

**INSTRUCTIONS FOR COMPLETING THE SECTION 3 OPPORTUNITIES PLAN
(SERVICE & PROFESSIONAL CONTRACTS)**

The purpose of Section 3 is to ensure that jobs and economic opportunities generated by HUD financial assistance for housing and community development programs shall be directed to low and very low income persons, particularly those who are recipients of government assistance for housing and business concerns which provide economic opportunities to low and very low income persons.

The Section 3 Opportunities Plan is to be completed for service and professional contracts. There are three (3) ways in which Section 3 can be fulfilled. They are listed in order of preference:

- 1) Subcontract or joint venture with a resident owned business. The business must be 51% more owned by public housing residents, or subcontractor/joint venture with a business that employs full-time, 30% or more public housing residents, or low and very low income individuals within the City of Fayetteville, or
- 2) Direct hiring of Fayetteville Metropolitan Housing Authority's public housing residents and/or low and very low-income neighborhood residents, or
- 3) Incur the cost of providing skills training for residents. Such training shall be determined after consultation with TCG United.

If a prime contractor is unable to satisfy the resident hiring requirements per the above, the requirements may be satisfied through any subcontractors that may be involved in the project.

In paragraph number one (1), if the (sub) contractor has identified a resident owned business or a business which employs 30% or more Fayetteville Metropolitan Housing Authority Public Housing or Neighborhood residents, this paragraph is to be completed by indicating the number of resident owned businesses that will be used on the contract/spec number shown at the end of the paragraph.

If the (sub) contractor plans to hire Public Housing or Neighborhood residents to work for its company, paragraph two (2) must be completed with the contract/spec number and the percentage of compliance in hiring the resident(s). For example, if your contract amount is \$100,000.00, the Section 3 dollar amount that must be expended is 10% of your labor dollars or \$10,000.00. If the whole dollar amount is to be expended on the resident's salary, then 100% is to be inserted on the percent line.

If a percentage amount less than 100% will be expended on the resident's salary, that amount must be inserted on the line and the remaining percentage must be expended through subcontracting/joint venturing with a resident owned business or a business that employs 30% or more residents.

The second portion of the Section 3 Opportunities Plan begins with the specification or request for proposal title and number.

The third section is to be completed by listing current staff to be used to complete the work bid upon.

- (1) List the job titles,
- (2) Complete the Needed column if additional staff will be required to fulfill the classification,
- (3) In the Total column, list the total number of staff plus the number needed,
- (4) In the Housing Authority and Area Resident columns, list the number of current staff who are residents of Fayetteville Metropolitan Housing Authority public housing, or who are low or very low income neighborhood residents,
- (5) In the To Be Filled column, list the number of positions that fit into the low and very low-income public housing residents and low and very low income Area Residents (LIAR) who will be hired.
- (6) In the Hiring Goal column, list the number of Public Housing residents or low and very low-income neighborhood residents you intend to hire.

The final section is to be completed after the contract has been awarded; interviews have taken Place and residents have been hired. The completed Section 3 Opportunities Plan must be submitted to the Section 3 Coordinator and Procurement/Contracts Department.

The Fayetteville Metropolitan Housing Authority public housing and neighboring residents are screened. Each contractor is required to attend a pre-construction conference with the Procurement/Contract Compliance Department where contractual obligations will be explained, the contractor's Section 3 dollar amount will be determined, and the contractor's hiring goals will be discussed. The Section 3 coordinator will refer qualified residents to be interviewed by the contractor.

The Section 3 Opportunities Plan that is submitted with the RFQ/RFP/IFB and the final copy that is submitted to TCG United must be signed and include the title of person executing the plan.

SECTION 3 OPPORTUNITIES PLAN

Business Opportunities and Employment Training of the Fayetteville Metropolitan Housing Authority's Public Housing Residents and Low and Very Low Income Neighborhood Residents

I. Opportunities Plan

The Contractor had identified _____ Section 3 resident owned business(es) or _____ business(es) which employ 30% or more Section 3 residents to comply with _ % of its Section 3 requirements covered under Contract# _____. (Option 1)

Alternately, the Contractor hereby agrees to comply with all the provisions of Section 3 as set forth in 24 CFR 135.1 et seq. and _____. Resolutions implementing Section 3 requirements. The Contractor hereby submits this document to identify employment opportunities for the Fayetteville Metropolitan Housing Authority's public housing residents and low and very low-income area residents, during the term of the contract between the Contractor and Fayetteville Metropolitan Housing Authority. The Contractor affirms that the jobs identified shall be for meaningful employment that may or may not be related to the scope of services covered under Contract # _____. The Contractor has committed to employ the following in order to comply with _____% of its Section 3 requirements. (Option 2)

The above percentage(s) equal(s) 50% of the Contractor's Section 3 obligations. Option three (3) on page 2 equal 25% of compliance and Option four (4) on page 2 equals 25% of compliance. You may choose one option to comply or all; however, total compliance must equal 100%. The Contractor hereby agrees by signing below that any remaining percentages will be deducted from payouts placed in the Section 3 Educational Fund.

