



525 South Lawrence Street
Montgomery, Alabama 36104

REQUEST FOR QUALIFICATIONS (RFQ) 2022-04

**CO-DEVELOPER PARTNER FOR THE REDEVELOPMENT OF PATERSON CT.
AT VARIOUS OFF-SITE LOCATIONS**

DATE ISSUED: Tuesday, October 25, 2022

TYPE OF PROJECT: The Montgomery Housing Authority (“MHA”) is seeking proposals for Co-development Partner services for the Redevelopment of Paterson Ct. at Various Off-Site Locations.

CONTACT PERSON: Sheila Brown, Procurement/Contract Administrator
sbrown@mhatoday.org

LAST DAY FOR QUESTIONS: Thursday, November 17, 2022, at 3:00 p.m. (CST)

SUBMISSION DEADLINE: Wednesday, November 30, 2022, at 3:00 p.m. (CST)

SUBMISSION ADDRESS: Montgomery Housing Authority
Attn: Sheila Brown, Procurement/Contract Administrator
525 South Lawrence Street
Montgomery, Alabama 36104

Separate sealed proposals will be accepted at the MHA’s, Procurement/Contract Office, 525 South Lawrence Street, Montgomery, Alabama 36104, until the date and time noted above. Proposals will be held in confidence and not released in any manner until after contract award. Proposals are not publicly opened.

The responsibility for submitting a response to this RFQ at the MHA on or before the stated time and date will be solely and strictly the responsibility of the respondent. The offeror shall wholly absorb all costs incurred in the preparation and presentation of the proposal.

Copies of this RFQ are available by visiting MHA’s website at www.mhatoday.org/procurement, visiting the Housing Agency Marketplace at <https://ha.internationaleprocurement.com> , or can be requested in writing by emailing Sheila Brown at sbrown@mhatoday.org.

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PART I – GENERAL INFORMATION

1.1 Introduction

The Montgomery Housing Authority (“MHA”) is actively engaged in the redevelopment of its overall public housing portfolio. Over the past 10 years, MHA has invested millions of its own dollars in mixed-finance development of public housing at the Plaza at Centennial Hill, formerly Tulane Court, and Columbus Square, formerly Trenholm Court, representing 418 new affordable housing units in the City of Montgomery.

In this Request for Qualifications (RFQ), The Montgomery Housing Authority (MHA), requests proposals from qualified Co-developers to provide co-development services to MHA for the redevelopment of Paterson Ct. family public housing site at various off-site locations. Said services may also include acquisition and/or acquisition and rehabilitation of existing properties within the City of Montgomery, AL.

MHA and the City of Montgomery were lead and co-grantees respectively, of a 2020 Choice Neighborhood Initiative Planning Grant award for Paterson Ct and the Centennial Hill neighborhood. In September 2022, MHA completed its draft Transformation Plan and submitted it to the U.S. Department of Housing & Urban Development (HUD) for review and approval. Co-developer partners should familiarize themselves with the Housing Section of said Transformation Plan which serves as the basis for this RFQ. Respondents may request a copy of the draft Transformation Plan from MHA by emailing sbrown@mhatoday.org.

The Centennial Hill Choice Neighborhoods Transformation Plan is a partnership between the Montgomery Housing Authority, the City of Montgomery, and public and nonprofit entities whose goal it is to transform one of Montgomery’s most historic, yet distressed, neighborhoods. The Transformation Plan describes a course of action for resident self-sufficiency, neighborhood reinvestment, housing and economic development and historic preservation, all of which can be accomplished with or without HUD CNI Implementation grant funding.

1.2 Method of Solicitation

MHA is soliciting competitive proposals from qualified co-developers with a documented track record of providing the required services. Proposals should demonstrate detailed plans on how the Respondent intends to provide the required services in a manner that will result in the successful and timely completion of the service(s). In addition, the proposal should demonstrate the Respondent’s capabilities and readiness to perform the Scope of Services immediately upon the execution of a Master Co-developer Agreement or Development Rights Agreement. Finally, the proposal should include evidence of the Respondent’s previous experience and qualifications relative to the provisions of such services.

1.3 Obtain Copies of this Solicitation

Single copies of the RFQ package may be obtained, at no cost by:

1. Visiting the MHA's website at: www.mhatoday.org
2. Requesting via email to sbrown@mhatoday.org
3. Housing Agency Marketplace at <https://ha.internationalprocurement.com>
4. A single copy may also be picked up in person at:
Montgomery Housing Authority
Procurement/Contract Office
525 South Lawrence Street
Montgomery, Alabama 36104

Persons may submit their request via email to: sbrown@mhatoday.org.

PART II – INSTRUCTIONS FOR SUBMITTING PROPOSALS

2.1 Submission of Proposals

Respondents should submit **one (1) original, two (2) hard copies and one (1) electronic device copy** of their proposal. The original submission shall be dated and signed by an authorized official of the company. Proposals must be submitted in a *sealed envelope* that shows the firm's name and address, and **clearly** written on the outside of the sealed envelope must be the words **“Co-Development Partner for the Redevelopment of Paterson Ct. at Various Off-Site Locations – (RFQ 2022-04) – November 30, 2022, at 13:00 p.m. (CST)”**. The electronic device (flash drive) must be labeled with the RFQ number 'RFQ 2022-04 and the co-developer's name and must be enclosed in the sealed envelope with the hard copies.

Proposals are not publicly opened.

The electronic proposal must contain the same information as required with the original submissions and must be compiled as a single document.

Proposals received after the deadline date and time **may be** determined unacceptable. Refer to form **HUD 5369-B, Section 6**, regarding late submissions and withdrawals.

All proposals must be submitted in accordance with the conditions and instructions provided herein and must remain open for acceptance for one hundred and eighty (180) days from the due date.

2.2 Interpretation/Questions

During the period between issuance of this RFQ and the proposal due date, no oral interpretation of the RFQ's requirements will be given to any prospective respondent. Requests for interpretation must be made, in writing, at least ten (10) days before the submission due date and time to: Email: sbrown@mhatoday.org.

2.3 Addendum and Update Procedures for the RFQ

During the period of advertisement for this RFQ, MHA may wish to amend, add to, or delete from, the contents of this RFQ. In such situations, MHA will issue an addendum to the RFQ setting forth

the nature of the modification(s). MHA will email any addenda to Respondents of this RFQ. Interested parties may also view addenda on MHA's website www.mhatoday.org. MHA will also post any issued addendums to the Housing Agency Marketplace at <https://ha.internationalprocurement.com>. It shall be the responsibility of each Respondent to ensure they have any/all additional addenda relative to this RFQ.

2.4 Proposal Format

All proposals shall be submitted in 8 ½ x 11-inch format, preferably in three (3) ring binders. Larger size pages or inserts may be used, provided they fold into 8 ½ x 11 inches. All copies of the submittal must be identical in content and organization. The format of the respondent's proposal should be structured the same as the format of the RFQ. Proposals should be organized into sections and tabbed for ease of review. Respondents must provide a comprehensive Table of Contents at the front of the proposal. The proposal also must be organized in response to the Submission Requirements. The front cover of the proposal should bear the name and number of the RFQ, the date, and the Respondent's name, address, phone number and email address. The electronic submission should be organized in the same manner as the hard copy.

2.5 Submittal Forms

Provided, as a part of the proposal, all required certifications and HUD forms, licenses and proof of insurance. All forms that require a signature or initials must bear an original initial or signature.

2.6 Acceptance of Proposals

Proposals must be signed, sealed, and received in completed form at MHA, no later than the proposal closing date and time. Proposals submitted after the designated closing date and time may or may not be accepted and could potentially be returned unopened to the originator.

MHA reserves the right to accept or reject any or all proposals, to take exception to these RFQ specifications or to waive any formalities. Respondents may be excluded from further considerations for failure to comply with the specifications of this RFQ.

MHA reserves the right to reject the proposal of Respondents, who have previously failed to perform properly or to complete on time, a contract of a similar nature. MHA also reserves the right to reject proposals of Respondents who habitually, without just cause, neglect the payment of bills, or disregard their obligations to subcontractors, providers of materials, or employees.

2.7 Time for Reviewing Proposals

Proposals received prior to the closing date and time will be securely kept unopened until the closing date and time. Proposals received after the closing date and time may or may not be considered. MHA's Evaluation Committee, appointed by the Acting President/CEO, will evaluate all proposals properly received.

The Evaluation Committee will analyze proposals within the 180 days of the date and time due and make a recommendation for award of contract or not to award, to the MHA Acting President/CEO.

2.8 Withdrawal of Proposals

Proposals may be withdrawn by written notice received any time before the contract award. Proposals may be withdrawn in person by Respondent or its authorized representative if the identity of such representative is established and a signed receipt of the withdrawn proposal is received by MHA prior to the contract award.

2.9 Awarding of Contract

MHA reserves the right to make an award based solely on the proposals or to negotiate further with Respondents. The Respondent selected for the award will be chosen based on an assessment of the greatest benefit to the MHA.

Contract shall be awarded to the Respondent submitting a proposal according to the evaluation criteria contained herein, provided the proposal is in the best interest of MHA. The Respondent to whom the award is made will be notified at the earliest practical date.

The contract term being offered is up to five (5) years.

2.10 HUD Debarment and Suspension List

The Respondents and all subcontractors' names or businesses must not appear on the HUD's Debarment and Suspension list.

2.11 Certification of Legal Entity

Prior to execution of the contract agreement, the Respondent shall certify that joint ventures, partnerships, team agreements, new corporations, or other entities that either exist or will be formally structured are, or will be, legal and binding under the Alabama State Law and the City of Montgomery, Alabama.

