

**DELAWARE COUNTY HOUSING AUTHORITY
ECONOMIC OPPORTUNITY PLAN
SECTION 3**

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I
SECTION 3 DEFINITIONS

Section 3 Resident

A Public Housing Resident or an individual who resides in the metropolitan area or non-metropolitan county in which Section 3 covered assistance is expended, who is considered to be a low or very low income person.

Low Income Persons/Families (Including single persons)

Whose incomes do not exceed 80 per centum of the median income for the area:

<u>Number of Family Members</u>	<u>Low Income Limits</u>
1	\$ 45,450
2	\$ 51,950
3	\$ 58,450
4	\$ 64,900
5	\$ 70,100
6	\$ 75,300
7	\$ 80,500
8	\$ 85,700

Very Low Income Persons/Families (including single persons)

Whose incomes do not exceed 50 per centum of the median income for the area:

<u>Number of Family Members</u>	<u>Very Low Income Limits</u>
1	\$ 28,400
2	\$ 32,450
3	\$ 36,500
4	\$ 40,550
5	\$ 43,800
6	\$ 47,050
7	\$ 50,300
8	\$ 53,550

II HOW TO OBTAIN SECTION 3 INFORMATION

Information on Section 3 and it's applicability to this project is available by contacting the following:

1. Delaware County Housing Authority
1855 Constitution Avenue
P.O. Box 100
Woodlyn, PA 19094-0100

Attention: Raymond Dougherty
Purchasing/ Procurement Manager
Telephone Number: (610) 490 - 6212
Fax number: (610) 490 - 3314
E-mail: rayd@dchal.org

2. U.S. Department of Housing and Urban Development
Pennsylvania State Office
The Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
Telephone Number: (215) 656-0647

III

**DELAWARE COUNTY HOUSING AUTHORITY
ECONOMIC OPPORTUNITY PLAN**

I Section 3 Clause

Delaware County Housing Authority receives funds from the U.S. Department of Housing and Urban Development. Its operations are covered by Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u and are covered by the following clause:

- a. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD assisted projects covered by Section 3 shall, to the greatest extent feasible, be directed to low and very low income persons, particularly persons who are recipients of HUD assistance for housing.
- b. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 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 describe the 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 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.

DCHA EOP

- 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 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 CFRPart 135 may result in sanctions, termination of this contract or default, and debarment or suspension from future HUD assisted contracts.

II Statement of Purpose

The Board of Commissioners of Delaware County Housing Authority in its effort to comply with Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u and to provide economic opportunities for residents has developed this Economic Opportunity Plan.

This plan describes in detail the opportunities to be provided in the areas of contracting and employment. It describes numerical goals for contracting and employment opportunities and outlines procedures and actions to be taken toward achieving those goals.

III Applicability

The Economic Opportunity Plan is applicable to all aspects of all employment and all contracting undertaken by DCHA whether directly or through contractors or subcontractors.

IV Definitions

Economic Opportunity Plan

A plan developed by Delaware County Housing Authority, it's contractors and subcontractors that discusses training and employment goals for Section 3 residents as well as contracting opportunities for Section 3 business concerns. This Plan also includes a strategy for obtaining these goals and reporting requirements to monitor results.

DCHA EOP

DCHA Resident

A resident residing in DCHA owned public housing communities.

Section 3 Resident

A public housing resident; or an individual who resides in the metropolitan area or non-metropolitan area county in which the Section 3 covered assistance is expended, and who is a low or very low income person.

Section 3 Business

Means a business that is 51 percent or more owned by Section 3 Residents; or whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 Residents, or within three years of the date of employment with the business concern were Section 3 Residents; or that provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in this definition of "Section 3 Business Concern."

Contractor

Any entity which contracts to perform work generated by the expenditure of Section 3 covered assistance, or for work in connection with a Section 3 covered project.

Subcontractor

Any entity (other than a person who is an employee of the contractor) which has a contract with a contractor to undertake a portion of the contractor's obligation for the performance of work generated by the expenditure of Section 3 covered assistance, or arising in connection with a Section 3 covered project.

New Hires

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

V Goals

a. Employment

1. DCHA work force 35%
2. Contractors and subcontractors to the greatest extent feasible shall employ Section 3 residents as 50% of “new hires” in skilled positions and 100% of all “new hires” in non-skilled positions.

b. Contracting

DCHA and its contractor’s and subcontractors, to the greatest extent feasible, will attempt to achieve a goal of awarding 10% of all contracts for work (excluding material contracts) to Section 3 Business Concerns. This percentage is determined by the following formula:

Total \$ value of contracts awarded to Section 3 Businesses divided by
Total \$ value of all applicable contracts.

VI Identification of Section 3 Businesses

- a. Annually, DCHA will solicit names of Section 3 Businesses for the purpose of updating Section 3 Business registration and will publish a notice to Section 3 Businesses advising them of potential contracting opportunities with DCHA.
- b. Prior to advertisements for bids for publicly advertised construction projects, DCHA will publish a notice to Section 3 Businesses advising them of the pending contracting opportunities.
- c. Section 3 Businesses shall be required, either annually or at the time of bidding, to submit documentation to verify their qualifications as a Section 3 business.

