



ATTACHMENT D
Jacksonville Housing Authority Section 3 Requirements & Commitment

Company Name:	
Name of Contact Person for Section 3 Commitment:	
Title:	Contact Number:
Contact Person E-Mail:	
Solicitation Title: Development Partners	Solicitation #: RFQ# PS-002-23

I. Background

Section 3 of the Housing & Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (hereinafter “Section 3”) requires the Jacksonville Housing Authority (“JHA”), to the greatest extent feasible, to provide employment opportunities to residents of JHA and other low-income individuals, within the City of Jacksonville. These employment opportunities are provided by contracts funded by the JHA. The goal is to utilize JHA’s contracts to promote economic self-sufficiency, among low-income populations.

II. Solicitation Requirements

Interested parties responding to a solicitation issued by the JHA are required to include in their submission, this form (Section 3 Requirements & Commitment), which describes the efforts that will be taken to engage Section 3 Participants in employment and training opportunities “to the greatest extent feasible.” While low-income individuals who are not clients of the JHA are eligible candidates for Section 3 opportunities, the JHA expects consideration to be given to individuals who are clients of JHA’s affordable housing programs (public housing & voucher-holders).

III. Section 3 Expectations

Below are examples of acceptable Section 3 opportunities that will comply with JHA’s Section 3 requirements:

- 1. Preferred Options** (*All responses to JHA solicitations shall include at least one of these options*)
 - Hire low-income participants preferably clients of JHA, and/or
 - Provide paid job training/apprenticeship opportunities for low-income participants, preferably clients of JHA.
- 2. Secondary Options** (*Should be considered only when circumstances impact the availability of jobs/training*)
 - Subcontract at least 25% of the contract amount to a Section 3 Business which is defined as 51% ownership held by a low-income individual(s), preferably a client of JHA.
 - Provide evidence that the company is a Section 3 Certified firm which, demonstrated by the company’s ownership is at least 51% owned by low-income individual(s), preferably a client of JHA.
 - In the event employment and training opportunities are not available, a cash contribution shall be provided to JHA’s Self-Sufficiency Fund for support of viable workforce development programs.

IV. Section 3 Contract Expectations

Pursuant to Section 3 of the HUD Act of 1968, 12 U.S.C. 1701u, and its implementing regulations, 24 CFR Part 135 (“Section 3”), if additional job training, employment and other economic opportunities are generated by a contract administered directly or indirectly by **Jacksonville Housing Authority** then, to the greatest extent feasible, these opportunities must be directed to low-income and very low-income persons. In addition to employment and training opportunities, Section 3 also seeks to benefit businesses owned by public housing residents and other low-income persons. The following provisions of 24 CFR 135.38 shall apply to all contracts involving Section 3 covered work with Jacksonville Housing Authority or its property managers:



- a. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- b. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 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.
- c. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- d. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 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.
- e. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- f. 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.
- g. With respect to 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 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).



V. Section 3 Commitment

Identify what efforts will be taken to comply with JHA's Section 3 Requirements to the greatest extent feasible:

(Must select at least one option below)

PRIMARY OPTIONS	DESCRIPTION OF EFFORTS "TO THE GREATEST EXTENT FEASIBLE"
<input type="checkbox"/> <u>PRIMARY OPTION 1</u> Hire Section 3 participants to fill employment opportunities listed in the solicitation	Title: _____ # of Positions: _____ Pay _____ Duties: _____ Qualifications: _____ Title: _____ # of Positions: _____ Pay _____ Duties: _____ Qualifications: _____

<input type="checkbox"/> <u>PRIMARY OPTION 2</u> Provide paid job training/ apprenticeship opportunities to train Section 3 participants	Title: _____ # of Positions: _____ Pay _____ Duties: _____ Qualifications: _____ Title: _____ # of Positions: _____ Pay _____ Duties: _____ Qualifications: _____
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SECONDARY OPTIONS	DESCRIPTION OF EFFORTS "TO THE GREATEST EXTENT FEASIBLE"
<input type="checkbox"/> <u>SECONDARY OPTION 3</u> Subcontract at least 25 % of the contract to a Section 3 Business (51% ownership held by a low-income individual(s), preferably a JHA client).	Provide the name of Section 3 company(ies) awarded subcontracts (totaling at least 25% of the contract amount) Company Name _____ Contract Amount \$ _____ Company Name _____ Contract Amount \$ _____ Company Name _____ Contract Amount \$ _____