2.12 Cost Borne by Respondent

All costs related to the preparation of this RFQ, and any related activities are the responsibility of the Respondent. MHA assumes no liability for any costs incurred by the Respondent throughout the entire selection process.

2.13 Best Available Data

All information contained in this RFQ is the best data available to MHA at the time the RFQ was prepared. The information given in the RFQ is not intended as a representation having binding legal effect. This information is furnished for the convenience of Respondents and MHA assumes no liability for any errors or omissions.

2.14 Contact with MHA Staff, Board Members and Residents

Beyond the above referenced written communications, Respondents and their representatives may not make any other form of contact with MHA staff, Board members, or residents. Any improper contact by or on behalf of Respondents may be grounds for disqualification.

2.15 Licenses and Insurance

The awarded co-developer shall have and maintain all required licenses necessary to conduct business in the City of Montgomery and the State of Alabama. All licenses must be kept up to date for the duration of any ensuing contract. Copies of all licenses must be in the Procurement/Contract office prior to contract execution.

Prior to contract award and for the duration of the contract, the successful Respondent will be required to provide proof of insurance (as outlined) and the MHA shall be named as an additional insured.

Professional Liability (and/or Errors & Omissions) Coverage	\$1,000,000 for each occurrence
General Liability Coverage	\$1,000,000 for each occurrence
Comprehensive Automobile Liability Coverage	\$1,000,000 for each occurrence
Worker's Compensation with Statutory Limits of the State of AL	

2.16 Respondent Responsibilities

Each Respondent is presumed by MHA to have thoroughly studied this RFQ and become familiar with the contents, locations, and nature of requests. Any failure to understand completely any aspect of this RFQ is the responsibility of the Respondent.

2.17 No Claim Against MHA

The Respondent shall not obtain, by submitting a proposal in response to this RFQ, any claim against MHA or MHA's property for reason of all or any part of any of the following: the selection process; the rejection of any or all offers; the acceptance of any offer; entering into any agreements or the failure to enter any agreements; any statement, representations, acts or omissions of MHA or any person or entity acting on its behalf; the exercise of any discretion set forth in or concerning any of the foregoing; and any other matters arising out of the foregoing.

PART III – SUBMISSION REQUIREMENTS

3.1 Tabbed Proposal Submittal

All proposals submitted in response to this RFQ must be formatted in accordance with the sequence noted within the table below. Each category must be separated by numbered index dividers, which number extends so that each tab can be located without opening the proposal and labeled with the corresponding tab reference also noted below. None of the proposed services may conflict with any requirement the Agency has published herein or has issued by addendum.

RFQ Section	Tab No.	Description
3.1.1	1	Form of Proposal. This 2-page Form must be fully completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal.
3.1.2	2	<i>Form HUD-5369-C Certifications and Representations of Offers Non-Construction, Form HUD SF-LLL Disclosure of Lobbying Activities,</i>

		<p><i>Form HUD 50071 Certification of Payments to Influence Federal Transactions, Form HUD 50070 Certification for a Drug-Free Workplace, Form HUD 2530 Previous Participation Certification, Certificate as to Corporate Principal Form, and Non-Collusive Form.</i></p> <p>These forms must be fully completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal, where applicable.</p>
3.1.3	3	<p>Profile of Firm Form. This 2-page Form must be fully completed, executed, and submitted under this tab as a part of the proposal submittal.</p>
3.1.4	4	<p>Respondent's Approach and Response to Scope of Service. The Respondent shall place under this tab a detailed narrative that demonstrates the approach or how the Respondent will engage with MHA staff.</p> <p>Outline its anticipated approach/engagement for each element of work identified in the Scope of Services. The outlined approach/engagement should be consistent with the objectives and requirements set forth in the RFQ and should address how services will be immediately provided upon execution of a contract.</p> <p>Provide a narrative and bar graph type schedule indicating, in weeks, how the work will proceed under the contract, if applicable.</p> <p>Include proposed processes for ensuring effective coordination, as well as procedures for reporting and disseminating information.</p>
3.1.5	5	<p>Relevant Experience and Past Performance. The Respondent shall identify under this tab similar or related work performed that has been completed to date or is currently active. Include projects completed or currently underway by the responding entity and/or each major participant in the proposal.</p> <p>For each project identified provide:</p> <ol style="list-style-type: none"> i. Project name and address ii. Contact person, title, telephone number, email and address iii. Detailed description of scope of work iv. The client for whom the Respondent's services were performed v. The size of the project vi. The services performed by the Respondent on the project vii. The dollar value of the contract for the services viii. The duration of the project including start and completion dates, or projected completion date if still active

		<p>ix. A reference contact for the project with name, address, email and telephone number</p> <p>Identify experience in performing work as detailed in the Scope of Work by the Respondent and/or its participants.</p> <p>Demonstrate ability to produce reports that are well regarded in the industry in terms of content, timeliness, and responsiveness.</p> <p>Demonstrate, through written explanation, the Respondent's familiarity with Federal, State, and local laws, regulations and codes that the Respondent believes may be pertinent or applicable to this project.</p> <p>If the Respondent is a joint venture, or another entity formed solely for responding to this RFQ, provide evidence of prior successful collaborations.</p>
3.1.6	6	<p>Staffing and Qualifications. The Respondent's will provide information in this tab regarding staff experience and qualifications that demonstrates the Respondent's capacity to perform the required services. Include an organizational chart that illustrates the Respondent's overall staffing approach for completing the required work. Included in the chart all key personnel, specialists, and consultants who will be assigned work under a contract potentially resulting from this RFQ.</p> <p>Provide resumes of all key personnel, specialists, and consultants who will perform the work required by a contract potentially resulting from this RFQ.</p> <p>Identify their specific role in the provision of services required. Resumes should include the relevant experience of the individual as it relates to their proposed role in the project, in addition to the education, career, and achievement data typically included in a resume. Include evidence of required license and certifications, as applicable, held by the Respondent, its principals, and/or key staff.</p> <p>Identify all individuals who will be devoted to the project on a full-time basis or part time basis (up to 50% of time allocated to project), including those who will be full-time only for specific components of the project, as well as those filling a continuing position throughout the project. Provide detailed resumes for each, highlighting the particular experience that qualifies them for the position they will fill.</p>

3.1.7	7	References. The Respondent shall submit under this tab a listing of former or current clients, including any other Public Housing Authority, for whom the Respondent has performed similar or like services to those being proposed herein over the past five years. Please include the following information:
3.1.7.1		The client's name;
3.1.7.2		The client's title;
3.1.7.3		The client's contact name;
3.1.7.4		The client's telephone number and email address;
3.1.7.5		A brief description and scope of the service(s) and the dates the services were provided.
3.1.8	8	Equal Employment Opportunity/Supplier Diversity. The Respondent must submit under this tab a copy of its Equal Opportunity Employment Policy and a complete description of the positive steps it will take to ensure compliance pertaining to supplier diversity (e.g. small, minority-, and women-owned businesses).
3.1.9	9	Subcontractor/Joint Venture Information. The Respondent shall identify under this tab hereunder whether or not he/she intends to use any subcontractors for this job, if awarded, and/or if the proposal is a joint venture with another firm. Please remember that all information required from the Respondent under the preceding tabs must also be included for any major subcontractors (10% or more) or from any joint venture. Respondent will submit under Tab 3 a Profile of Firm form for each subcontractor that he/she intends on utilizing.
3.1.10	10	Section 3 Plan, Clause Compliance Commitment Form and Participation Election Form Documentation. All Respondents must read the attached Section 3 Plan (Exhibit A). All Respondents must read, sign, and submit the Section 3 Clause Compliance Commitment Form and Section 3 Participation Election Form. Any Respondent who is a Certified Section 3 Business must include the certification, along with the Section 3 Business Concern Certification Form. These forms shall be included under this tab and be fully completed and executed. These forms are attached hereto as Exhibit A. Respondent will place its Section 3 Action Plan and Socioeconomic Participation Plan under this tab.
3.1.11	11	Other Information. The Respondent may include hereunder any other general information that the Respondent believes is appropriate to assist the Agency in its evaluation. The Respondent will place the Company Information Form under this tab.
3.1.12		No Information Placed under a Tab. If no information is to be placed under any of the above noted tabs, please place there under a statement such as "NO INFORMATION IS BEING PLACED UNDER THIS TAB" or "THIS TAB LEFT INTENTIONALLY BLANK." <u>DO NOT</u> eliminate any of the tabs.
3.1.13		Proposal Submittal Binding Method. It is preferable and recommended that the Respondent bind the proposal submittals in such a manner that the Agency can, if needed, remove the binding (i.e. "comb-type;" etc.) or remove the pages from the

	cover (i.e. 3-ring binder; etc.) to make copies, and then conveniently return the proposal submittal to its original condition.
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3.2 Proposal Cost

Cost, specifically proposed business terms regarding developer fee splits, pre-development cost, sharing, ground lease payments, etc. **shall not** be submitted under this RFQ and will be requested only from the highest ranked respondent following the evaluation of qualifications.

3.3 Required Certifications/Forms

Each proposal shall contain a copy of the following HUD forms, where applicable, which are attached herein.

