

BID AND PROPOSAL REQUEST

BID AND PROPOSAL REQUEST:

The Sylvester Housing Authority is seeking bids from qualified general contractors for the construction of a single family dwelling. The house plan is attached.

Type of Construction: **New Construction of a Single Family Residence**

Address of Project: **609 North Jefferson Street, Sylvester, GA (609 and 611 have been combined)**

Plan Name: **See attached plans and specifications**

Notification of Bid Date: **August 10, 2022**

Due Date **September 13, 2022**

Location of Bid Opening: **411 North Jefferson Street Sylvester, GA**

Time of Bid Opening: **11:00 am**

Bids should be placed in a sealed envelope with project name and address noted on the envelope.

Please direct any questions to the following contacts:

Michael Allen (229) 776-7621 Extension 3 or Brenda Wade (229) 522-3552 Extension 105

All construction materials and techniques should conform to the International Residential Code (IRC) latest edition. The Sylvester Housing Authority reserves the right to accept or reject any and all BIDS and waive formalities in the best interest of the Housing Authority. The housing authority reserves the right to reject any BID that does not represent a complete response.

Additions/Deletions/Clarifications to specs include:

- Plan should be reversed where porches face the streets.
- House to be built on Monolithic concrete slab.
- Shingles shall be architectural.
- Siding shall be Hardie Board.
- House should be total electric.
- HVAC shall be heat pump.
- Flooring shall be LVT in all rooms including bedrooms.
- Plans call for 28x52 window size. 30x52 can be used to meet egress.
- Plan specs call for irrigation in yard. Delete irrigation but include convenient hose bibs.
- Vinyl windows with same grid pattern per plan can be used instead of wood windows.
- At least one bathroom in unit shall include a shower/tub combination.
- Include driveway paved from street.
- Water and sewer taps are already on property.
- Power is to be above ground.
- Plan call for optional Gutters. Include gutters in bid.
- Include Stove, dishwasher and hood vent.
- Include sodding of front yard.
- All permits fees are waived. However, permits are required.
- Include termite treatment
- Contractor to provide builders risk insurance

Additional note: GHA or its agent shall make all interior light fixture, hardware, flooring and carpet, bathroom fixtures, and appliance choices prior to installation. All materials are to be standardized and current, building material liquidation and or non-warranty building material will not be acceptable.

This unit is not to be constructed with total handicap accessibility. However, visitability requirements apply. These are as follows:

- (1) At least one entrance door, whether located at the front, side, or back of the building:
 - (A) Is on an accessible route served by a ramp or no-step entrance; and
 - (B) Has at least a standard 36 inch door;
- (2) On the first floor of the building:
 - (A) Each interior door is at least a standard 32 inch door, unless the door provides access only to a closet of less than 15 square feet in area;
 - (B) Each hallway has a width of at least 36 inches and is level, with ramped or beveled changes at each door threshold;
 - (C) Each bathroom wall is reinforced for potential installation of grab bars;
 - (D) Each electrical panel or breaker box, light switch, or thermostat is not higher than 48 inches above the floor; and
 - (E) Each electrical plug or other receptacle is at least 15 inches above the floor; and
- (3) The main breaker box is located inside the building on the first floor.

The following mandatory codes apply to this project:

- Georgia State Minimum Standard Building Code (International Building Code with Georgia State Amendments)
- Georgia State Minimum Standard One and Two Family Dwelling Code (International Residential Code for One- and Two-Family Dwellings with Georgia State Amendments)
- Georgia State Minimum Standard Fire Code (International Fire Code with Georgia State Amendments)
- Georgia State Minimum Standard Plumbing Code (International Plumbing Code with Georgia State Amendments)
- Georgia State Minimum Standard Mechanical Code (International Mechanical Code with Georgia State Amendments)
- Georgia State Minimum Standard Gas Code (International Fuel Gas Code with Georgia State Amendments)
- Georgia State Minimum Standard Electrical Code (National Electrical Code)
- Georgia State Minimum Standard Energy Code (International Energy Conservation Code with Georgia State Supplements and Amendments) **CONTRACTOR IS RESPONSIBLE FOR DUCT BLOWER TEST AND BLOWER DOOR TESTING.**

For information and questions regarding the Life Safety Code (NFPA 101) please contact the State Fire Marshal's Office.

Bid Form

Contractor: _____

Address: _____

Phone: _____

Email: _____

I, the undersigned Contractor, having reviewed the Plans and Specification to be built at **609 & 611 North Jefferson Sylvester, Georgia** and familiarized myself with these requirements of the work write-up, specifications and understand the extent and character of the work to be performed.

I, propose to furnish all labor, material and equipment necessary to accomplish ALL CONSTRUCTION PER FURNISHED BID DOCUMENTS , specifications and drawings for the this project with the following exceptions: _____
_____ (If no exceptions, so state)

for the sum of _____, dollars. (\$ _____).

Breakdown: Construction of House: \$ _____

Sodding of yard: \$ _____

Driveway: \$ _____

I will be using the following subcontractors:

Electrical Contractor and License #: _____

Plumbing Contractor and License #: _____

HVAC Contractor and License #: _____

OTHER: _____

I will commence work within **15** consecutive days from the date of award and/or execution of the contract and will complete the work within **90 CALENDAR** days after the Notice of Commencement is given.

Date

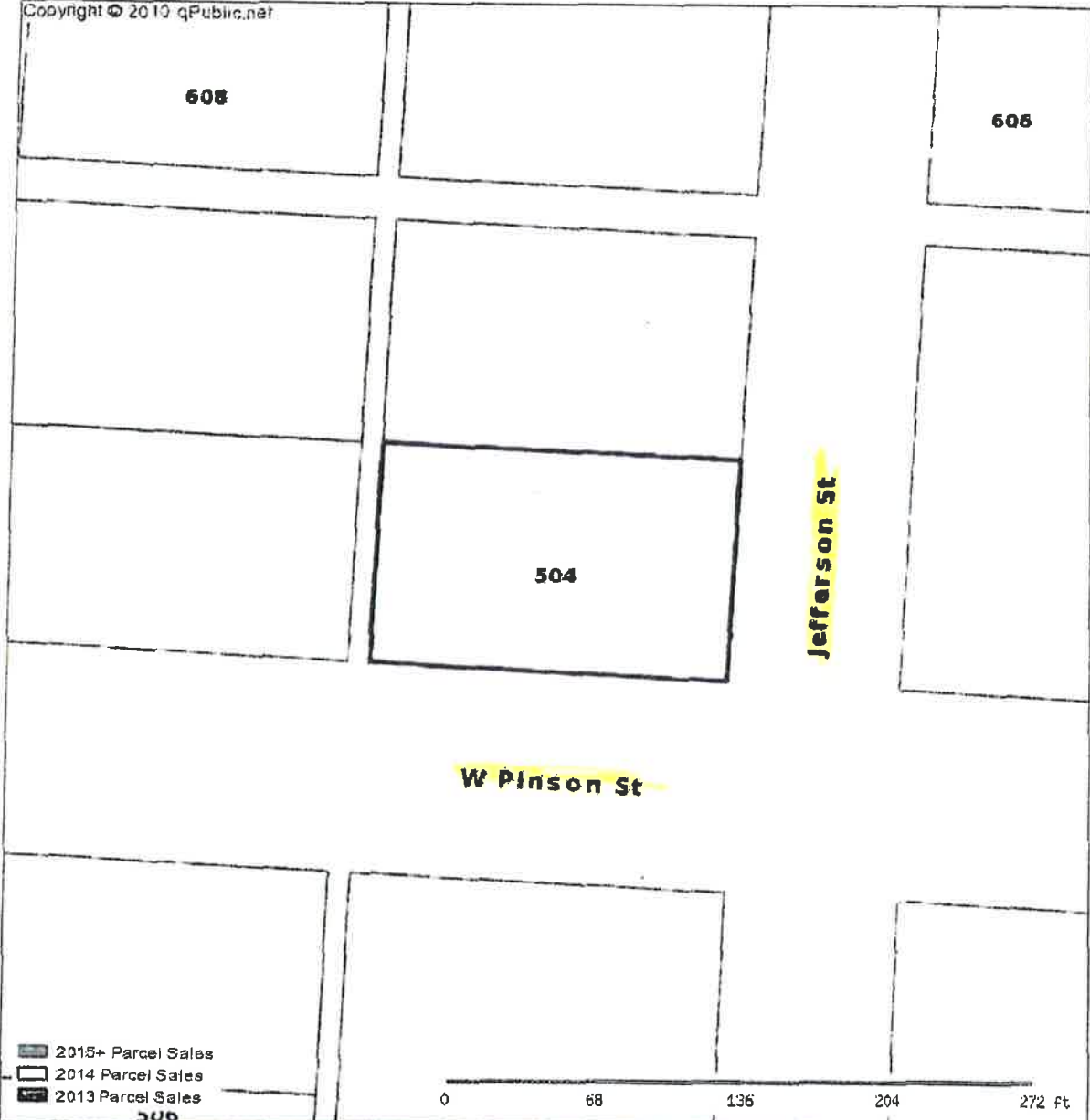
(Contractor)