<input type="checkbox"/> <u>SECONDARY OPTION 4</u> Demonstrate that the company's ownership (at least 51%) is owned by low-income individual(s), preferably a client of JHA.	<p>The majority of the company (at least 51%) is owned by a low-income individual:</p> <p>Owner's Name: _____ % of Ownership: _____</p> <p>Owner's Name: _____ % of Ownership: _____</p>
<input type="checkbox"/> <u>SECONDARY OPTION 5</u> Due to unavailability of jobs/training opportunities, a cash contribution will be provided to a Self-Sufficiency Compliance Fund to support economic self-sufficiency opportunities and/or job training opportunities <u>(NOTE: IF THIS OPTION IS SELECTED, JHA RESERVES THE RIGHT TO WITHHOLD THE CONTRIBUTION AMOUNT FROM PROGRESS PAYMENTS, IF ANY, OR FROM THE TOTAL AMOUNT OWED TO THE CONTRACTOR.)</u>	<p>If this Secondary Option is selected, the Contractor must explain why job/training opportunities are not available:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Contracts awarded up to \$100,000 shall contribute a minimum of 5% of the total contract amount in to the Section 3 Compliance Fund, while contracts exceeding \$100,000 shall contribute a minimum of 3% of the total contract amount into the Section 3 Compliance Fund. Indicate how much will be contributed:</p> <p><input type="checkbox"/> FOR CONTRACTS VAULUED UP TO \$100,000.00: I pledge to contribute _____% of the total contract amount to comply with a minimum of 5% of the contract amount to be contributed into a Self-Sufficiency Compliance Fund maintained by JHA.</p> <p><input type="checkbox"/> FOR CONTRACTS VAULUED IN EXCESS OF \$100,000.00: I pledge to contribute _____% of the total contract amount to comply with a minimum of 3% of the contract amount to be contributed into a Self-Sufficiency Compliance Fund maintained by JHA.</p> <p>Indicate how contribution pledge(s) will be fulfilled, during the contract period:</p> <p><input type="checkbox"/> Monthly Payments <input type="checkbox"/> Quarterly Payments</p>

I understand the federal regulations governing JHA's Section 3 requirements and commit to honoring the obligations listed in this Section 3 Plan, upon the execution of a contract with the JHA.

 Signature of Owner or Authorized Representative

 Date



JACKSONVILLE HOUSING AUTHORITY SECTION 3 COMPLIANCE REPORT

This report shall be completed by contractors and/or subcontractors to report completion of tasks that fulfilled Section 3 commitments to hire and/or train low-income individuals, preferably clients of JHA. This report shall be submitted with payment invoice(s) to JHA.

Submission Date:	Reporting Period:
_____Primary Contractor	_____Subcontractor
Company Name:	
Person completing invoice	
Project Name:	RFP #:
Amount of Contract	Amount of Current Invoice:

Hiring Commitment	# Hired this Report Period	YTD Hired during Contract	List Individuals Employed		
			Name	Title	Gross Salary Paid
# participants hired					

Training Commitment	# Trained this Report Period	YTD Trained during Contract	List Individuals Employed		
			Name	Training Title	Stipend Amount Paid
# of participants engaged in training/apprenticeship					

Contribution Commitment	Amount Pledged	Amount Paid	Pledge Balance
Amount contributed to Self-Sufficiency Fund	\$	\$	\$

Section 3 Business Concerns	Company Name	Contract Amount Provided
Indicate how at least 25% was subcontracted to Section 3 business(es)		\$
		\$
		\$



Print Name of Person Completing Report

Title

Signature of Person Completing Report

Date