	Section 3 Clause Compliance Commitment Form (included in Exhibit A)
	Section 3 Participation Election Form (included in Exhibit A)
	Form of Proposal
	Profile of Firm Form
	Certificate as to Corporate Principal Form
	Non-Collusive Form
Form HUD-5369-B	Instructions to Offerors – Non-Construction
Form HUD 5369-C	Certifications and Representations of Offerors – Non-Construction Contract
Form HUD SF-LLL	Disclosure of Lobbying Activities
Form HUD 50071	Certification of Payments to Influence Federal Transactions
Form HUD 50070	Certification for a Drug-Free Workplace
Form HUD 2530	Previous Participation Certification

PART IV - SCOPE OF SERVICES

The Montgomery Housing Authority (MHA) hereby requests proposals from qualified Co-developers to provide co-development services to the MHA.

Summary of Revitalization Project and Objectives:

The Agency anticipates that the respondent chosen will be experienced development firms that will direct the revitalization of the public housing sites identified below located in Montgomery, Alabama. The successful respondent will be the Co-developer Partner. The Co-developer will direct all development activities under the oversight of MHA including the development of a master plan in accordance with the Housing Plan in MHA's Draft Transformation Plan for Paterson Court.

Paterson Court is identified as the priority for redevelopment under this RFQ and is comprised of 200 public housing units located at 609 Winnie Street, Montgomery, AL 36104.

Paterson Court is considered functionally obsolete due to its age; however, the property is ideally located adjacent to Alabama State University (ASU). Paterson Court is also located within a FEMA designated high risk flood plain and has been deemed to not be an ideal location for the redevelopment of residential affordable housing MHA intends to dispose of the property at some point in the future.

Portions of the Centennial Hill neighborhood will be designated as a historic district by the State of Alabama sometime before December 31, 2022. The State Historical Commission has not yet publicized the boundary, but we do know that Paterson Court itself will not be within the boundary. However, the off-site properties owned by MHA could be within the historic district.

Other MHA owned sites are to be considered for redevelopment services under this RFQ and may include any public housing property in the MHA inventory including but not limited to the former Trenholm Court now known as Columbus Square, the former Tulane Court now known as The Plaza at Centennial Hill, or any off-site location acquired for acquisition and rehabilitation and/or new construction.

MHA seeks master-planned, mixed-use, mixed-income, and mixed-finance communities throughout the City of Montgomery at potential multiple locations as the end result of the development process. The selected Co-developer Partner and MHA will co-develop jointly new, revitalized communities on mutually selected sites that will contain an economically sustainable mix of subsidized rental units.

Extensive new infrastructure may also be created to develop a neighborhood street pattern for the new communities.

The Revitalization of Paterson Ct.

4.1 MHA Background

The MHA is organized pursuant to the Code of Alabama to develop, acquire, lease and operate affordable housing for low-income families. The U. S. Department of Housing and Urban Development (HUD) was the primary funding agency for all new construction, modernization and rehabilitation of MHA's public housing units.

MHA has participated significantly in HUD's public housing and Section 8 Programs.

4.2 MHA-Owned Inventory

MHA's housing portfolio currently consist of 3189 Housing Choice Vouchers 1187 Public Housing Units.

With an eye toward expanding its role in affordable housing in Montgomery beyond conventional public housing, MHA desires to be a leader in the contemporary transformation of public housing. MHA will use the Redevelopment of Paterson Ct. at off-site locations as yet another vehicle to provide high quality housing for low-income families within a socially diverse setting.

4.3 Paterson Ct. Background

Paterson Ct. is located at 609 Winnie Street, Montgomery, Alabama 36104. The site is conveniently located with easy access to Interstates 65 and 85 near the downtown area and adjacent to Alabama State University.

The Paterson Ct. property offers 200 affordable rental units comprised of studios, and one-, two-, three- and four-bedroom units.

4.4 MHA's Goals for Revitalization

MHA's vision for the new redeveloped communities is to create a vibrant, attractive, mixed-use, mixed-income community, where people of all economic strata, races, and cultures will live, learn, work, play, and raise their families in close proximity to abundant employment, retail, and cultural opportunities.

4.5 Mixed-Use Development

MHA anticipates that the revitalization plan may include the development of appropriate mixed-use development and encourages Respondents to include such in their approach to the redevelopment. MHA will be active in the development process and will expect to participate financially in the development.

4.6 Role and Expectations of MHA

MHA will be a Co-developer partner in the redevelopment of various Public Housing developments, and as such, will have ultimate responsibility for the expenditure of its funds and oversight responsibility to assure the project is completed in accordance with all applicable laws, rules, and regulations and in accordance with the plans, schedules and budgets which will ultimately be approved by HUD.

In general, the MHA will take responsibility for all required communications with HUD and the preparation and submission of program documents. However, to the extent that those documents reflect matters within the particular knowledge of the selected Co-developer Partner, or set forth development plans and the like, MHA will expect the selected Co-developer Partner to prepare drafts for MHA's approval.

4.7 General Requirements

MHA is seeking a Co-developer Partner and expects the selected Co-developer Partner, either directly, through an affiliate, or through contractual arrangements with other parties, (All members and partners are to be disclosed within the Co-developer Partner's Proposal.) to undertake the revitalization of the Paterson Court public housing development with MHA.

The General Requirements enumerated in this section are intended to be the threshold requirements. A Respondent, by submitting its proposal, is indicating its commitment to comply with these general provisions.

The selected Co-developer Partner will be responsible for implementation of the following, either directly or by designing and implementing procedures to engage others in the work:

- Master planning the overall redevelopment of the site(s) at off-site location(s).
- Securing financing primarily through Low-Income Housing Tax Credits as well as other funding sources available to the project.
- Design and construction of a public infrastructure and site improvements.
- Design, development and construction of all rental housing and related amenities on-site for all phases as assigned by task orders.
- Providing all required guarantees to the investors.
- Design or provision of Community and Supportive Services for residents.

4.8 Socioeconomic Participation

It is anticipated that many opportunities will be available for the involvement of disadvantaged-, minority-, women-, small- (D/M/W/SBE) and Section 3-owned businesses. MHA has an enduring commitment to such involvement and believes that Montgomery hosts strongly qualified entities in all those categories.

The selected Co-developer Partner is expected to ensure significant participation by D/M/W/SBE and Section 3 firms throughout the planning and implementation stages of the revitalization.

Additionally, the selected Co-developer Partner is expected to use both imagination and diligence in providing genuine training and employment opportunities to Section 3 individuals, particularly former MHA residents of the sites. The selected Co-developer Partner is expected to utilize and act upon those partnerships that the MHA will establish in its Revitalization Plan, and to supplement with additional partnerships and resources the selected Co-developer Partner may be able to provide.

MHA's Section 3 Plan is attached hereto as Exhibit A.

4.9 Economic Deconcentration and Mixed-Income Use

MHA is committed to creating a genuine mixed-income community at newly developed communities at on-site and/or off-site locations. MHA recognizes that program design issues may affect success in attracting middle-income families to the new communities. At the same time, MHA is extremely sensitive to the need to preserve affordable housing units for very low-income families. The proposed mix of subsidized and affordable units is intended to balance those concerns and create viable communities.

The MHA will be open to any development plan that can assure the development of an economically and socially viable mix of these various income level units. It is MHA's intention that each phase of the development contains a mix of the various income types and that there be no segregation of public housing or low-income units into a particular phase of physical area of the site.

4.10 Strategic Relationships in the New Communities

For its Transformation Plan, MHA has assembled a key group of stakeholders committed to supporting the revitalization efforts, including the City of Montgomery, Alabama State University, the Retirement System of Alabama, Jackson Hospital, City of Montgomery Schools, and other

neighborhood and community stakeholders. MHA intends that the selected Co-developer Partner will continue these efforts with these key stakeholders in the redevelopment effort as directed by MHA and expand the involvement of the community with the neighborhood vision.

4.11 Development Team

Respondents are encouraged to present to MHA a complete Development Team including the principal professional disciplines and trades required for the success of the redevelopment of Paterson Court at off-site locations. MHA requires identification of the intended architect, engineering firm, general contractor and property management LIHTC sub-compliance firm. Other team members are discretionary.

Please note:

- HUD rules prohibit non-competitive designation of a Co-developer-controlled entity as general contractor. However, HUD may approve the use of an identity-of-interest general contractor if the hard cost of construction is lower than an independent third party estimate as secured by MHA.
- Co-developers with local experience and a proven track record in revitalizing neighborhoods in the City of Montgomery are encouraged to respond to this RFQ.
- Co-developers with experience in Choice Neighborhood redevelopment activities are encouraged to respond to this RFQ although said experience is not a requirement.
- MHA recognizes that some Respondents may prefer to designate certain team members, such as general contractors, after a competitive selection or bidding process. Respondents may, if they choose, explain their decision to defer selection of team members.
- MHA does not prohibit or discourage the appearance of any person or entity on more than one Development Team.
- A Respondent may include a preferred LIHTC syndicator on its team, but should be aware that MHA will require a demonstration at the time an equity proposal is accepted that the selected proposal is market competitive in equity raise and other terms.

4.12 Program Schedule

MHA's goal is to have the revitalization activities proceed as expeditiously as possible. The selected Co-developer Partner will be required to comply with certain scheduled milestones. In addition, it will be MHA's goal that the Co-developer submit a Low-Income Housing Tax Credit application in the 2023 competitive round provided by the Alabama Housing Finance Authority (AHFA). Respondents that demonstrate the required ability to complete all Phases of the New Communities on the earliest possible, realistic schedule will be favorably received by MHA.

4.13 Reporting Controls

The selected Co-developer Partner is required to report directly to MHA and through such mediums and formats as MHA may direct, no less frequently than monthly or as directed by MHA, on progress with respect to the redevelopment and related active program, including work completed, associated costs, schedule, and budgetary requirements. This procedure shall be followed throughout the predevelopment, development, and operations phases of the revitalization.