(Title)

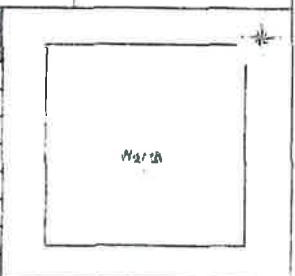
Sylvester Housing Authority
CHIP Project Grant No. 2019-119

Procurement Documents
for
New Construction

Property Location:
609 & 611 North Jefferson Sylvester, GA 31791

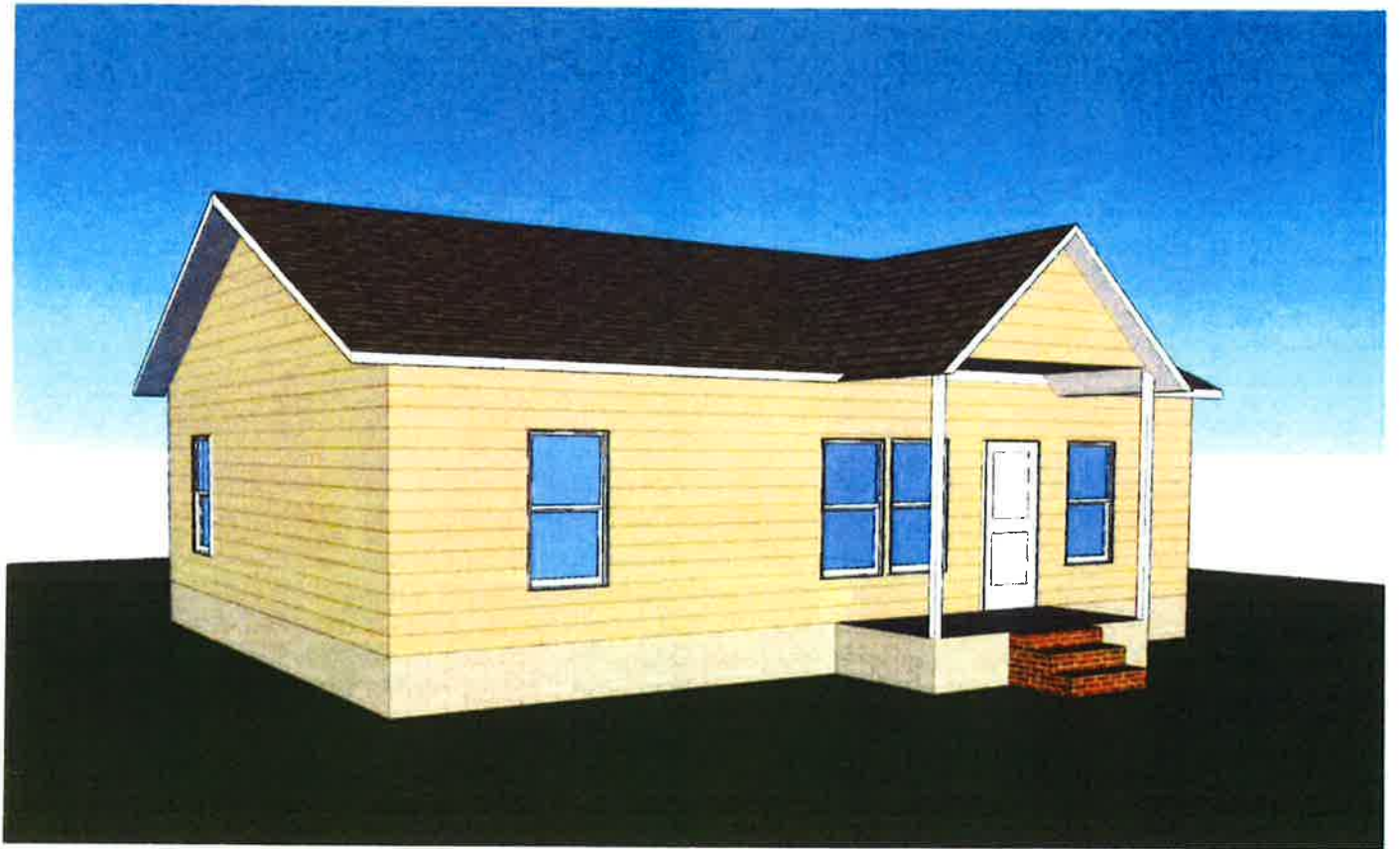


Worth County Assessor			
Parcel: SV060-031-000 Acres: 0.4			
Name:	HOUSING AUTHORITY-	Land Value:	\$0.00
Site:	504 W PINSON ST	Building Value:	\$39,804.00
Site:	\$0 on 02-2001 Reason=UI Qual=U	Misc Value:	\$0.00
Mail:	SYLVESTER P O BOX 386 SYLVESTER, GA 31791	Total Value:	\$39,804.00

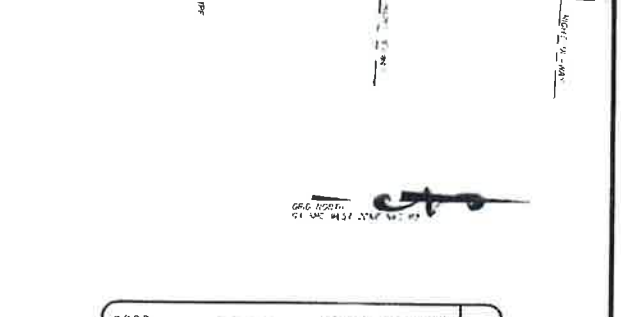
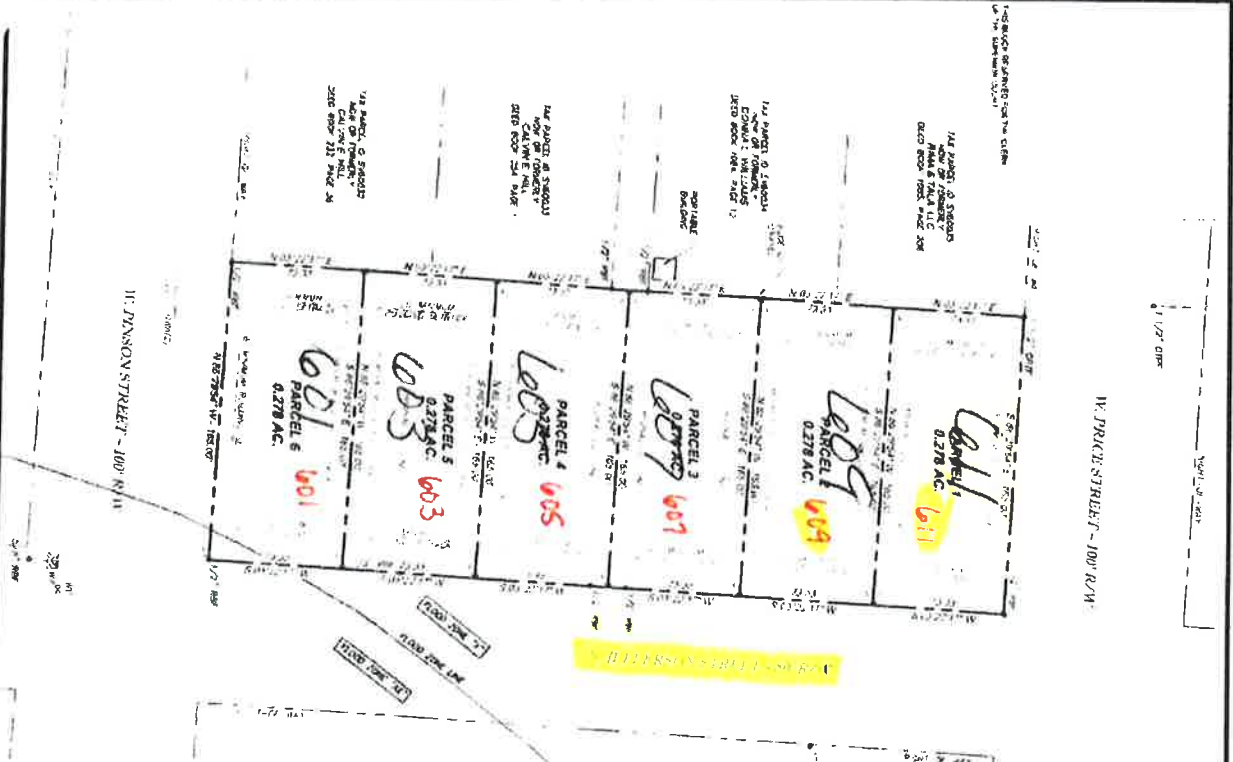


Worth County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.
Date printed: 12/22/15 : 10:38:08









<p>LEGEND</p> <p>SYMBOLS</p> <p>LINE TYPES</p>	<p>REFERENCES</p> <p>SEE ALSO SURVEY FOR A LARGER SCALE...</p>
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SURVEYORS CERTIFICATION

EMC ENGINEERING SERVICES, INC.

