false statements, omissions, or other misrepresentations made by me on this application may result in immediate contract dismissal and/or debarment from future federally-funded projects. The Undersigned hereby authorizes and requests any person, firm or corporation to furnish any information requested by the Augusta Housing Authority in verification of the recitals comprising this _____ day of _____, 20____.

Name of Contractor/Owner

Title

State of Georgia)
)SS
County of _____)

_____ being duly sworn, deposes and says that he/she is _____ of _____ and that the answers to the forgoing questions and all statements therein contained are true and correct.

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

My Commission Expires:

SECTION 3 BUSINESS UTILIZATION PLAN

Company Contact Information

Company Name	
Street Address	
City, ST, ZIP Code	
Contact Name	
Phone	
E-Mail Address	
Project Name	

Instructions

Complete this form and return to The Augusta Housing Authority before signing the construction contract.

*Executive Director
1435 Walton Way
Augusta, GA 30901*

To receive Section 3 preference on a bid award, businesses must submit a Section 3 Utilization Plan. Section 3 Utilization Plans must be submitted individually with each project awarded. The Utilization Plan must be approved before a contract will be signed. The Augusta Housing Authority will not move forward with funding of any Section 3 preference awards until the Section 3 Utilization plan and Section 3 Application are approved. The Section 3 Utilization plan will be bound in the contract. All subcontractors underneath the general contractor with contracts \$100,000 or more must likewise comply with the Section 3 Utilization Plan.

Subcontractors Working on this Job

	Name & address of subcontractors for this bid	Are they Section 3?	Qualifying Condition	Total Contract Award
1				
2				
3				
4				
5				
6				

Current Workforce Information

Detail the company's current workforce information.

Number of Current Employees & job functions:	
How many employees will work on this project? What are their job functions?	
Are you going to hire additional employees? For which positions?	
Are you going to subcontract any work? Explain	
Do the owners work on-site? In what capacity?	
Do you have an office staff? How many people?	
Other pertinent information:	

Section 3 Hiring Plan

How do you plan to incorporate Section 3 criteria into this project? Please include information on hiring, outreach, training, & other activities to incorporate Section 3 Residents. Attach additional pages if needed.

Engaging Section 3 Businesses

As applicable to this project please detail how you will engage other Section 3 Businesses. This includes subcontracting, training partnerships, etc. Please attach additional pages as necessary.

Affidavit of Commitment

By signing below our company gives firm commitment to include in all bids the Section 3 Plan (once approved by The Augusta Housing Authority) which identifies activities to comply with the Section 3 program and The Augusta Housing Authority Section 3 clause. Our company also gives firm commitment to conduct aggressive outreach and notification to potential Section 3 residents and businesses for hiring opportunities. Our company gives firm commitment to inform area employment agencies of jobs available from the established job pool of Section 3 area residents. Our company commits to implement the Utilization Plan proposed in this document as well as any additional The Augusta Housing Authority requirements to the fullest extent possible. If awarded the project this Utilization Plan becomes part of our contract with The Augusta Housing Authority for this project. It is our responsibility to follow, document and prove that the company has implemented the Utilization Plan. Any direct violation of this Utilization Plan may result in corrective actions and/or termination of the contract.

Printed Name and Title of Certifying Officer in the Company

Name of the Company

Certifying Officer Signature

Date

RESIDENT EMPLOYMENT OPPORTUNITY DATA

THE AUGUSTA HOUSING AUTHORITY

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 a public assistance program.)

I. 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 assistance program

Other evidence

Signature

Print Name

Date

SECTION 3 INCOME LIMITS

All residents of public housing developments of the Augusta Housing Authority qualify as Section 3 residents. Additionally, individuals residing in Richmond County, Georgia who meet the income limits set forth below can also qualify for Section 3 status.

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

Eligibility Guideline

Number in Household	Very Low Income	Low Income
1 individual	\$20,000	\$32,450
2 individuals	\$22,850	\$37,050
3 individuals	\$25,700	\$41,700
4 individuals	\$28,550	\$46,300
5 individuals	\$30,850	\$50,050
6 individuals	\$33,150	\$53,750
7 individuals	\$35,450	\$57,450
8 individuals	\$37,700	\$61,150

::::: PLACE ON COMPANY LETTERHEAD::::::

Date:

TO:

RE: Job Opportunities as Required by Section 3 Regulations

Dear Sirs or Madam:

Please be advised that this firm will be performing a contract for the Housing Authority of the City of Augusta, Georgia on (**insert name of project here**).

Employment Opportunities are available in the following skills or trades:

(List trades and anticipated number of openings here)

In compliance with Section 3 Regulations, this firm will accept applications from all interested, qualified individuals, and will retain on file all qualified applications throughout the duration of the job.

It is our desire to locate individuals from the Section 3 area and employ them to fill vacant positions. All interested individuals may send applications to :

(insert address of firm here)

Or they may apply in person at our job office located at the site.

Sincerely,

(add contractor name here)