4.14 Budgetary Controls

The selected Co-developer Partner will be required to provide detailed development and operating budgets acceptable to MHA as a part of the process of negotiating a revitalization agreement. Such budgets will be incorporated into the Master Co-developer Agreement or Development Rights Agreement and will be expanded and continually updated throughout the development process.

4.15 Form of Early Start Agreement and Master Co-developer Agreement

The selected Co-developer Partner will enter negotiations for and be required to execute a Master Co-developer Agreement or Development Rights Agreement between the selected Co-developer Partner and MHA that will reflect the obligations of the parties and their relationship to the revitalization. MHA may at its sole option determine to enter into a Master Co-developer Agreement or Development Rights Agreement with any successful Respondent who is deemed to be in the best interest of MHA. Any Master Co-developer Agreement or Development Rights Agreement entered will provide for termination of the agreement if an initial closing is not achieved within 36 months from execution of the agreement, unless mutually extended by the parties.

To ensure that negotiation of the Master Co-developer Agreement or Development Rights Agreement does not prevent the selected Co-developer Partner from beginning tasks which are essential to the timely filing of an application for Low Income Housing Tax Credits, MHA may consider entering into an Early Start Agreement or Term Sheet reimbursing the selected Co-developer Partner for certain third-party costs.

Property Description

4.16 Existing Site Conditions

The Paterson Ct. development was constructed in two phases. Phase one built in 1937 consisted of 156 units and phase two built in 1946 consisted of 44 units totaling 200 units. There are 24 buildings on approximately 10.5 acres, with a combination of studio, one-, two-, three- and four-bedroom units. The property is occupied.

4.17 Environmental Study/Site Survey/Existing Conditions

MHA has completed the HUD required Environmental Review under Part 58 for Paterson Ct. which has identified multiple issues and is part of the decision to not redevelop affordable housing on the site. A copy of the Paterson Ct. Environmental Review is available upon request.

MHA has further completed the HUD required Environmental Reviews under Part 58 for the former Tulane Court and Trenholm Court properties under prior development activities at those locations. Copies of said Environmental Reviews are available upon request.

All other HUD required Environmental Reviews under Part 58 at off-site locations will be a responsibility of the Co-developer Partner to undertake on behalf of the development team.

4.18 Geotechnical Survey

The Co-developer Partner will be responsible for subsurface exploration and testing as part of the overall scope of work for all proposed newly developed housing locations.

Site Clearance and Planning Phase

4.19 Relocation

All residents of the Paterson Ct. public housing site will be relocated by MHA. The MHA has not entered into any formal agreement concerning a resident first right to occupy the new communities; however, the MHA is committed to residents who are relocated in good standing and remain in good standing under their leases during any relocation period will have first priority to occupy the new communities, subject to the availability of PHA-assisted units/Section 8 units and to reasonable screening, including the working requirements previously mentioned.

Development Process

4.20 Role of MHA

MHA intends to be a full and equal partner in the development process. MHA expects to have various specific roles which may include ground lessor, lender, and overseer of program compliance with respect to public housing units. Each role is discussed briefly below. So long as the selected Co-developer Partner observes MHA's proper interests and public obligations with respect to those roles, MHA intends to respect the creativity, expertise, and business requirements of the selected Co-developer Partner. MHA will expect the selected Co-developer Partner to respect it as the Project Owner and keep it fully informed and to secure advance consent to all significant decisions and public positions.

4.21 Role of Co-developer Partner

The selected Respondent will be expected to successfully work with MHA as the Co-developer Partner for the implementation of the development project.

The specific duties of the Co-developer Partner (with MHA assistance) include, but are not limited to, the following:

Implement a replacement housing plan for the Paterson Ct. public housing families based on the

MHA draft Choice Neighborhood Transformation Plan that is feasible with or without the award of future Choice Neighborhood funds from HUD

- Design and construction of all new public infrastructure and site improvements
- As may be required, expand master planning in concert with MHA, its Development Consultant Team, and community stakeholders including the Paterson Ct residents.
- Secure all project financing including: LIHTC resources, First Mortgage Debt, and other sources of funds. MHA expects to provide capital funds for the PHA-Assisted Units (not to exceed TDC limits) as deemed necessary and will provide close support in seeking local governmental support.
- Assist MHA is applying for future Choice Neighborhood Implementation Funds.
- Design and construction of all rental housing on-site for all Phases.
- Use of an inclusionary process to involve MHA staff in the development process
- Organization of owner entity(s).
- Provide capacity building training and assistance to MHA in all phases of development, construction, management, and compliance as requested.
- The specific role and duties of the selected Co-developer Partner will be finalized during negotiations with MHA and documented in the Master Co-developer Agreement or Development Rights Agreement as identified below.

4.22 Master Co-developer Agreement/Development Rights Agreement

MHA and the successful Respondent will negotiate to enter into a Master Co-developer Agreement or Development Rights Agreement describing the relationship of MHA and the successful Respondent and the roles and responsibilities of each party. The successful Respondent will undertake the redevelopment of the new communities according to the terms and conditions of the Master Co-developer Agreement or Development Rights Agreement.

MHA is prepared to provide the selected Co-developer Partner with financial assistance, conditioned on that assistance, and requirements for closing each development phase. Specific amounts of assistance will be determined on a case-by-case basis contingent in part by the number of public housing units in each development phase. At each such development phase closing, phase-specific documents will be executed which may include but not restricted to, a Ground Lease, Regulatory & Operating Agreement, and Authority Mortgage Loan Agreement/Note/Mortgage.

4.23 HUD Requirements

Because MHA will be providing funding with public housing funds provided to it by HUD, certain HUD approvals will be required as set forth in the Federal Regulations at 24 CFR Part

941, Subpart F.

HUD will release predevelopment funds to MHA upon an appropriate showing of need and good stewardship.

HUD will release development funds only after approving first a Development Proposal, and then evidentiary documents which will generally be all significant closing documents.

MHA's Development Consultant Team, is experienced with these procedures and will have responsibility for submissions to and negotiations with HUD in conjunction with MHA Legal Counsel, based on development materials prepared by the selected Co-developer Partner and acceptable to MHA.

However, in both development and operating matters, public housing requirements may require a different approach or additional procedures from those to which a Respondent is accustomed.

MHA and its development consultants will provide assistance and guidance to the selected Co-developer Partner in these matters.

4.24 Financial Structure Objectives of MHA

MHA is interested in a financial structure that accomplishes a number of objectives. They are:

- Producing the greatest public benefit with the smallest consumption of public resources.
- Leveraging MHA's funds to attract private and conventional sources of capital.
- Obtaining a return-on and a return-of the effort and capital invested by MHA.
- Retaining or assuming title of the underlying land and a first right of purchase to the leasehold.
- To be a full partner through the development process.
- Participating in the development fees, stream of income and other financial compensation derived from the new communities.
- Utilizing a development process that can facilitate timely implementation.
- Providing performance incentives to the selected Co-developer Partner.
- The following sections describe aspects of a legal and financial structure that has been used in other public housing development transactions to accomplish these objectives. MHA will consider other structures that achieve the same goals for MHA.

4.25 Ownership Structure

An entity (the "Ownership Entity") will hold title to the improvements for each phase of the new communities. MHA anticipates it may elect to be a participant in the Ownership Entity. It is contemplated that the Respondent may have specific day-to-day management oversight, LIHTC compliance responsibilities and operational authority as determined by the Ownership Entity, related LIHTC Investors, or Lenders.

The actual ownership structure will be determined appropriately in negotiation with said parties. MHA may elect to participate in the Ownership Entity as an equal partner or as otherwise necessary to achieve agreed-upon economic participation.

4.26 Ground Lease

MHA will not convey its fee interest in any MHA owned property used for rental housing development but will enter a long-term ground lease with the Ownership Entity. MHA anticipates that the term of the ground lease will be not less than 55 years. The amount of annual rent under the ground lease may be nominal but is subject to negotiation and will be considered as part of the financial incentives provided to MHA by the Respondent. The ground lease will include restrictive covenants requiring that a designated number of PHA-Assisted Units will be available for public housing eligible families and subject to certain public housing rules for at least 40 years. At the end of the term of the ground lease, the property and all improvements thereon will revert to MHA.

4.27 Sources of Funds

The anticipated sources of funds include:

- MHA funds as described in the following section.
- Conventional or Tax-Exempt Debt.
- LIHTC Syndication Proceeds. MHA's models presume that the Ownership Entity will obtain in allocations of 9% Low Income Housing Tax credits for the majority of the PHA-Assisted Units in the development.
- City of Montgomery Funds. MHA's draft Choice Neighborhood Plan anticipates a commitment from the City for funding for infrastructure improvements and site acquisition to support the redevelopment effort. The City will also pledge CDBG funds for improvements to the Centennial Hill neighborhood.
- Proceeds from disposition of any MHA owned property, or debt backed by MHA's interest in development and operational revenues from that site.
- Federal Home Loan Bank Affordable Housing Program Funds.
- Potential Section 8 Project Based Housing Assistance Payments contracts as rental subsidy.

- Potential future Choice Neighborhood Implementation Grant Funds.
- Other sources, as the Respondent may recommend or determine.

4.28 MHA Funds for Development

MHA may determine to finance the development costs through other public housing funds, MHA resources, or private debt.

After provision for its own administrative purposes, resident relocation and development components not covered by this RFQ, MHA anticipates making available a set maximum allocation of funds to the Co-developer for Pre-Development and Development, subject to the following considerations.