STATUS: PRINT

1ST DRAFT

PROJECT NOTES

DATE: 5/11/14

PROJECT: 2322-0002 SYLVESTER HSC AUTH REFERENCE 7 DEVLAND/14/03/25-000254

RE-PLAT

PROPERTY OF SYLVESTER HOUSING AUTHORITY
PART OF LAND LOT 358, 7TH LAND DISTRICT
SYLVESTER, WORTH COUNTY, GEORGIA

Prepared for:
SYLVESTER HOUSING AUTHORITY

EMC ENGINEERING SERVICES, INC.

ALBANY • ATLANTA • AUGUSTA • BRUNSWICK
COLUMBUS • MARIETTA • STATESBORO
THOMASTON • VAL DORA • WARNER ROBINS

NO. 31 DATE

1 OF 1 SHEET

REQUEST FOR QUALIFICATIONS

REQUEST FOR QUALIFICATIONS

2019 COMMUNITY HOME INVESTMENT PROGRAM (CHIP) GRANT

CONSTRUCTION OF SINGLE-FAMILY HOMES

NOTICE IS HEREBY GIVEN that the Sylvester Housing Authority, a recipient of the GA Department of Community Affairs 2019 CHIP grant program, will receive **Statement of Qualifications** from general contractors or residential home builders interested in participating in the construction of two (2) new homes to be completed before December 31, 2022, and sold to qualified home buyers.

Prospective general contractors are encouraged to prepare a statement of qualifications detailing their housing experience and project management experience. The Sylvester Housing Authority will select one or more general contractors or builders with proven experience, financial resources, capacity, and professional expertise to successfully construct up to two houses at one time.

This is a Section 3 contract opportunity. The Sylvester Housing Authority provides equal opportunity for all businesses and does not discriminate against any person or business because of race, color, religion, sex, national origin, and handicap or veterans' status.

Bids will be accepted beginning August 10, 2022, and the bid opening is scheduled for September 13, 2022, at 11:00 AM at the Sylvester Housing Authority located at 411 North Jefferson Street Sylvester, GA 31791.

Submit all Documents and the Pre-Qualification Application by September 13, 2022

Michael Allen, Chief Executive Officer
Via Email: mallen@shauthority.com

By mail to: Michael Allen, Chief Executive Officer
Sylvester Housing Authority
P. O. Box 386
Sylvester, GA 31791

Or deliver to: Michael Allen, Chief Executive Officer
Sylvester Housing Authority
411 North Jefferson Street
Sylvester, GA 31791





REQUEST FOR QUALIFICATIONS

2019 COMMUNITY HOME INVESTMENT PROGRAM (CHIP) GRANT

CONSTRUCTION OF SINGLE-FAMILY HOMES

NOTICE IS HEREBY GIVEN that the Sylvester Housing Authority, a recipient of the GA Department of Community Affairs 2019 CHIP grant program, will receive **Statement of Qualifications** from developers or residential home builders interested in participating in the construction of two (2) new homes to be completed before December 31, 2022 and sold to qualified home buyers.

The Sylvester Housing Authority will select one or more developers or builders with proven experience, financial resources, capacity, and professional expertise to successfully construct up to two (2) houses at one time.

Construction financing will be provided through the CHIP program; all homes will be built on property currently owned by the Sylvester Housing Authority. Funds for new construction shall be provided to the developer/builder as a construction loan at 0% interest, due upon sale to a home buyer eligible under the HOME Program. The developer/ builder may receive a subsidy of 15% (up to \$20,000) of the contracted cost of construction upon sale of the property if required to maintain affordability.

The estimated sales prices for the homes will range from \$100,000 to \$150,000. All homes will be sold to qualified low-moderate income buyers and a homebuyer subsidy of up to \$14,999 may be granted to the homebuyer as a deferred payment (forgiven) loan. (See CHIP Program Brochure online.) To the extent possible, the Sylvester Housing Authority will seek to pre-sell homes, offering potential buyers a choice of available building lots and the ability to select from plans pre-approved by the Sylvester's Housing Authority.

The developer or builder will furnish all labor, materials, equipment, and incidentals at locations identified by the Sylvester Housing Authority. Contractors should display a working knowledge of building traditional single-family homes in an urban in-fill environment. Architectural standards and general specifications are as outlined in the CHIP Program Manual (available on request); construction must meet all applicable building codes and zoning regulations.

The developer or builder must comply with federal, state and local laws, statutes and ordinances relative to the execution of the work. This requirement includes but is not limited to: protection of public and employee safety and health; environmental protection; the protection of natural resources; permits; fees; taxes; and similar subjects. Contractors must be in compliance with the following: Fair Housing, Nondiscrimination and Affirmative Action; Section 3; E-verify; Equal Opportunity Employment; labor laws; and other requirements to be specified in the contract with the Sylvester Housing Authority.

The Sylvester Housing Authority reserves the right to reject any and all submittals and to waive irregularities in the submittal and evaluation process. This RFQ does not obligate the Sylvester Housing Authority to pay any costs incurred by respondents in the preparation and submission of the Statement of Qualifications. Furthermore, the RFQ does not obligate the Sylvester Housing Authority to accept or contract for any expressed or implied services.

SUBMITTAL REQUIREMENTS

Responses to this RFQ must include the following:

1. A Cover Letter stating the company's interest in the program and a completed signed Pre-Qualification Application (p. 3-5).
2. Brief summary of the firm's experience, the company's primary focus, and types of construction projects completed.
3. Brief narrative describing your capacity to build multiple houses at the same time, and a statement of typical build scheduling.
4. Statement of any past experience with government funded projects, including local, state or federal. (However, note that such experience is not required for qualification.)
5. List of all contractors/subcontractors with whom you routinely do business.
6. Written reference from each of the following:
 - Two or more clients for whom you completed projects during the past two years;
 - Two suppliers and one subcontractor having knowledge of your debt payment history;
 - One financial institution.
7. Copies of the following documents as applicable:
 - State Contractor's License and other certifications such as MBE/WBE/DBE;
 - Insurance Certificates for Business Liability, Builder's Risk, Auto, and Workman's Compensation;
 - E-Verify documentation;
 - The company's Standard Written Warranty.

Questions regarding this Request for Qualifications should be directed via email to:

Michael Allen
Chief Executive Officer
Email: mallen@shousing.com



PRE-QUALIFICATION APPLICATION



2019 Community HOME Investment Program
PRE-QUALIFICATION APPLICATION

Company Name: _____

Address: _____

Contact Person: _____

Telephone: _____ Fax: _____ Email: _____

Tax ID #: _____ State License No: _____

Business Structure: Corporation Sole Proprietor Other (specify): _____

1. Name all Principals, Key Personnel & Percentage of Ownership in firm.

<u>Name</u>	<u>Title</u>	<u>% Ownership</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. How long has your firm been in business? _____

3. Have you ever been bonded? Yes No

If yes, Name of Company: _____

Address: _____

Agent: _____ Phone # _____

Bonding Capacity: Single _____ Aggregate _____

4. Financial Institution References:

<u>Name of Bank</u>	<u>Contact</u>	<u>Phone</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. Does your company have a written safety program? Yes No

6. Insurance Company Information:

Name of Company: _____

Address: _____ Phone #: _____

Contact Name: _____ Email: _____

7. Company Annual Contract Volume 2020 \$ _____ 2021 \$ _____

8. Current Work in Progress and/or Under Contract (add additional sheets if necessary):

Project Address	Contact Name	Phone #	Type of Work	Dollar Value

8. Do you have any judgments, claims, liens, or suits pending or outstanding?

Yes No

9. Have you ever been terminated on a contract for cause, or made payment of actual or liquidated damages for failure to complete a project by the contracted date?