II. Labor Survey:

SPEC OR RFP TITLE		SPEC OR RFP NUMBER					
(1) JOB TITLE	(2) NEEDED	(3) NUMBER OF POSITIONS FILLED			(4) TO BE HIRING GOAL FILLED		
		(a) TOTAL	(b) H A	(c) AR	(a) HA	(b) AR	

Exhibit 4

III. Resident List
Section 3 Resident Employee Information (Jobs to be filled)

JOB TITLE	Housing Authority or Area Resident NAME	ADDRESS	SOCIAL SECURITY NUMBER

Please check the Option(s) that describe your contracting efforts:

- Option 1: Subcontract with Section 3 Business(es) – 25%
- Option 2: Hire Section 3 residents/participants – 25%
- Option 3: I have a training program in place and am willing to train _____ residents – 25%
- Option 4: Contribute to the _____ training/educational fund for resident training – 25%

In the event I am awarded the contract, I have the option to submit my check in the compliance amount of the start of contract date, or allow to deduct payment from my draw requests. (Compliance amount is based upon the labor dollars of the contract award.)

You may comply by choosing one or all options. Remember your compliance must be equal to 100% as noted on page 1, paragraph three (3), or any remaining percentages will be deducted from payouts and placed in the resident training/educational fund account.

The failure of the contractor to comply with the above-approved plan shall be a material breach of the contract.

Contractor's Signature and Title: _____

Date: _____

Exhibit 4

NAME OF PRIME CONTRACTOR: ____
TITLE OF RFP OR SPEC: _____
SPEC. # OR RFP # OR PURCHASE ORDER#: _____
CONTRACT #:

WARNING: THIS DOCUMENT IS REQUIRED FOR ALL CONSTRUCTION OR LABOR RELATED CONTRACTS.

1. Employment and Training of the Fayetteville Metropolitan Housing Authority's Public Housing Residents and Low and Very Low Income Area Residents.

The Contractor hereby agrees to comply with all the provisions of Section 3 as set forth in 24 CFR 135.38 implementing Section 3 requirements. The contractor hereby submits this Schedule D as its Section 3 Opportunities Plan.

The Contractor shall provide a status report identifying its progress in meeting the Section 3 goals established in this Section D on a quarterly basis throughout the contract period. The quarterly status report shall be submitted no later than 10 days after the end of each calendar quarter of the contract (e.g., April 10 for calendar quarter January 1 to March 31). The status report shall be in at least the same level of detail as the approved Schedule D. For any goal not met, the report shall identify any other economic opportunities, which the contractor has provided, or intend to provide to the Fayetteville Metropolitan Housing Authority and neighborhood residents.

The failure of the Contractor to comply with the approved plan shall be a material breach of the contract.

Each Bidder/Proposer for a construction or labor related contract must complete this Schedule D and submit all relevant information required herein. A prime contractor, through its' subcontractors may satisfy the Fayetteville Metropolitan Housing Authority's Resident Hiring Requirements. Please complete the Skill Needs Table in Section 1 of Section 3 Opportunities Plan in the following columns.

- 1) indicate each category of employment for all phase of this contract;
- 2) the number of positions which will be needed in each category;
- 3) how many of those positions are currently filled;
 - (a) the number filled by neighborhood residents, excluding Fayetteville Metropolitan Housing Authority residents;
 - (b) the number filled by Fayetteville Metropolitan Housing Authority Public Housing residents;
 - (c) how many positions need to be filled.
- 4) Indicate your goal for the number of positions you intend to fill with:
 - (a) Section 3 Residents
 - (b) Low and Very low income area residents.

NOTE: The minimum of trainees is that which can reasonably be utilized in each occupation, and no less than the number established by the U.S. Secretary of Labor for construction and non-construction labor related occupations. The contractor shall fill all vacant positions with low-income persons (earning less than 80% of the median income in the City of Fayetteville and these positions shall not be filled immediately prior to undertaking work in order to circumvent regulations as set forth at 24 C.F.R. Part 135 et seq: as amended.

II. SECTION 3 BUSINESSES SUBCONTRACTING

OPPORTUNITIES In a one (1) page letter on your company's

letterhead:

- 1) Indicate the goals, expressed in terms of percentage of planning subcontracting dollars, for the use of Section 3 business concerns as subcontractors.

- 2) A statement of the total dollar amount to be subcontracted, total dollar amount to be subcontracted to Section 3 business concerns for building trades, and total dollar amount to be subcontracted to Section 3 business concerns for other than building trades work (maintenance, repair, modernization and redevelopment).

- 3) A description of the method used to develop the goals above and the efforts to be undertaken by the Contractor to meet those goals.

Acknowledged by:

(President or Authorized Officer)

Date: _____