While these considerations reflect certain HUD requirements and policy positions, actual HUD requirements and positions at the time will govern. Rating criteria in this RFQ may reward Respondents who propose the greatest leverage of the use of MHA funds. MHA has identified various resources including but not limited to existing Capital Funds, program income funds and resources necessary to fund its portion of development costs.

Public Infrastructure Design and Development: Subject to approval by the City of Montgomery, MHA is prepared to seek full reimbursement of design and engineering costs as well as construction costs and will consider payment of a reasonable construction management fee to the Co-developer Partner.

Predevelopment Advances: MHA will consider advancing, prior to closing, a portion of predevelopment expenses on any development phase of third-party costs reasonably incurred by the Co-developer Partner in preparing for closing. Such cost advances are restricted to cost of work product which benefits, or which can reasonably be assigned to MHA in the event Co-developer Partner fails to close. These advances expressly exclude Co-developer Partner's overhead and legal fees.

Development Loans: At closing on any development phase, MHA is prepared to loan funds to the Ownership Entity on terms to be negotiated.

Total Development Cost Limitations: MHA public housing funds used in the various Public Housing redevelopment may not exceed the HUD Total Development Cost limits then applicable.

4.29 Operating Subsidy

MHA receives operating funds from HUD and is prepared to provide an operating subsidy, if necessary, to the Ownership Entity. It is MHA's intention that the operating subsidy, when combined with actual rental collections from the PHA-Assisted Units, not exceed the lesser of: 1) the operating costs properly attributable to the PHA-Assisted Units, or 2) the Operating Fund subsidy which MHA receives from HUD in a given year attributable to the PHA-Assisted Units in the New Community, minus a reasonable allowance for MHA's oversight and administrative

costs.

Attributable operating expenses must exclude any expenses primarily or exclusively attributable to LIHTC or Section 8 units only, which may include property taxes (if none is paid on the PHA-Assisted Units), excessive marketing costs, and debt service.

Although MHA's conventional units are not subject to real property taxes and pay Payment in Lieu of Taxes (PILOT) instead, MHA has not determined whether this exemption would be legally available to the new communities and whether the taxing authorities would agree to its application in this instance.

Units covered by LIHTC will be subject to this and other AHFA program requirements.

4.30 Net Operating Income

Net Operating Income will be the property of the Ownership Entity; however, MHA desires that at least 75% be used for debt service on the Authority loan.

4.31 Reserves

The selected Co-developer Partner may provide for customary and reasonable reserve accounts and may treat contributions to such reserves as an attributable operating expense of the PHA-Assisted Units. These reserves include Reserves for Replacement. To the extent any portion of such reserves is funded directly or indirectly with public housing funds, however, such funds must be treated as trust funds of the MHA.

It is customary in affordable rental developments, as well, to establish an "Affordability Reserve" from owner's equity to provide for the possibility that MHA would be unable (due to Congressional action) to provide the operating subsidy it obligates itself to pay.

4.32 Regulatory and Operating Agreement (R&O)

MHA and the Ownership Entity will enter into an agreement, which may be recorded as a covenant superior to any financing on the property, setting forth the mutual understandings of the parties regarding the operation of the PHA-Assisted Units.

In particular, the R&O Agreement sets forth the MHA's obligation to provide operating subsidy; permissible uses of project income and use restrictions applicable during a period of not less than 40 years.

4.33 Guarantees

MHA anticipates that the selected Co-developer Partner will be responsible for all guarantees of completion, operating deficits, and tax credits compliance required by tax credit investors

or lenders during the period of the agreement with MHA.

Additionally, MHA will require a completion guaranty in connection with its loan.

4.34 Property Management

MHA has considerable expertise in the management of public housing properties and intends to support the Co-developer Partner's property management team with this expertise. It is MHA's intention that the new communities will be managed by MHA to high standards with effective lease enforcement as a top priority.

Additionally, the PHA-Assisted Units will be maintained and operated in compliance with all requirements of LIHTC requirements, applicable law, HUD regulations, and policies approved by MHA. The property management efforts are expected, always, to be sensitive to issues facing low-income residents and to be supportive of Community and Support Services programs.

4.35 Post-Revitalization Property Management

MHA requires that the Respondent possess or include within its Development Consultant Team the requisite experience to manage LIHTC housing and provide the oversight compliance component to said LIHTC housing.

4.36 Site-based Waiting List

The Ownership Entity, through MHA as its Management Agent, will develop and maintain a site-based waiting list for the public housing-eligible units in the new communities. The site-based waiting list shall be operated in accordance with policies approved by MHA and adopted as part of its Annual Plan, in accordance with HUD requirements. The Management Agent shall use the site-based waiting list to select applicants for occupancy, subject to screening and eligibility requirements.

MHA will ensure the initial site-based waiting list will consist of former Paterson Ct. residents who have indicated a desire to live in the new communities.

4.37 Community and Supportive Services (CSS)

The selected Co-developer will provide basic Community and Supportive Services (CSS) programs based on the stated needs of the Paterson Ct. residents and the draft Transformation Plan. Since the majority of the current MHA residents are economically disadvantaged, the major thrust of the CSS effort will be a family self-sufficiency program. In addition, however, there is a sizable portion of Paterson Ct. residents that are seniors or near-elderly. These individuals will need supportive services so they can live with dignity in their units for as long as possible. MHA will assist and coordinate introductions with local organizations to support the Co-developer to provide the necessary job training, counseling, job placement and follow-up assistance, together with limited childcare subsidy, transportation assistance, and other initiatives aimed at removing barriers to employment.

The selected Co-developer Partner will be expected to be responsible for the CSS activities as part of the overall development effort including potential Section 3 employment opportunities or DBE, M/WBE enterprises.

PART V – PROCUREMENT PROCESS

5.1 Proposal Evaluation/Contract Award

Proposals received in response to this solicitation will be evaluated using the following evaluation process.

- a. The evaluation process will be used to determine the firms that will comprise the short list, from which final selection for contract award will ultimately be made.
 - (1) During the evaluation process, technical proposals will be evaluated and scored by an Evaluation Committee.
 - (2) Each member of the Evaluation Committee will score each proposal.
 - (3) Scoring will be based on predetermined Evaluation Criteria. The available points associated with each area of consideration are shown below in Item 5.2.
 - (4) The results of the evaluation will be used to determine those proposals to be considered.
 - (5) The Authority may request that Respondents make oral presentations (i.e. interviews/demos) concerning their qualifications to the Authority's Evaluation Committee. The Authority reserves the right to interview one or more respondent(s).
 - (6) Respondents with acceptable technical proposals may be requested to supply additional information to assist in completing the due diligence review. Failure to satisfactorily complete the due diligence review within the timeframe established by MHA will result in disqualification of Respondents proposals.
- b. Scoring will be based upon how well the proposal meets the criteria established in this RFQ.
- c. MHA reserves the right to make no award or decline to enter negotiations should it believe that no Respondent to this RFQ would be capable of delivering the necessary level of service as outlined in this RFQ and subsequent negotiations and/or the time period.
- d. The Evaluation Committee will evaluate the merits of proposals received in accordance with the evaluation criteria stated in the RFQ and formulate a recommendation.

5.2 Evaluation Criteria

a. Staffing and Qualifications:

30 Points

- (1) Respondent's organizational capacity will be evaluated through an assessment of the Respondent's staff, specialists', and consultants' experience and qualifications. In addition, the Respondent's ability to perform the work in a timely manner will be evaluated through a review of previous performance on similar projects, as well as current and projected capacity and workload.
- (2) Additional consideration will be given to those Respondents having staff with the greatest amount of experience in performing work as required herein, and who can demonstrate sufficient capacity to perform the work timely, given current and projected workload

b. Relevant Experience and Past Performance:

30 Points

- (1) Relevant experience and past performance will be evaluated through an assessment of previous similarly related projects completed to date.
- (2) Additional consideration will be given to those Respondents who demonstrate through their submittal, a documented track record of successfully completing projects of the same type required by this RFQ.

c. Respondent's Approach and Response to Scope of Service:

30 Points

- (1) The Respondent's approach and response to the Scope of Service will be evaluated through an assessment of the proposed approach for each element of work identified in the Scope of Service.
- (2) Additional consideration will be given to those Respondents, who demonstrate through their submittal, a clear and prudent plan for performing the required work within the established timeframe, as applicable.

d. Socioeconomic Participation

5 Points

- (1) The Respondent shall provide a detailed narrative backed up by specific statistics of the Respondent's previous experience in D/M/W/SBE contracting.

e. Section 3 Participation

10 Points

- (1) The Respondent shall provide a measurable Section 3 Action Plan to include training, employment, contracting and other economic opportunities through all phases of the development work.
- (2) The Respondent's Action Plan shall include, at a minimum, a brief description of the training and/or job opportunities for Section 3 participants, an estimated number of

participants expected to be hired and/or trained, the potential tasks to be performed and an estimated number of hours to be worked by participants.

(3) The Respondent's Action Plan should detail the outreach efforts and affirmative steps that will be utilized on all phases of the Project by the Developer as well as general contractor(s) and subcontractor(s) performing work on this project.

5.3 Summary of Evaluation Criteria

Evaluation Criteria Points

Technical:

Staffing and Qualifications	30 Points
Relevant Experience and Past Performance	30 Points
Respondent's Approach and Response to Scope of Service	30 Points
Socioeconomic Participation	5 Points
Section 3 Participation	10 Points
Total	105 Points

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**525 South Lawrence Street
Montgomery, Alabama 36104**

REQUEST FOR PROPOSALS (RFQ) 2022-04

Co-Developer Partner for the Redevelopment of Paterson Ct. at Various Locations

COMPANY INFORMATION FORM

TYPE OF PROJECT: The Montgomery Housing Authority (“MHA”) is seeking proposals for Co-development Partner services for the Redevelopment of Paterson Ct. at Various Off-Site Locations.