Yes No

10. Are you currently barred from bidding on public work (local, state, or federal)?

Yes No

11. Has your firm or any principal of the firm ever declared bankruptcy?

Yes No

If you answered yes to any of the questions # 12 - 15, provide the date(s) and associated details on a separate sheet for each.

12. Is your firm at least 51% owned by one or more: Minorities? Yes No

Women? Yes No Person with disability? Yes No

13. Have you had experience with Section 3? Yes No

Signatures on next page.

SIGNATURE:

In compliance with this Request for Qualifications and subject to all conditions thereof, the undersigned warrants that all information in the submittal is accurate and correct; certifies that he/she has read, understands, and agrees to all terms, conditions and requirements of the Request for Qualifications; and is authorized to contract on behalf of the firm named below. It is understood that this qualification may be modified by mutual agreement in subsequent negotiations.

If selected, the Developer or Builder and its representative(s) will negotiate in good faith to enter a Contract for the construction of houses through the Sylvester Housing Authority's 2019 Community HOME Investment Program (CHIP) grant.

Company: _____

Submitted by: _____

Title: _____

Signature: _____

Date: _____

Submit all Documents and the Pre-Qualification Application by September 13, 2022 to:

Michael Allen, Chief Executive Officer
Via Email: mallen@shauthority.com

By mail to: Sylvester Housing Authority
P.O. Box 386
Sylvester, GA 31791

Or deliver to: Sylvester Housing Authority
411 North Jefferson Street
Sylvester, GA 31791



Georgia Department of Community Affairs (DCA)

SECTION 3
SOLICITATION PACKAGE

Georgia Department of Community Affairs Mandatory Section 3 Solicitation Package

This mandatory solicitation package has been developed in accordance with DCA's Section 3 Policy for Covered HUD Funded Activities. DCA encourages all recipients, sub-recipients, contractors, and sub-contractors to review this policy prior to completion of the solicitation package. For those awards that meet the applicable Section 3 thresholds, this package must be returned in accordance with the applicable instructions to the contracting entity prior to award **or at the time of submission of a bid/proposal in order to claim a Section 3 preference**. The Section 3 Clause, required forms, and instructions are included in this package. All Recipients and Sub-recipients of Section 3 covered Assistance (including but not limited to contractors, sub-contractors, developers, grantees, CHDOs, non-profits, and local government entities) are subject to compliance with regulations in 2 Part 75.

Additional provisions for Housing and Community Development Financial Assistance.

§75.19 Requirements.

(a) Employment and training.

- (1) To the greatest extent feasible and consistent with existing federal state and local laws and regulations recipients covered by this subpart shall ensure that employment and training opportunities arising in connection with Section 3 projects are provided to Section 3 workers within the metropolitan area (or nonmetropolitan county) in which the project is located.
- (2) Where feasible priority for opportunities and training described in paragraph (a)(1) of this section should be given to:
 - (i) Section 3 workers residing within the service area or the neighborhood of the project and
 - (ii) Participants in YouthBuild programs.

(b) Contracting

- (1) To the greatest extent feasible and consistent with existing, Federal, state, and local laws and regulations recipients covered by this subpart shall ensure contracts for work awarded in connection with Section 3 projects are provided to business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or nonmetropolitan county) in which the project is located.
- (2) Where feasible, priority for contracting opportunities described in paragraph (b)(1) of this section should be given to:
 - (i) Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the service area or the neighborhood of the project, and
 - (ii) YouthBuild programs.

Any bid/proposal claiming a preference must include the completed and signed Section 3 Self-Certification and Action Plan and the Section 3 Business Concern Self Certification and be submitted by the bid/proposal deadline.

The following Section 3 forms must be completed and returned prior to contract execution:

- Section 3 Self Certification and Action Plan
- Previous Section 3 Compliance Certification
- Assurance of Compliance Certification

Additionally, if the contractor is claiming certification as a 51% owned by low or very low-income residents or is certifying as a 75% workforce the Resident Self-Certification and Skills Data Form must be returned for all employees who meet the low- or very low-income requirement as well as the appropriate Section 3 Business Certification.

Section 3 Solicitation Overview and Instructions for Contractors

The DCA Section 3 Policy requires that, when the **Section 3 regulation is triggered**, every effort within the contractor's disposal must be made, to the greatest extent feasible, to offer all available employment and contracting opportunities to Section 3 residents and Section 3 businesses based on the compliance methods below.

All Contracts and All Contractors must meet Section 3 compliance by:

- A. Giving notice of any and all opportunities for employment and contracting to residents of the local Public Housing Authority (PHA), and other low and very low income area residents and businesses, by posting the opportunity in community sources generally available to low income residents and the general public. Exercising a **minimum of three (3)** of the following listed sources must be completed prior to offering employment to anyone not covered by Section 3 requirements:
 1. The local community newspaper
 2. The most widely distributed newspaper
 3. Company or agency website
 4. The management office of the local housing authority/homeless service agency/local low income housing community
 5. Local Workforce Board (i.e., Department of Labor)
 6. Local office of the Georgia Division of Family and Children Services
 7. Dodge Room <http://www.construction.com/dodge/dodge.asp>
 8. Other locations as approved by DCA
- B. The recipient, sub-recipient or contractor must check the HUD Section 3 Business Registry to determine if there are any Section 3 businesses in the County where the work will be performed. If there are Section 3 businesses in the County that may be able to perform the work, the recipient, sub-recipient or contractor must provide a copy of the contracting opportunity(ies) (e.g., bid notices) to the Section 3 businesses. See the HUD Section 3 Business Registry at: <https://hudapps.hud.gov/OpportunityPortal/>.
- C. Clearly stating in notices that the position is a "Section 3 covered position under the HUD Act of 1968 and that Section 3 Residents and Business Concerns are encouraged to apply."
- D. Placing the Section 3 Clause provided in Appendix A in ALL solicitations.
- E. When possible, other activities may be done to demonstrate effort to comply with the Safe Harbor Limits. These other efforts are listed in the appendix to part 75 of the Code of Federal Regulations—24 CFR Part 75 and include:

Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.

- 1) Provided training or apprenticeship opportunities.
- 2) Provided technical assistance to help Section 3 workers compete for jobs (e.g.,

- resume assistance, coaching).
- 3) Provided or connected Section 3 workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services.
 - 4) Held one or more job fairs.
 - 5) Provided or referred Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, childcare).
 - 6) Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
 - 7) Assisted Section 3 workers to obtain financial literacy training and/or coaching.
 - 8) Engaged in outreach efforts to identify and secure bids from Section 3 business concerns.
 - 9) Provided technical assistance to help Section 3 business concerns understand and bid on contracts.
 - 10) Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.
 - 11) Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
 - 12) Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.
 - 13) Outreach, engagement, or referrals with the state one-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act
- F. Linking residents or businesses to local resources that may be available to help prepare them for applying for and achieving the opportunity.
- G. Working with DCA, the recipient, sub-recipient or contractor as applicable in developing a communication and follow up process to track and report all Section 3 applications and hiring activities to ensure the reporting of compliance efforts, and that contracting and sub- contracting are accurate. Provide preference in hiring and contracting to Section 3 applicants and contractors when employment or contracting opportunities are offered and all requirements are met and remain equal. Contractors must:
1. Provide this package to all sub-contractors when soliciting bids for all contracts or sub- contracts;
 2. Meet all the same processes in A-E; and
 3. Provide Preference to all sub-contractors meeting the definitions as stated in Section VI of DCA's Section 3 Policy for Covered HUD Funded Activities.
- H. In order for Preference as a Section 3 Contractor to be factored into the award decision, all elements of the solicitation criteria must be equal between contracts. This means price and all other factors must be equal. Then the contractors that elect Preference on the Certification and Action Plan form that meet that Preference criterion will be provided Preference in the award of the contract as provided in Part VI., Preferences and Eligibility of DCA's Section 3 Policy for Covered HUD Funded Activities.

Example:

Bill's electrical and Sue's Electrical bid a job where the housing authority has a budget of \$500,000. Bill bids \$480,000 and elects a Preference as a Section business concern because he qualifies as a Section 3 Business concern. Sue bids \$450,000 but does not elect any Preference. Both companies met all the other requirements. Sue will be awarded the contract because Bill's bid was higher.