DCHA EOP

- d. Documentation may include but not be limited to the following:
 - 1. Names, addresses and third party documentation of income of owners or stockholders
 - 2. Names, addresses and documentation of employees' status as a Section 3 Resident
 - 3. Youth build documentation
- e. Advertisements and notices will be published in the Delaware County Daily Times, and on the Delaware County Housing Authority Web Site.

VII Identification of Section 3 Residents

- a. DCHA shall maintain a list of all Section 3 residents applying for employment opportunities.
- b. Annually and prior to soliciting bids for publicly advertised construction contracts, DCHA will publish a notice advising Section 3 residents of potential employment opportunities.
- . Advertisements and notices will be published in newspapers of general circulation in the Delaware County Daily Times and the Delaware County Housing Authority Web Site.

VIII Requirements for Publicly Bid Contracts

- a. Notices
 - 1. A copy of the advertisement for bids will be mailed to all Section 3 businesses of record.
 - 2. Notices in accordance with VI D and VII D.

b. Information Submission Requirements

Bidders on all publicly advertised contracts will be required to furnish information with their bid which describes their work force and subcontracting needs as follows:

- 1 Number and dollar value of all work expected to be subcontracted.
- 2 Number and dollar value of all work expected to be awarded to Section 3 businesses. Include type and amount of contract. Name, address, contact, and phone number of all Section 3 businesses to be used.
- 3 Current employees including name, address, phone number, race, sex, ethnicity, classification, income and years employed.
- 4 Number of “new hires” expected if contract is awarded including classification.
- 5 Number of Section 3 residents expected to be hired including classifications.
6. Narrative description of contractor’s planned activities to achieve employment and contracting goals.
7. Documentation of efforts made and results of efforts to employ Section 3 residents and award contracts to Section 3 business concerns. This documentation may include:
 - a. Record of solicitation of subcontractor bids
 - b. Record of subcontractor bids received
 - c. Contract award documentation
 - d. Records of communication with Section 3 businesses
 - e. Record of contact with Section 3 residents seeking employment
 - f. Record of Section 3 residents employed

DCHA EOP

c. Contract Reporting Required

- 1 All successful contractors shall submit DCHA S3-1 Monthly Report of Section 3 Employment and Contracting as a condition of payment for work completed.

d. Contract Awards

1 Section 3 Economic Opportunity Plan

Every bid for a publicly bid contract must be submitted with a Section 3 Economic Opportunity Plan which describes in detail how the contractor plan to comply with the Section 3 Employment and Contracting requirements. Bids that do not include a complete Section 3 Economic Opportunity Plan, in compliance with the requirements set forth in Section 3 of the Housing and Urban Development Act of 1968 and the regulations promulgated there under will be considered non-responsive and will not be considered for contract award even though the bid is the lowest bid received by the Authority.

The Authority is committed to an implementation of Section 3 to the greatest extent feasible and that each Contractor shall take the time to prepare a Section 3 Economic Opportunity Plan that is in compliance with Section 3 requirements so a to avoid a bid rejection.

2 Contract

Contractor should also be aware that the Authority will consider the Section 3 Economic Opportunity Plan submitted by each Contractor a part of the Contract Documents and by executing a Contract with the Authority following contract award, the Contractor so agrees.

3 Breach

a Failure to Implement Section 3

Accordingly, a failure by the contractor to implement the Section 3 Economic Opportunity Plan and comply with the requirements of Section 3 to the greatest extent feasible will be considered by the Authority to be a breach of contract entered into between the Authority and the Contractor following award thereby entitling the Authority to exercise any and all remedies provided in the Contract Documents and as permitted by State and Federal law.

b. Failure to Supply Information

Further, from time to time the Authority will require the Contractor to supply documentation and /or certifications showing compliance with Section 3 and the Section 3 Economic Opportunity Plan. A Contractor's failure to supply the requested documentation and/or certifications shall also be deemed to be considered a breach of contract entitling the Authority to exercise appropriate remedies set forth in the Contract Documents and as permitted by State and Federal law.

IX Outreach, Training and Employment

1 DCHA, to the greatest extent feasible, will attempt to provide training and employment opportunities for tenants and Section 3 Residents.

2 DCHA may use the following media to advertise employment opportunities:

- a. Signs in the communities
- b. Flyers in the communities
- c. Mailings to tenants
- d. Public agencies and private employment and social services
- e. Electronic media.