DATE ISSUED: **Tuesday, October 25, 2022**

CONTACT PERSON: Sheila Brown, Procurement/Contract Administrator
sbrown@mhatoday.org

LAST DAY FOR QUESTIONS: **Thursday, November 17, 2022 @ 3:00 p.m. (CST)**

SUBMISSION DEADLINE: **Wednesday, November 30, 2022 @ 3:00 p.m. (CST)**

(Respondents shall complete this form and include it in the proposal submission packet under Tab No. 11)

COMPANY NAME:

COMPANY ADDRESS:

TELEPHONE #:

FAX #:

E-MAIL:

CONTACT (name):

YEARS OF OPERATION:

DESCRIPTION OF WORK:

PROPOSALS WILL REMAIN OPEN 180 DAYS FROM PROPOSAL DEADLINE DATE.

FORM OF PROPOSAL

(This Form must be fully completed and placed under Tab No. 1 of the "hard copy" tabbed proposal submittal.)

(1) Instructions. Unless otherwise specifically required, the items listed below must be completed and included in the proposal submittal. Please complete this form by marking an "X," where provided, to verify that the referenced completed form or information has been included within the "hard copy" proposal submittal submitted by the proposer. Also, complete all the statements and certifications listed following herein:

[Table No. 1]

"X" = Item Included	Tab No.	Submittal Item (one original signature copy of each document)
	1	Form of Proposal
	2	form HUD-5369-C and other required forms
	3	Profile of Firm Form
	4	Respondent's Approach and Response to Scope of Services
	5	Relevant Experience and Past Performance
	6	Staffing and Qualifications
	7	References
	8	Equal Employment Opportunity/Supplier Diversity
	9	Subcontractor/Joint Venture Information
	10	Section 3 Plan, Clause Compliance & Participation Election
	11	Other Information

(2) Debarred Statement. Has this firm, or any principal(s) thereto, ever been debarred from providing any services by the Federal Government, any state government, the State of Alabama, or any local government agency within or without the State of Alabama?

Yes ☐ No ☐ If "Yes," please attach a full detailed explanation, including dates, circumstances, and current status.

(3) Disclosure Statement. Does this firm or any principals thereof have any current, past personal or professional relationship with any Commissioner or Officer of the Agency?

Signature _____

Date _____

Printed Name _____

Company _____

MONTGOMERY HOUSING AUTHORITY, AL

FORM OF PROPOSAL

(This Form must be fully completed and placed under Tab No. 1 of the "hard copy" tabbed proposal submittal.)

Yes ☐ No ☐ If "Yes," please attach a full detailed explanation, including dates, circumstances, and current status.

(5) Felony Disclosure. Has any principal(s) or any person(s) proposed to perform the work ever been convicted of a felony? Yes ☐ No ☐ If "Yes," please attach a full detailed explanation, including dates, circumstances, and current status. PLEASE NOTE: The Agency reserves the right to not make award to any proposer that has staff who has been convicted of a felony if the Agency feels that doing such is in its best interests.

(6) Non-Collusive Affidavit. The undersigned party submitting this proposal hereby certifies that such proposal is genuine and not collusive and that said proposer entity has not colluded, conspired, connived or agreed, directly or indirectly, with any proposer or person, to put in a sham proposal or to refrain from proposing, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person, to fix the proposal price of affiant or of any other proposer, to fix overhead, profit or cost element of said proposed price, or that of any other proposer or to secure any advantage against the Agency or any person interested in the proposed contract; and that all statements in said proposal are true.

(7) Proposer's Statement. The undersigned proposer hereby states that by completing and submitting this Form and all other documents within this proposal submittal, he/she is verifying that all information provided herein is, to the best of his/her knowledge, true and accurate, and that if the Agency discovers that any information entered herein to be false, such shall entitle the Agency to not consider or make award or to cancel any award with the undersigned party. Further, by completing and submitting the proposal submittal, the undersigned proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFP as issued by the Agency. Pursuant to all RFP Documents, this Form of Proposal, and all attachments, and pursuant to all completed Documents submitted, including these forms and all attachments, the undersigned proposes to supply the Agency with the services described herein for the fee(s) entered within the areas provided pertaining to this RFP.

Signature

Date

Printed Name

Company

MONTGOMERY HOUSING AUTHORITY, AL

Instructions to Offerors Non-Construction

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing



- 03291 -

1. Preparation of Offers

(a) Offerors are expected to examine the statement of work, the proposed contract terms and conditions, and all instructions. Failure to do so will be at the offeror's risk.

(b) Each offeror shall furnish the information required by the solicitation. The offeror shall sign the offer and print or type its name on the cover sheet and each continuation sheet on which it makes an entry. Erasures or other changes must be initialed by the person signing the offer. Offers signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the HA.

(c) Offers for services other than those specified will not be considered.

2. Submission of Offers

(a) Offers and modifications thereof shall be submitted in sealed envelopes or packages (1) addressed to the office specified in the solicitation, and (2) showing the time specified for receipt, the solicitation number, and the name and address of the offeror.

(b) Telegraphic offers will not be considered unless authorized by the solicitation; however, offers may be modified by written or telegraphic notice.

(c) Facsimile offers, modifications or withdrawals will not be considered unless authorized by the solicitation.

3. Amendments to Solicitations

(a) If this solicitation is amended, then all terms and conditions which are not modified remain unchanged.

(b) Offerors shall acknowledge receipt of any amendments to this solicitation by

- (1) signing and returning the amendment;
- (2) identifying the amendment number and date in the space provided for this purpose on the form for submitting an offer,
- (3) letter or telegram, or
- (4) facsimile, if facsimile offers are authorized in the solicitation. The HA/HUD must receive the acknowledgment by the time specified for receipt of offers.

4. Explanation to Prospective Offerors

Any prospective offeror desiring an explanation or interpretation of the solicitation, statement of work, etc., must request it in writing soon enough to allow a reply to reach all prospective offerors before the submission of their offers. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective offeror concerning a solicitation will be furnished promptly to all other prospective offerors as an amendment of the solicitation, if that information is necessary in submitting offers or if the lack of it would be prejudicial to any other prospective offerors.

5. Responsibility of Prospective Contractor

(a) The HA shall award a contract only to a responsible prospective contractor who is able to perform successfully under the terms and conditions of the proposed contract. To be determined responsible, a prospective contractor must -

- (1) Have adequate financial resources to perform the contract, or the ability to obtain them;

- (2) Have a satisfactory performance record;
- (3) Have a satisfactory record of integrity and business ethics;
- (4) Have a satisfactory record of compliance with public policy (e.g., Equal Employment Opportunity); and
- (5) Not have been suspended, debarred, or otherwise determined to be ineligible for award of contracts by the Department of Housing and Urban Development or any other agency of the U.S. Government. Current lists of ineligible contractors are available for inspection at the HA/HUD.

(b) Before an offer is considered for award, the offeror may be requested by the HA to submit a statement or other documentation regarding any of the foregoing requirements. Failure by the offeror to provide such additional information may render the offeror ineligible for award.

6. Late Submissions, Modifications, and Withdrawal of Offers

(a) Any offer received at the place designated in the solicitation after the exact time specified for receipt will not be considered unless it is received before award is made and it -

- (1) Was sent by registered or certified mail not later than the fifth calendar day before the date specified for receipt of offers (e.g., an offer submitted in response to a solicitation requiring receipt of offers by the 20th of the month must have been mailed by the 15th);
- (2) Was sent by mail, or if authorized by the solicitation, was sent by telegram or via facsimile, and it is determined by the HA/ HUD that the late receipt was due solely to mishandling by the HA/ HUD after receipt at the HA;
- (3) Was sent by U.S. Postal Service Express Mail Next Day Service - Post Office to Addressee, not later than 5:00 p.m. at the place of mailing two working days prior to the date specified for receipt of proposals. The term "working days" excludes weekends and U.S. Federal holidays; or
- (4) Is the only offer received.

(b) Any modification of an offer, except a modification resulting from the HA's request for "best and final" offer (if this solicitation is a request for proposals), is subject to the same conditions as in subparagraphs (a)(1), (2), and (3) of this provision.

(c) A modification resulting from the HA's request for "best and final" offer received after the time and date specified in the request will not be considered unless received before award and the late receipt is due solely to mishandling by the HA after receipt at the HA.

(d) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent either by registered or certified mail is the U.S. or Canadian Postal Service postmark both on the envelope or wrapper and on the original receipt from the U.S. or Canadian Postal Service. Both postmarks must show a legible date or the offer, modification, or withdrawal shall be processed as if mailed late. "Postmark" means a printed, stamped, or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable without further action as having been supplied and affixed by employees of the U.S. or Canadian Postal Service on the date of mailing. Therefore, offerors should request the postal clerk to place a hand cancellation bull's-eye postmark on both the receipt and the envelope or wrapper.

(e) The only acceptable evidence to establish the time of receipt at the HA is the time/date stamp of HA on the offer wrapper or other documentary evidence of receipt maintained by the HA.

(f) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent by Express Mail Next Day Service-Post Office to Addressee is the date entered by the post office receiving clerk on the "Express Mail Next Day Service-Post Office to Addressee" label and the postmark on both the envelope or wrapper and on the original receipt from the U.S. Postal Service. "Postmark" has the same meaning as defined in paragraph (c) of this provision, excluding postmarks of the Canadian Postal Service. Therefore, offerors should request the postal clerk to place a legible hand cancellation bull's eye postmark on both the receipt and the envelope or wrapper.