Important items to remember about receiving Preferences in contract award:

All contractors and/or subcontractors that elect a Preference and are awarded a contract must be in compliance prior to the issuance of a Notice to Proceed by DCA, the recipient, sub-recipient, or the contractor based on the policies established for the applicable DCA funding program. The contractor and/or subcontractor must maintain the elected Preference standard during the entire contract or risk having the contract terminated for failure to comply. **See Appendix B for further details.**

When a contractor and/or subcontractor that elected a Preference is unable to identify a Section 3 resident or a Section 3 business for employment or contracting opportunities, the contractor then **must** offer employment related training to the Section 3 residents in the county. The training must be provided according to Part VII – Other Economic Opportunities in DCA's Section 3 Policy.

Appendix A **Section 3 Clause**

Training and Employment Opportunities for Residents in the Project Area (Section 3, HUD Act of 1968; 24 CFR 75)

(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 75, 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 75 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 Section 3 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 75, 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 75. 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 75.

(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 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR Part 75.

(f) Noncompliance with HUD's regulations in 24 CFR Part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

Appendix B

Section 3 Contract Non-Compliance Cure /Termination Processes

This language is a component of contract compliance with the work to which you are responding in this solicitation. The full requirements are provided in the Section 3 Clause found elsewhere in this package and in DCA's Section 3 Policy for Covered HUD Funded Activities.

Any recipient, sub-recipient or contractor claiming Preference **must be in compliance prior to issuance of a notice to proceed by DCA, recipient, sub-recipient, or contractor based on the policies established for the applicable DCA funding program. This preference can be met by any of the three qualifications (meets criteria within the past 6 months):**

1. 51% or more owned and controlled by low or very-low income persons
2. 75% or more of the labor hours are performed by Section 3 workers or YouthBuild Participants
3. 51% or more owned by current residents of Public Housing

The recipient, sub-recipient or contractor must maintain compliance throughout the life of the contract. The contractor understands and agrees that a compliance management firm may be used to conduct routine and certified payroll reviews to ensure compliance. The Contractor agrees to provide the payroll data in an Excel or Word format each time the payroll is processed throughout the contract.

Failure to meet the Section 3 requirements will result in penalties up to and including contract termination. Any contractor triggering the regulation by doing any hiring or contracting once they are awarded the contract through execution must comply with the Section 3 requirements by executing the efforts on their Certification and Action Plan in accordance with DCA's Section 3 Policy.

DCA, the recipient, sub-recipient or contractor shall execute these remedies to achieve compliance in this order:

NON-COMPLIANCE CURE PROCESS

- A. Based on the first observation or report of non-compliance with Section 3, the recipient, sub-recipient or contractor will be sent an e-mail by the compliance manager notifying them of their non-compliance issue. The recipient, sub-recipient or contractor will have until the next payroll or 10 business days, whichever is less, to bring the contract into compliance and/or justify in writing why they cannot meet compliance requirements.

- B. DCA, the recipient, sub-recipient or contractor must render a response to the violating party within 10 business days of receipt of the violating party's letter of reason for non-compliance. If DCA, the recipient, sub-recipient, or the contractor deems the reason to be unacceptable, at its option, DCA, the recipient, sub-recipient, or the contractor can extend the response period one time for up to 5 business days to allow the violating party to identify and secure other compliance options.

NON-COMPLIANCE TERMINATION PROCESS

If the violating party fails to take any corrective action to bring the contract into compliance within the allotted time, or DCA, the recipient, sub-recipient, or the contractor rejects any of the corrective plans and justifications for non-compliance, DCA, the recipient, sub-recipient, or the contractor will either terminate the contract immediately or impose liquidated damages equal to \$100 a day for every day out of compliance. At DCA's determination, any liquidated damages received must be paid to the recipient, sub-recipient or DCA, at DCA's determination, and be used to promote economic opportunities for Section 3 Residents and Business Concerns.

DCA, the recipient, sub-recipient, or the contractor will hold **all funds due to the violating party until such time that a financial workout is completed.**

Additionally, the violating party may be banned by DCA, the recipient, sub-recipient, and the contractor on future HUD funded projects.

Appendix C Section 3 Forms

Georgia Department of Community Affairs

Required Submittal - Section 3 Self-Certification and Action Plan

All firms and individuals intending to do business with DCA, its recipients, sub-recipients and contractors MUST complete and submit this Action Plan and submit it with the bid, offer, or proposal in order to claim a preference on any contract or prior to award of a contract when **projects** involve more than \$200,000 in CDBG funds.

Business Name:		
D.B.A. (if different from above):		
Address:	City:	State/Zip
Business Phone: ()	Fax: ()	
E-Mail:	Business Website:	
Federal Employer Identification Number:	Owner Social Security Number (if no EIN):	
Contact Person & Title:	Contact Phone:	
Trade Description: <input type="checkbox"/> Carpentry <input type="checkbox"/> Heating (HVAC) <input type="checkbox"/> Electrical <input type="checkbox"/> Painting <input type="checkbox"/> Masonry Restoration <input type="checkbox"/> Asbestos <input type="checkbox"/> Plumbing <input type="checkbox"/> Roofing <input type="checkbox"/> Lead (Abatement) <input type="checkbox"/> General Contractor <input type="checkbox"/> Concrete <input type="checkbox"/> Ironwork <input type="checkbox"/> Carpet/Flooring <input type="checkbox"/> Rubbish Removal/Hauling <input type="checkbox"/> Appraisal Services <input type="checkbox"/> Landscaping <input type="checkbox"/> Demolition <input type="checkbox"/> Other: _____		
Date Business was established (MM/DD/YYYY): _____		
Type of Business (Check One): <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Limited Liability Corporation (LLC) <input type="checkbox"/> Limited Liability Partnership (LLP) <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other (Describe): _____		
Number of employees: Full-time: _____ Part-time: _____ Contract: _____ Total: _____		
Section 3 workers: Full-time: _____ Part-time: _____ Contract: _____ Total: _____		

I am Certifying as a Section 3 Business Concern and requesting Preference accordingly (Select only One Option):

Option 1

A business claiming status as 51% or more owned and controlled by low or very-low income persons

Option 2

Over 75% of the labor hours performed for the business over the prior six-month period are performed by Section 3 workers

Option 3

51% or more owned and controlled by current residents of public housing or Section 8-assisted housing

Business Concern Affirmation

I, affirm that the above statements of this form in its entirety are true complete and correct to the best of my knowledge and belief. I understand that businesses who misrepresent themselves as Section 3 business concerns and report false information to insert name of recipient/grantee may have their contracts terminated as default and be barred from ongoing and future considerations for contracting opportunities. Thereby certify under penalty of law that the following information is correct to the best of my knowledge.

Signature: _____

Date: _____

Print name: _____

Certification expires within six (6) months of the date of signature
Information regarding Section 3 Business Concerns can be found at 2 Part 75.5

FOR ADMINISTRATIVE USE ONLY

Yes the business a Section 3 business concern based upon their certification

EMPLOYERS MUST RETAIN THIS FORM IN THEIR SECTION 3 COMPLIANCE FILE FOR FIVE YEARS.

I am NOT Requesting Preference under Section 3:

I am **NOT** certifying as a qualified Section 3 Business Concern and I am not requesting a preference. However, if I do trigger the regulation by doing any sub-contracting or hiring, I will comply by meeting all requirements of DCA's Section 3 policy and I am committing to do the outreach as specified below.

Check all methods you will employ to secure Section 3 Residents/Businesses

Posting the position/contract opportunity in community sources that are generally available to low income residents and Section 3 Businesses and the general public is a standard requirement. **Check at least three**

(3) methods you will employ:

- The local community newspaper
- The most widely distributed newspaper
- Company or agency website
- The management office of the local housing authority, or homeless service agency, or local low income housing community
- Local Workforce Board (i.e., Department of Labor)
- Local office of the Georgia Division of Family and Children Services
- Local office of the Georgia Department of Public Health
- Dodge Room <http://www.construction.com/dodge/dodge.asp>
- Other locations identified below and subject to DCA approval:

____ Initial here to confirm selection of this option

Signature: _____

Printed/Typed Name: _____

Title: _____

Date: _____

Notarial Affidavit

Sworn to and subscribed before me this _____ day of _____, 20_____.

Signature of Notary Public

Printed Name of Notary Public

Commission Expiration Date: _____

(Notarial Seal)

**Georgia Department of Community Affairs
Required Submittal - Previous Section 3 Compliance Certification**

Name of Business: _____

Address of Business: _____

Type of Business (Check One): Corporation Partnership
 Sole Proprietorship Other

Business Activity: _____

All firms and individuals intending to do business with DCA, its recipients, sub-recipients, or contractors **MUST** complete and submit this certification of prior compliance prior to award of any contract for a **project** involving \$200,000 or more in CDBG assistance. Please check the appropriate line box below and sign and date the form.