DCHA EOP

DCHA will provide information and refer all DCHA residents and applicants requesting training and employment opportunities to Pennsylvania Career Link of Delaware County. A copy of the pamphlet is attached and marked S3-

X Outreach and Contracting Opportunities

- A. DCHA, to the greatest extent feasible, will attempt to award contracts to Section 3 businesses in accordance with this plan.
- B. DCHA may use the following media to advertise contracting opportunities:
 - 1. Posting notices in communities
 - 2. Contact with community organizations and business associations
 - 3. Providing notices of specific contracting opportunities to known Section 3 businesses
 - 4. Advertising in local newspapers
 - 5. Electronic Media
- C. DCHA may conduct workshops for Section 3 businesses on contracting opportunities, procedures and small business associations.
- D. DCHA, to the greatest extent feasible, will break contract items into economically feasible units to facilitate participation by Section 3 concerns.
- E. DCHA will develop and maintain a list of Section 3 business concerns.

**IV
ASSISTANCE AVAILABLE FOR COMPLIANCE
WITH
SECTION 3 EMPLOYMENT REQUIREMENTS**

Section 3 requires that where Section 3 covered assistance or a Section 3 covered project generates employment opportunities, the contract shall make a good faith effort to direct those opportunities to Section 3 residents in the following order:

1. To residents of the housing or development/s for which the Section 3 assistance is expended (category 1 residents).
2. To Residents of other developments managed by DCHA (category 2 residents).
3. Participants in HUD Youth build Programs being carried out in the metropolitan area (or non-metropolitan county) in which the Section 3 covered assistance is expended.
6. To other low and very low income persons residing within Delaware County.

Delaware County Housing Authority can provide the following assistance to contractors in meeting the Section 3 employment requirements:

- 1 Delaware County Housing Authority maintains a list of Section 3 residents who have applied to Delaware County Housing Authority for employment. Copies of these applications can be made available to contractors.
- 2 Delaware County Housing Authority will provide space in public housing communities for any contractor that desires to accept applications for employment. DCHA will also provide assistance to residents in completing these applications.
- 3 Delaware County Housing Authority will cooperate and provide assistance as required to any contractor wishing to establish training programs in the construction trades. Such programs must be approved by the Department of Labor/BAT and all other relevant agencies.
- 4 Contact Delaware County Housing Authority for details on Section 3 employment assistance available.

Raymond Dougherty
Purchasing/Procurement Manager
Telephone Number: (610) 490-6212
Fax Number: (610) 490-6246
E-Mail: rayd@dcha1.org

V
HOW YOUR BID AND
SECTION 3 ECONOMIC OPPORTUNITY PLAN
WILL BE EVALUATED

1. A Section 3 Economic Opportunity Plan is required to be submitted with every bid. Bids received without a Section 3 Economic Opportunity Plan will be declared not responsive and will not be considered.
2. Bidders who are or believe they are Section 3 Business Concerns should provide evidence that they meet the definition of Section 3 Business Concerns. Information should be submitted on DCHA Section 3 Contractors Verification Form or Section 3 Resident/Business Verification Form.
3. The Contractor should also be aware that the Authority will consider Section 3 Economic Opportunity Plans submitted by each Contractor as part of the Contract Documents and by executing a Contract with the Authority following contract award, the Contractor so agrees.

VII
MONTHLY REPORT ON
SECTION 3 CONTRACTING

1. Name of Prime Contractor: _____

4. Address and phone number of Prime Contractor: _____

5. Number of Section 3 Subcontractors executed this month: _____

6. Number of Subcontracts executed year to date: _____

7. List of Section 3 Subcontractors (include name, address, phone, description of work, amount of contract, date contract was executed): _____

Name of Company

Name of person completing this form

* _____
Signature

Date

*The above signature certifies that all the above information is true and correct, this signature also authorizes Delaware county Housing Authority to verify all information listed on this form.

Form S3-1
11/3/95
4/6/00

VII
DELAWARE COUNTY HOUSING AUTHORITY
SECTION 3 RESIDENT/BUSINESS
VERIFICATION FORM

1. Are you a Section 3 Resident? Yes _____ No _____

If you answered "yes" to Number 1 above, please list your address:

2. Do you own a Section 3 business? Yes _____ No _____

If you answered "yes" to Number 3 above, please list the name and address of the business:

Name of Business _____

Address of Business _____

3. If business is not a sole proprietorship, please attach verification of ownership.

If you answered "yes" to questions Number 1 or 3 above, please provide a copy or your most recent Income Tax Return or other income documentation.

Name (Print/Type)

*Signature

Date

*The above signature authorizes Delaware County Housing Authority to verify all information listed on the verification form.

VII
MONTHLY REPORT ON
SECTION 3 EMPLOYMENT

1. How many total positions are still available for this project? _____
2. Of the total positions available, how many will be occupied by permanent employees?

3. What is the total number of positions not occupied? _____
4. What is the total number of positions to be filled with Section 3 Residents? _____
5. What are the positions available for Section 3 Residents? _____

6. Section 3 Residents employed this month (list name, address, phone, SSN, hourly wage, and date of hire):

7. Section 3 Residents employed year to date (List name, address, phone, SSN, hourly wage, and date of hire): _____

Name of Company

Name of person completing this form

* _____
Signature

Date

*The above signature certifies that all the above information is true and correct, this signature also authorizes Delaware County Housing Authority to verify all information listed on this form.