(g) Notwithstanding paragraph (a) of this provision, a late modification of an otherwise successful offer that makes its terms more favorable to the HA will be considered at any time it is received and may be accepted.

(h) If this solicitation is a request for proposals, proposals may be withdrawn by written notice, or if authorized by this solicitation, by telegram (including mailgram) or facsimile machine transmission received at any time before award. Proposals may be withdrawn in person by a offeror or its authorized representative if the identity of the person requesting withdrawal is established and the person signs a receipt for the offer before award. If this solicitation is an invitation for bids, bids may be withdrawn at any time prior to bid opening.

7. Contract Award

(a) The HA will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the HA, cost or price and other factors, specified elsewhere in this solicitation, considered.

(b) The HA may

- (1) reject any or all offers if such action is in the HA's interest,
- (2) accept other than the lowest offer,
- (3) waive informalities and minor irregularities in offers received, and (4) award more than one contract for all or part of the requirements stated.

(c) If this solicitation is a request for proposals, the HA may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the offeror's best terms from a cost or price and technical standpoint.

(d) A written award or acceptance of offer mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer shall result in a binding contract without further action by either party. If this solicitation is a request for proposals, before the offer's specified expiration time, the HA may accept an offer, whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award. Negotiations conducted after receipt of an offer do not constitute a rejection or counteroffer by the HA.

(e) Neither financial data submitted with an offer, nor representations concerning facilities or financing, will form a part of the resulting contract.

8. Service of Protest

Any protest against the award of a contract pursuant to this solicitation shall be served on the HA by obtaining written and dated acknowledgment of receipt from the HA at the address shown on the cover of this solicitation. The determination of the HA with regard to such protest or to proceed to award notwithstanding such protest shall be final unless appealed by the protestor.

9. Offer Submission

Offers shall be submitted as follows and shall be enclosed in a sealed envelope and addressed to the office specified in the solicitation. The proposal shall show **the hour and date specified in the solicitation for receipt, the solicitation number, and the name and address of the offeror, on the face of the envelope.**

It is very important that the offer be properly identified on the face of the envelope as set forth above in order to insure that the date and time of receipt is stamped on the face of the offer envelope. Receiving procedures are: date and time stamp those envelopes identified as proposals and deliver them immediately to the appropriate contracting official, and only date stamp those envelopes which do not contain identification of the contents and deliver them to the appropriate procuring activity only through the routine mail delivery procedure.

[Describe bid or proposal preparation instructions here:]

Certifications and Representations of Offerors

Non-Construction Contract

U.S. Department of Housing and Urban Development Office of Public and Indian Housing

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This form includes clauses required by OMB's common rule on bidding/offering procedures, implemented by HUD in 24 CFR 85.36, and those requirements set forth in Executive Order 11625 for small, minority, women-owned businesses, and certifications for independent price determination, and conflict of interest. The form is required for nonconstruction contracts awarded by Housing Agencies (HAs). The form is used by bidders/offers to certify to the HA's Contracting Officer for contract compliance. If the form were not used, HAs would be unable to enforce their contracts. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

1. Contingent Fee Representation and Agreement

(a) The bidder/offeror represents and certifies as part of its bid/offer that, except for full-time bona fide employees working solely for the bidder/offeror, the bidder/offeror:

- (1) ☐ has, ☐ has not employed or retained any person or company to solicit or obtain this contract; and
- (2) ☐ has, ☐ has not paid or agreed to pay to any person or company employed or retained to solicit or obtain this contract any commission, percentage, brokerage, or other fee contingent upon or resulting from the award of this contract.

(b) If the answer to either (a)(1) or (a) (2) above is affirmative, the bidder/offeror shall make an immediate and full written disclosure to the PHA Contracting Officer.

(c) Any misrepresentation by the bidder/offeror shall give the PHA the right to (1) terminate the resultant contract; (2) at its discretion, to deduct from contract payments the amount of any commission, percentage, brokerage, or other contingent fee; or (3) take other remedy pursuant to the contract.

2. Small, Minority, Women-Owned Business Concern Representation

The bidder/offeror represents and certifies as part of its bid/offer that it:

- (a) ☐ is, ☐ is not a small business concern. "Small business concern," as used in this provision, means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding, and qualified as a small business under the criteria and size standards in 13 CFR 121.
- (b) ☐ is, ☐ is not a women-owned small business concern. "Women-owned," as used in this provision, means a small business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.
- (c) ☐ is, ☐ is not a minority enterprise which, pursuant to Executive Order 11625, is defined as a business which is at least 51 percent owned by one or more minority group members or, in the case of a publicly owned business, at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily operations are controlled by one or more such individuals.

For the purpose of this definition, minority group members are:

(Check the block applicable to you)

- | | |
|---|---|
| <input type="checkbox"/> Black Americans | <input type="checkbox"/> Asian Pacific Americans |
| <input type="checkbox"/> Hispanic Americans | <input type="checkbox"/> Asian Indian Americans |
| <input type="checkbox"/> Native Americans | <input type="checkbox"/> Hasidic Jewish Americans |

3. Certificate of Independent Price Determination

(a) The bidder/offeror certifies that—

- (1) The prices in this bid/offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other bidder/offeror or competitor relating to (i) those prices, (ii) the intention to submit a bid/offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this bid/offer have not been and will not be knowingly disclosed by the bidder/offeror, directly or indirectly, to any other bidder/offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the bidder/offeror to induce any other concern to submit or not to submit a bid/offer for the purpose of restricting competition.

(b) Each signature on the bid/offer is considered to be a certification by the signatory that the signatory:

- (1) Is the person in the bidder/offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or
- (2) (i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above (insert full name of person(s) in the bidder/offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the bidder/offeror's organization);
(ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(i) above have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and

(iii) As an agent, has not personally participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above.

- (c) If the bidder/offeror deletes or modifies subparagraph (a)2 above, the bidder/offeror must furnish with its bid/offer a signed statement setting forth in detail the circumstances of the disclosure.

4. Organizational Conflicts of Interest Certification

- (a) The Contractor warrants that to the best of its knowledge and belief and except as otherwise disclosed, it does not have any organizational conflict of interest which is defined as a situation in which the nature of work under a proposed contract and a prospective contractor's organizational, financial, contractual or other interest are such that:
- (i) Award of the contract may result in an unfair competitive advantage;
 - (ii) The Contractor's objectivity in performing the contract work may be impaired; or
 - (iii) That the Contractor has disclosed all relevant information and requested the HA to make a determination with respect to this Contract.
- (b) The Contractor agrees that if after award he or she discovers an organizational conflict of interest with respect to this contract, he or she shall make an immediate and full disclosure in writing to the HA which shall include a description of the action which the Contractor has taken or intends to eliminate or neutralize the conflict. The HA may, however, terminate the Contract for the convenience of HA if it would be in the best interest of HA.
- (c) In the event the Contractor was aware of an organizational conflict of interest before the award of this Contract and intentionally did not disclose the conflict to the HA, the HA may terminate the Contract for default.
- (d) The Contractor shall require a disclosure or representation from subcontractors and consultants who may be in a position to influence the advice or assistance rendered to the HA and shall include any necessary provisions to eliminate or neutralize conflicts of interest in consultant agreements or subcontracts involving performance or work under this Contract.

5. Authorized Negotiators (RFPs only)

The offeror represents that the following persons are authorized to negotiate on its behalf with the PHA in connection with this request for proposals: (list names, titles, and telephone numbers of the authorized negotiators):

6. Conflict of Interest

In the absence of any actual or apparent conflict, the offeror, by submission of a proposal, hereby warrants that to the best of its knowledge and belief, no actual or apparent conflict of interest exists with regard to my possible performance of this procurement, as described in the clause in this solicitation titled "Organizational Conflict of Interest."

7. Offeror's Signature

The offeror hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

Signature & Date:

Typed or Printed Name:

Title:

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known:			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:		
6. Federal Department/Agency:			7. Federal Program Name/Description: CFDA Number, if applicable: _____		
8. Federal Action Number, if known:			9. Award Amount, if known: \$ _____		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____		
Federal Use Only:				Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)	

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Certification of Payments to Influence Federal Transactions

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

Applicant Name

Program/Activity Receiving Federal Grant Funding

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title	
Signature		Date (mm/dd/yyyy)

Certification for a Drug-Free Workplace

U.S. Department of Housing
and Urban Development

Applicant Name

Program/Activity Receiving Federal Grant Funding

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Check here ☐ if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.