1. I am certifying that I have complied with the HUD Section 3 Regulations, when triggered by new hiring or contracting opportunities, in my past contracts **when required** by the recipient, sub-recipient or contractor by either:
 - i. Certifying as a Section 3 Business Concern because at least 51 percent of the business is owned and controlled by low- or very low-income persons;
 - ii. Certifying as a Section 3 Business Concern because over 75 percent of the labor hours performed for the business over the prior six-month period are performed by Section 3 workers;
 - iii. Certifying as a Section 3 Business Concern because at least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing;
 - iv. Hiring or contracting to the "greatest extent feasible" with Section 3 Residents or Section 3 Businesses.

Check this box

2. I have never done any HUD funded contracting.

Check this box

3. I completed HUD Section 3 covered contracts in the past three years but the regulation was not triggered because either there were no new hires on the contract(s) and/or I did not do any new contracting or subcontracting.

Check this box

Signature: _____

Print Name: _____ Title: _____

**Required Submittal - Assurance of
Compliance Certification Section 3
Action Plan
Housing and Urban
Development Act of 1968
(12 U.S.C. 1701 U)**

Contract/Solicitation Name or Number: _____

DCA Funding Program: _____

Entity Receiving DCA Funding Award: _____

Purpose: To ensure that regulations promulgated under 24 CFR Part 75 Employment Opportunities for Businesses and Lower Income Persons in Connection with Assisted Projects and the Section 3 Policy of DCA, its recipients, sub-recipients and contractors to the greatest extent feasible is adhered to, and to serve as the "assurance of compliance" certification and action plan as required in the bid documents, supplemental general conditions, and required forms for the contract for any HUD work funded by DCA.

Description of the project's work detail: The project work will be as listed in the final scope of work in the contract with DCA, its recipients, sub-recipients and contractors including any change orders. List all known subcontractors below:

Subcontractor(s): _____

Subcontractor(s): _____

Subcontractor(s): _____

Subcontractor(s): _____

Subcontractor(s): _____

Subcontractor(s): _____

Subcontractor(s): _____

Subcontractor(s): _____

Use an additional sheet if required.

Note: If subcontractors are unknown at this time, print UNKNOWN on the line above. Also, the contractor must notify DCA or recipient or sub-recipient if subcontractors are added or changed during the contract. Any changes to this certification require a resubmission of this form to DCA or recipient or sub-recipient.

Preliminary Statement for Work Force Needs:

DCA intends to meet Section 3 compliance at the highest level, and it is our intent to identify any short-term and long-term employment or contracting opportunities for qualified Section 3 workers and Business Concerns during the course of the contract funded by DCA via its recipients or sub-recipients and contractors. Please list the status of all planned employment positions and opportunities for this contract. **Preference for all opportunities must be given to low and very low-income residents if they qualify. If awarded a contract, regardless of whether your firm has elected a preference, you are required to provide a list of your aggregate workforce on this project. Any changes to that workforce during the project will constitute NEW hires. You must notify DCA, its recipient, sub-recipient or contractor (respectively) overseeing your contract of any new hire opportunities that arise during the life of your contract. The anticipated workforce list may be provided on a separate sheet or in a different format.**

<u>List All Employees</u>	<u>Date Hired</u>	<u>Section 3 Worker (Yes/No)</u>	<u>Job Title/Trade</u>	<u>Salary Range</u>
Name: Address: City, ZIP:				
Name: Address: City, Zip Code:				
Name: Address: City, Zip Code:				
Name: Address: City, Zip Code:				

Use additional pages as needed.

“To the Greatest Extent Feasible”:

The Contractor has identified # ___ of **OPEN** positions with respect to this contract. The positions are filled by the _____ (Position title) of the Contractor.

Should the scope of work or duties of the contractor change to a degree requiring a modification of the work force needs, the contractor shall put forth a reasonable effort to fill vacant positions with eligible Section 3 workers.

Documentation of “To the Greatest Extent Feasible”:

The contractor will work with DCA, its recipients, sub-recipients, and contractors staff to notify residents of any opportunities afforded under the contract. The contractor will partner with DCA, its recipients, sub-recipients, and contractors by giving preference of any employment opportunities to the Section 3 persons or businesses.

The contractor shall recruit or attempt to recruit from the Section 3 service area the necessary number of low-income and very low-income residents and Section 3 businesses, as applicable. The contractor must also document their recruiting efforts and any impediments to compliance with DCA’s Section 3 policy and the requirements of this solicitation package. This documentation must be submitted to the recipient or sub-recipient.

1. DCA, its sub-recipients and contractors shall: Maintain a list of all low-income area residents who have applied, either on their own or from referral from any source and employ such person if otherwise eligible and if a trainee vacancy exists.
2. Conduct solicitation in accordance with DCA’s Section 3 policy and the requirements outlined in the solicitation package.

The contractor shall review all employment applications and determine if low-income and very low-income residents or Section 3 businesses meet minimum hiring or contracting qualifications. If these applicants meet such minimum qualifications but are not hired due to lack of employment opportunities or for other reasons, they will be placed on a priority list and offered positions/contracts upon the occurrence of the first available appropriate opening.

Utilization of Section 3 Businesses Located Within the service area or neighborhood of the project:

The recipient, sub-recipient or contractor does ___ does not ___ intend to subcontract any of the work identified in the scope of work cited in the bid specifications, scope of work or General Conditions. Should the scope of work or needs of the contractor change, the contractor shall, to the greatest extent feasible, shall ensure contracts for work awarded in connection with Section 3 projects are provided to business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or nonmetropolitan county) in which the project is located.

Record Keeping:

The recipient, sub-recipient, contractor or subcontractor, as applicable, shall maintain on file all records related to employment and job training of low-income and very low-income residents or other such records, advertisements, legal notices, brochures, flyers, publications, assurances of compliance from sub-contractors, etc., in connection with this contract. If a report is needed in the future, the recipient,

sub-recipient, contractor or subcontractor, as applicable, agrees to provide all records upon request. The contractor shall, upon request, provide such records or copies of records to HUD, DCA, their recipients, sub-recipients, contractors, staff, or agents. Records shall be maintained for at least three (3) years after the close of the contract.

Reports:

The recipient, sub-recipient or contractor shall provide reports as required in connection with the contractor specifications. All certified and regular payrolls shall clearly detail which employees qualify under Section 3. The U.S. Department of Housing and Urban Development (HUD) requires that recipients of federal funds capture record and report the total number of labor hours the total amount of Section 3 worker hours and the total amount of Section 3 Target worker hours.

Certification:

The recipient, sub-recipient or contractor will certify that any vacant employment positions, including training positions that filled:

- 1) After the recipient, sub-recipient or contractor is selected but before the contract is executed, and
- 2) With persons other than those to who the regulations of 24 CFR Part 75 require employment opportunities to be directed, were not filled to circumvent the subcontractor's obligations under 24 CFR Part 75.

Grievance and Compliance:

The recipient, sub-recipient, contractor or subcontractor hereby acknowledges that they understand that any low-income and very low-income resident of the project area, for him/her or as representatives of persons similarly situated, seeking employment or job training opportunities in the project area, or any eligible business concerns seeking contract opportunities may file a grievance if efforts to the greatest extent feasible were not executed. The grievance must be filed with HUD not later than one hundred eighty (180) calendar days from the date of the action (or omission) upon which the grievance is based.

I attest that the information on the preceding pages is true and correct.

Signature

Date

Print Name

Resident Section 3 Self Certification and Skills Data Form

The purpose of this form is to comply with HUD Section 3 administration and certification regulations.
Certification for Section 3 Workers or other Low-Income Persons Seeking Employment, Training or Contracting

I, _____, am a legal resident of the United States and meet the income eligibility and federal guidelines for a Section 3 Resident as defined within this Certification.

My home address is: _____
Must be a **Street** address not a P O Box # Apt Number

City State Zip Home # Cell #

 County of Residence

Graduated High School or GED (month/year): _____ I Read and Speak English Fluently: Yes or No

Attended College, Trade, or Technical School: Yes or No

Graduated? Yes or No Year Graduated: _____

Check the Skills, Trades, and/or Professions in which you have been employed or contracted to do for others:

<input type="checkbox"/> Drywall Hanging <input type="checkbox"/> Drywall Finishing <input type="checkbox"/> Interior Painting <input type="checkbox"/> HVAC <input type="checkbox"/> Electrical <input type="checkbox"/> Interior Plumbing <input type="checkbox"/> Exterior Plumbing <input type="checkbox"/> Cabinet hanging <input type="checkbox"/> Heavy Equipment Operator	<input type="checkbox"/> Stucco <input type="checkbox"/> Window/Door Replacement <input type="checkbox"/> Construction Cleaning <input type="checkbox"/> Exterior Framing <input type="checkbox"/> Landscaping <input type="checkbox"/> Fencing <input type="checkbox"/> Concrete/ Asphalt Work	<input type="checkbox"/> Siding <input type="checkbox"/> Door Replacement <input type="checkbox"/> Trim /Carpentry <input type="checkbox"/> Roofing <input type="checkbox"/> Welding <input type="checkbox"/> Metal/Steel Work <input type="checkbox"/> Other
---	---	---

I am certifying as a Section 3 worker: **Person seeking Training** **or** **Person seeking employment**

(Check all that apply):

A low or very-low income resident Employed by a Section 3 Business Concern YouthBuild Participant

I live in the service area or neighborhood -one-mile radius of project site or if fewer than 5,000 people a radius of project containing 5,000 people.

My total annual income is \$ _____

I certify that all of the information given on this Certification is true and correct. If found to be inaccurate, I understand that I may be disqualified as an applicant and/or a certified Section 3 individual which may be grounds for termination of training, employment, or contracts that resulted from this certification. I attest under penalty of perjury that my income annually is at or below the income amount at the time of this document is being signed and notarized. I understand that proof of this statement may be requested in the future.

 Signature _____
 Date

Printed Name: _____

Purpose:

The purpose of Section 3 of the Housing and Urban Development of 1968 (12 U.S.C. 1701u) (Section 3) is to ensure that employment and other economic and business opportunities generated by HUD Financial Assistance shall be directed to the Authority Residents and other low- and very low-income persons, particularly those who are recipients of government housing assistance and to business concerns which provide economic opportunities to low- and very low-income persons and YouthBuild participants.

A Section 3 worker as defined by §75.5 is any worker who currently fits or when hired within the past five years fit at least one of the following criteria:

- (1) The worker's income for the previous or annualized calendar year is below the income limit established by HUD.
- (2) The worker is employed by a Section 3 business concern.
- (3) The worker is a YouthBuild participant.

A person seeking the training and employment preference provided by section 3 bears the responsibility of providing evidence (if requested) that the person is eligible for the preference.

Low- and very low-income limits are defined in Section 3(b)(2) of the Housing Act of 1937 and are determined annually by HUD. These limits are typically established at 80 percent and 50 percent of the area median individual income. HUD income limits may be obtained from: <https://www.huduser.gov/portal/datasets/il.html>.

(§75.21) A Targeted Section 3 worker for housing and community development financial assistance means a Section 3 worker who is:

- (1) A worker employed by a Section 3 business concern or
- (2) A worker who currently fits or when hired fit at least one of the following categories as documented within the past five years:
 - (i) Living within the service area or the neighborhood of the project as defined in 75.5 or
 - (ii) A YouthBuild participant.

Service area or the neighborhood of the project means an area within one mile of the Section 3 project or if fewer than 5,000 people live within one mile of a Section 3 project within a circle centered on the Section 3 project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.

HUD income limits may be obtained from: <https://www.huduser.gov/portal/datasets/il.html>.

Please indicate the Household income \$ _____

Resident Section 3 Self-Certification and Skills Data Form Affidavit

STATE OF _____

County of _____

I, _____, a Notary Public of the City/County of _____,
State of _____, do hereby certify that, _____,
whose name is signed to the writing above bearing date on the ___ Day of _____, 20__.

has acknowledged the same before me in my State aforesaid.

Given under my hand and official seal, this the ___ day of _____, 20__.

Signature of Notary Public

Printed Name of Notary Public

Commission Expiration Date: _____

(Notarial Seal)

SECTION 3 BUSINESS CONCERN SELF CERTIFICATION

The Georgia Department of Community Affairs (DCA) is seeking to extend the benefits of and to promote compliance with Section 3 by identifying Section 3 Business Concerns and targeting Section 3 Business Concerns for business opportunities, events and educational programs.

In an effort to comply with Federal Section 3 Regulations which promote contract, employment and training opportunities for State of Georgia residents, DCA has instituted a Section 3 Self Certification process.

Businesses seeking certification must complete and submit the attached Section 3 Business Concern Self Certification forms as follow:

1. If your company is qualified because it is owned (51% or more) by one or more low or very-low- income residents, then complete **Form A, "Section 3 Business Concern – Resident Business Owner(s) Verification"**; **OR**
2. If your company is qualified because over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers, then complete **Form B, "Section 3 Business Concern – 75% + Workforce"**.
OR
3. If at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing, then complete **Form C, "Section 3 Business Concern-Housing Residents"**.

Please answer all questions, sign the completed forms, and notarize the affidavit. Completed packets must be returned to the sub-recipient or contractor as follows:

Name of sub-recipient/contractor: _____

Attn: _____

Mailing Address: _____

If you have any questions or require assistance, please contact:

Name: _____

Phone Number: _____

Email Address: _____

Form A
SECTION 3 BUSINESS CONCERN
Resident Business Owner(s) Verification

A business can be certified as a Section 3 Business Concern if the business is owned (51% or more) by low or very-low-income residents.

Name of Owner: _____

Home Street Address: _____

Home City, County, & Zip Code: _____

Name of Business: _____

Percentage of Ownership: _____%

Low- and very low-income limits are defined in Section 3(b)(2) of the Housing Act of 1937 and are determined annually by HUD. These limits are typically established at 80 percent and 50 percent of the area median individual income. HUD income limits may be obtained from: <https://www.huduser.gov/portal/datasets/il.html>.

Individual Income Limits

FY 20 Income Limit Area	Income Limits Category	FY 2021 Income Limits
	Extremely Low Income Limits	
	Very Low Income Limits (50%)	
	Low Income Limits (80%)	

If the business is owned by more than one low to very-low-income residents, list each owner below and each should submit a separate Resident Business Owner Verification Form (Form A).

Name	Position	% Percentage of Ownership

I certify I am a resident of Georgia and my total income last year was not more than the amount shown above. I further certify the information provided is true and accurate and agree to provide upon request, documents verifying the information submitted to qualify as a Section 3 Business Concern.

Print: _____ Signature: _____ Date: _____

Form B
SECTION 3 BUSINESS CONCERN
75% + Workforce

A business can be certified as a Section 3 Business Concern if over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers. For your firm to be eligible UNDER THIS CRITERIA, you must provide the following information for **all permanent, full-time employees**.

You may attach additional copies of this chart, if necessary.

List All Employees	Date Hired	Section 3 Worker	Job Title/Trade	Salary Range
Name: Address: City/Zip:				
Name: Address: City/Zip:				
Name: Address: City/Zip:				
Name: Address: City/Zip:				
Name: Address: City/Zip:				
Total Number of Employees:	Full-Time: _____	Part-Time: _____	Contract: _____	
Number of Section 3 workers:				
Section 3 % of Total Workforce:				

I certify that the information provided is true and accurate and agree to provide upon request, any/all documents verifying the information submitted to qualify as a Section 3 Business Concern.

Print: _____
Date: _____

Signature: _____

Form C
SECTION 3 BUSINESS CONCERN
Public Housing Residents

To qualify the business must be at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing

Business Information

Name of Business: _____

Address of Business: _____

Name of Business Owner: _____

Phone Number of Business Owner: _____

Email Address of Business Owner: _____

Preferred Contact Information: _____

Name of Preferred Contact: _____

Phone Number of Preferred Contact: _____

Type of Business (select from the following options):

Corporation Partnership Sole Proprietorship Joint Venture

Percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing: _____%

I certify that the information provided is true and accurate and agree to provide upon request, any/all documents verifying the information submitted to qualify as a Section 3 business concern.

Print Name: _____

Title: _____

Company Name: _____

Signature: _____

Date: _____

Georgia Department of Community Affairs (DCA)

E-VERIFY FORMS

Georgia Department of Community Affairs
Community HOME Investment Program
**GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT:
E-VERIFY AND SAVE PROGRAM OVERVIEW**

I. Federal Work Authorization Program Registration

As of July 1, 2007, the Georgia Security and Immigration Compliance Act (GSICA) requires counties and other public employers, along with contractors and subcontractors doing business with public agencies, to register and participate in a federal work authorization program to verify work eligibility of all new employees. [OCGA § 13-10-91 (a)]

Registration/Access. According to regulations of the Georgia Department of Labor, the applicable federal work authorization program is the “E-Verify Program” operated by the U.S. Citizenship and Immigration Services Bureau (USCIS) and the Department of Homeland Security (DHS). An employer’s participation in E-Verify is currently free to employers. Users can access the web-based program at <https://e-verify.uscis.gov/enroll/StartPage.aspx?JS=YES>. To participate, an employer must register online and accept the electronic Memorandum of Understanding (MOU). If you need assistance in completing the registration process or need additional information relating to E-Verify, call the USCIS Verification Office toll free at 1-888-464-4218. [Georgia Department of Labor Rules, §§ 300-10-1-.01 and .02]

Certification of Registration and Participation. Each county and other public employer must certify that it has registered and is participating in the E-Verify Program. For counties, certification is accomplished by transmitting a copy of all documents required for registration and participation including the required Memorandum of Understanding and the E-Verify Program ID number to the chairman/CEO/mayor of the county or consolidated government. [Georgia Department of Labor Rules, § 300-10-1-.04]

Monitoring New Employee Work Eligibility. Each county and other public employer must designate an individual to monitor compliance with the employee eligibility verification requirements of the new law and maintain necessary records. [Georgia Department of Labor Rules, § 300-10-1-.05]

II. Agreements Between Public Employers and Contractors/Subcontractors

The GSICA also phases in a requirement that bars counties and other public employers from entering into agreements with contractors/subcontractors for the “physical performance of services” unless the contractor/subcontractor registers and participates in a federal work authorization program to verify work eligibility. Under GSICA, a subcontractor is defined to include subcontractors, contract employees, staffing agencies, or contractors. [OCGA § 13-10-91 (b) (1) and (2) and Georgia Department of Labor Rules, § 300-10-1-.02]

Phase-In Schedule. The contracting requirements of the GSICA are to be implemented as follows:

- a) Beginning July 1, 2007, public employers, contractors and subcontractors with 500 or more employees.
- b) Beginning July 1, 2008, public employers, contractors and subcontractors with 100 or more employees.
- c) Beginning July 1, 2009, all public employers, contractors and subcontractors.

[OCGA § 13-10-91 (b) (3) and Georgia Department of Labor Rules, § 300-10-1-.02]

Evidence of Contractor/Subcontractor Compliance. Each agreement between a public employer and a contractor/subcontractor for the physical performance of services will have to include a provision that compliance with OCGA § 13-10-91 is a condition of the contract. In addition, each contract must include a requirement that the contractor/subcontractor execute an affidavit verifying compliance with OCGA § 13-10-91. The affidavit must be in a form consistent with the sample affidavits included in the Georgia Department of Labor Rules. *[Georgia Department of Labor Rules, §§ 300-10-1-.03 and .07]*

Public Transportation Contracts. The Georgia Department of Labor Rules applies generally to contracts between a public employer and a contractor/subcontractor. Exception: Rules and forms related to agreements relating to “public transportation” are to be promulgated by GDOT. *[OCGA § 13-10-91 (d)]*

III. Access to Federal, State and Local Benefits

Counties and other public agencies must verify that a person who applies for federal, state or local benefits (as defined in 8 U.S.C. Sections 1611 and 1621) is lawfully within the United States by requiring the applicant to sign an affidavit specifying that he or she is a citizen, legal permanent resident, or a qualified alien or nonimmigrant. *[OCGA § 50-36-1]*

Verification. For aliens seeking benefits that claim to be lawfully present in the U.S., eligibility for benefits must be determined through the Systematic Alien Verification of Entitlement (SAVE) program operated by the U.S. Citizenship and Immigration Services (USCIS) and Department of Homeland Security (DHS). To join the SAVE Program and acquire access to the VIS-CPS (Verification Information System (VIS), Customer Processing System (CPS) to perform immigration status verification, an agency must first establish a Memorandum of Understanding (MOU) with the SAVE Program, and then establish a purchase order with the SAVE Program contractor to pay for VIS-CPS transaction fees. Access to SAVE is subject to USCIS resource limitations or other legal or policy criteria. To request participation in SAVE and to begin the MOU process, please access the following website to register: <https://www.vis-dhs.com/agencyregistration>. For more information on the SAVE Program, please call 1-888-464-4218.

Public Benefits Defined. Generally, public benefits are defined to include any grant, contract, loan, professional license, or commercial license provided by federal, state or local government; and, any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment assistance or similar benefit. *[8 U.S.C. Sections 1611 and 1621]*

Benefits Excluded. Generally, the verification requirements do not apply when the following public benefits are applied for:

- 1) Treatment of emergency medical conditions;
- 2) Short term, non-cash emergency disaster relief;
- 3) Immunizations;
- 4) Certain in kind programs or services (such as soup kitchens and crisis counseling) delivered by public and nonprofit agencies that are necessary for the protection of life or safety when approved by the U.S. Attorney General;
- 5) Prenatal care;
- 6) Postsecondary education under specified circumstances;
- 7) Certain community development assistance or financial assistance programs administered by HUD; and
- 8) Other Federal programs including certain social security and Medicare benefits under specified conditions. *[OCGA § 50-36-1 © and U.S.C. Sections 1611 and 1621]*

Note that it is unlawful for a county or other public agency to provide any federal, state or local benefit in violation of *OCGA* § 50-36-1. An annual report is to be prepared regarding the requirements of the new law.

Regarding the details of the verification requirements, benefits covered and exclusions please see the Federal statutes cited above.

Georgia Department of Community Affairs
Community HOME Investment Program
GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT OF 2006

The _____ complies with the requirement of O.C.G.A. 13-10-19 and requires that all contractors and subcontractors comply with Rule 300-10-1-.02 as a condition of awarding contracts.

1. The contractor certifies that the following employee-number category is applicable to the contractor: (initial one only)
 _____ 500 or more employees
 _____ 100 or more employees
 _____ Fewer than 100 employees

2. The contractor agrees that in the event the contractor employs or contracts with any subcontractor(s) in connection with the covered contract, the contractor will secure from the subcontractor(s) such subcontractor(s) indication of the employee-number category applicable to the subcontractor.

3. In the event the contractor employs or contracts with any subcontractor(s) in connection with the covered contract, the contractor will secure from such subcontractor(s) attestation of the subcontractor(s) compliance with O.C.G.A. 13-10-91 and Rule 300-10-1-.02 by the subcontractor's execution of the subcontractor affidavit shown in Rule 300-10-1-.08 or a substantially similar subcontractor affidavit and will maintain records of such attestation for inspection by the public employer at a time. Such subcontractor affidavit shall become part of the contractor/subcontractor agreement.

By: Authorized Officer or Agent (Signature of Contractor Name)

Title of Authorized Officer or Agent

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

_____ DAY OF _____ 20_____

Notary Public
My Commission Expires

Georgia Department of Community Affairs
Community HOME Investment Program
CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with the _____, under the Community HOME Investment Program (CHIP), has registered with and is participating in a federal work authorization program⁸ [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this CHIP-funded contract with _____ contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to the _____ at time the subcontractor(s) is retained to perform such service.

EEV / Basic Pilot Program* Contractor's E-Verify Identification Number

BY: Authorized Officer or Agent
(Contractor Name)

Date

Title of Authorized Officer or Agent of Contractor

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

DAY OF _____, 20____

Notary Public

My Commission Expires: _____

*As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization is the "EEV/Basic Pilot Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

Georgia Department of Community Affairs
Community HOME Investment Program
SUBCONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with

(Name of Contractor)

on behalf of _____, under the Community HOME Investment Program (CHIP), has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

EEV / Basic Pilot Program* Subcontractor E-Verify Identification Number

BY: Authorized Officer or Agent
(Subcontractor Name)

Date

Title of Authorized Officer or Agent of Subcontractor

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

DAY OF _____, 20____

Notary Public

My Commission Expires: _____

*As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization is the "EEV/Basic Pilot Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

Private Employer Exemption Affidavit Pursuant To O.C.G.A. § 36-60-6(d)

By executing this affidavit, the undersigned private employer verifies that it is exempt from compliance with O.C.G.A. § 36-60-6, stating affirmatively that the individual, firm, or corporation employs ten (10) or fewer employees and is not required to register with and/or utilize the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, ____, 20__ in _____ (city), _____ (state).

Printed Name of Exempt Private Employer

Signature of Exempt Private Employer or
Authorized Officer or Agent

Printed Name and Title of Person Executing Affidavit

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 20__

NOTARY PUBLIC

My Commission Expires:

*This affidavit is for submissions made on or after to July 1, 2022