(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Title

Signature

Date

X

WUFGrcetwogpvqhJqwlpi cfp Wtdcp Fgxngro gpv
Office of Housing/Federal Housing Commissioner

WUFGrcetwogpvqhCitlewnwtg
Farmers Home Administration

RctvKw dg eqo rnygf d{ Rtlpekr cmqhO wnlkro k{ Rtqlgevu (See instructions)		Hqt J WF J S Hb J C wug qpr{	
Reason for submission: 30Agency name and City where the application is filed		4. Project Name, Project Number, City and Zip Code	
5. Loan or Contract amount \$	6. Number of Units or Beds	7. Section of Act	8. Type of Project (check one) <input type="checkbox"/> Existing <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Proposed (New)

90Nhwcmrtqrqngf Rtlpekr cmcpf cwcej qti cplk cvlqp ej ctvht cmqti cplk cvlqpu

Name and address of Principals and Affiliates (Name: Last, First, Middle Initial) proposing to participate	: Tqng qhGcej Rtlpekr cnlp Rtqlgev	; 0Gzrgevdf ' Qy pgtuj lr lp Rtqlgev	320UUP qt KtUGo rnyf gt Pwo dgt

Certifications: The principal(s) listed above hereby apply to HUD or USDA FmHA, as the case maybe, for approval to participate as principal(s) in the role(s) and project listed above. The principal(s) each certify that all the statements made on this form are true, complete and correct to the best of their knowledge and belief and are made in good faith, including any Exhibits attached to this form. Y ctpkpi <HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. The principal(s) further certify that to the best of their knowledge and belief:

- Schedule A contains a listing, for the last ten years, of every project assisted or insured by HUD, USDA FmHA and/or State and local government housing finance agencies in which the principal(s) have participated or are now participating.
- For the period beginning 10 years prior to the date of this certification, and except as shown on the certification:
 - No mortgage on a project listed has ever been in default, assigned to the Government or foreclosed, nor has it received mortgage relief from the mortgagee;
 - The principals have no defaults or noncompliance under any Conventional Contract or Turnkey Contract of Sale in connection with a public housing project;
 - There are no known unresolved findings as a result of HUD audits, management reviews or other Governmental investigations concerning the principals or their projects;
 - There has not been a suspension or termination of payments under any HUD assistance contract due to the principal's fault or negligence;
 - The principals have not been convicted of a felony and are not presently the subject of a complaint or indictment charging a felony. (A felony is defined as any offense punishable by imprisonment for a term exceeding one year, but does not include any offense classified as a misdemeanor under the laws of a State and punishable by imprisonment of two years or less);
 - The principals have not been suspended, debarred or otherwise restricted by any Department or Agency of the Federal Government or of a State Government from doing business with such Department or Agency;
 - The principals have not defaulted on an obligation covered by a surety or performance bond and have not been the subject of a claim under an employee fidelity bond;
- All the names of the principals who propose to participate in this project are listed above.
- None of the principals is a HUD/FmHA employee or a member of a HUD/FmHA employee's immediate household as defined in Standards of Ethical Conduct for Employees of the Executive Branch in 5 C.F.R. Part 2635 (57 FR 35006) and HUD's Standard of Conduct in 24 C.F.R. Part 0 and USDA's Standard of Conduct in 7 C.F.R. Part 0 Subpart B.
- None of the principals is a participant in an assisted or insured project as of this date on which construction has stopped for a period in excess of 20 days or which has been substantially completed for more than 90 days and documents for closing, including final cost certification, have not been filed with HUD or FmHA.
- None of the principals have been found by HUD or FmHA to be in noncompliance with any applicable fair housing and civil rights requirements in 24 CFR 5.105(a). (If any principals or affiliates have been found to be in noncompliance with any requirements, attach a signed statement explaining the relevant facts, circumstances, and resolution, if any).
- None of the principals is a Member of Congress or a Resident Commissioner nor otherwise prohibited or limited by law from contracting with the Government of the United States of America.
- Statements above (if any) to which the principal(s) cannot certify have been deleted by striking through the words with a pen, and the relevant principal(s) have initialed each deletion (if any) and have attached a true and accurate signed statement (if applicable) to explain the facts and circumstances.

Pco g qhRtlpekr cn	Uli pcwvt g qhRtlpekr cn	EgtvHecvqp Fcvgo o Ff H{{{	Ctgc Eqf g cfp Vgr0Pq0
Vj luhqto rtgrctgf d{ *rtlpvpcog+	Ctgc Eqf g cfp Vgr0Pq0		

Previous Participation Certification

OMB Approval No. 2502-0118

(Exp. 02/29/2016)

Uej gf wng C< Nkuvqh Rt gxlqwu Rt qlgevu cpf Ugevlqp : Eqpvtcevu Below is a complete list of the principals' previous participation projects and participation history in multifamily Housing programs of HUD/FmHA, State and local Housing Finance Agencies. **Pqvg<** Read and follow the instruction sheet carefully. Make full disclosure. Add extra sheets if you need more space. Double check for accuracy. If no previous projects, write by your name, "**Pq r t gxlqwu r c t v l e k c v l q p . H l t u v G z r g t l g p e g ö .**"

1. Principals Name (Last, First)	2. List of previous projects (Project name, project ID and, Govt. agency involved)	3. List Principals' Role(s) (indicate dates participated, and if fee or identity of interest participant)	4. Status of loan (current, defaulted, assigned, foreclosed)	5. Was the Project ever in default during your participation [gu P q H { gu g z r i c l p		6. Last MOR rating and Physical Insp. Score and date

Rct v H Hqt J WF Kpvt pcnRt qegulpi Qprf

Received and checked by me for accuracy and completeness; recommend approval or refer to Headquarters after checking appropriate box.

Date (mm/dd/yyyy)	Tel No. and area code	<input type="checkbox"/> A. No adverse information; form HUD-2530 approval recommended. <input type="checkbox"/> B. Name match in system	<input type="checkbox"/> C. Disclosure or Certification problem <input type="checkbox"/> D. Other (attach memorandum)
Staff	Processing and Control		
Supervisor	Director of Housing/Director, Multifamily Division	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date (mm/dd/yyyy)

Ինքնաշարժիչ Եզրագծի վրա Ռեգիստրացիայի Վճար/4752

Carefully read these instructions and the applicable regulations. A copy of those regulations published at 24 C.F.R. 200.210 to 200.245 can be obtained from the Multifamily Housing Representative at any HUD Office. Type or print neatly in ink when filling out this form. Mark answers in all blocks of the form. If the form is not filled completely, it will delay approval of your application.

Attach extra sheets as you need them. Be sure to indicate "Continued on Attachments" wherever appropriate. Sign each additional page that you attach if it refers to you or your record.

Եզրագծի տեղեկությունները լրացնելու համար (գրեք անվանումը)

Any questions regarding the form or how to complete it can be answered by your HUD Office Multifamily Housing Representative.

Րազմագրություն - This form provides HUD with a certified report of all previous participation in HUD multifamily housing projects by those parties making application. The information requested in this form is used by HUD to determine if you meet the standards established to ensure that all principal participants in HUD projects will honor their legal, financial and contractual obligations and are acceptable risks from the underwriting standpoint of an insurer, lender or governmental agency. HUD requires that you certify your record of previous participation in HUD/USDA-FmHA, State and Local Housing Finance Agency projects by completing and signing this form, before your project application or participation can be approved.

HUD approval of your certification is a necessary precondition for your participation in the project and in the capacity that you propose. If you do not file this certification, do not furnish the information requested accurately, or do not meet established standards, HUD will not approve your certification.

Note that approval of your certification does not obligate HUD to approve your project application, and it does not satisfy all other HUD program requirements relative to your qualifications.

Կապակցությունը Վճարագրության հետ Վճար/4752

Form HUD-2530 must be completed and signed by all principals applying to participate in HUD multifamily housing projects, including those who have no previous participation. The form must be signed and filed by all principals and their affiliates who propose participating in the HUD project. Use a separate form for each role in the project unless there is an identity of interest.

Principals include all individuals, joint ventures,

partnerships, corporations, trusts, non-profit organizations, any other public or private entity that will participate in the proposed project as a sponsor, owner, prime contractor, turnkey developer, managing agent, nursing home administrator or operator, packager, or consultant. Architects and attorneys who have any interest in the project other than an arm's length fee arrangement for professional services are also considered principals by HUD.

In the case of partnerships, all general partners regardless of their percentage interest and limited partners having a 25 percent or more interest in the partnership are considered principals. In the case of public or private corporations or governmental entities, principals include the president, vice president, secretary, treasurer and all other executive officers who are directly responsible to the board of directors, or any equivalent governing body, as well as all directors and each stockholder having a 10 percent or more interest in the corporation.

Affiliates are defined as any person or business concern that directly or indirectly controls the policy of a principal or has the power to do so. A holding or parent corporation would be an example of an affiliate if one of its subsidiaries is a principal.

Գեղարվեստական Եզրագրություն - All principals and affiliates must personally sign the certificate except in the following situation. When a corporation is a principal, all of its officers, directors, trustees and stockholders with 10 percent or more of the common (voting) stock need not sign personally if they all have the same record to report. The officer who is authorized to sign for the corporation or agency will list the names and title of those who elect not to sign. However, any person who has a record of participation in HUD projects that is separate from that of his or her organization must report that activity on this form and sign his or her name. The objective is **full** disclosure.

Գեղարվեստական - The names of the following parties do not need to be listed on form HUD-2530: Public Housing Agencies, tenants, owners of less than five condominium or cooperative units and all others whose interests were acquired by inheritance or court order.

Կապակցությունը Վճարագրության հետ Վճար/4752 Օրենսդրության հետ

Կապակցություն - The original of this form must be submitted to the HUD Office where your project application will be processed at the same time you file your initial project application. This form must be filed with applications for projects, or when otherwise required in the situations listed below:

- Projects to be financed with mortgages insured under the National Housing Act (FHA).

- Projects to be financed according to Section 202 of the Housing Act of 1959 (Elderly and Handicapped).
- Projects in which 20 percent or more of the units are to receive a subsidy as described in 24 C.F.R. 200.213.
- Purchase of a project subject to a mortgage insured or held by the Secretary of HUD.
- Purchase of a Secretary-owned project.
- Proposed substitution or addition of a principal or principal participation in a different capacity from that previously approved for the same project.
- Proposed acquisition by an existing limited partner of an additional interest in a project resulting in a total interest of 25 percent or more or proposed acquisition by a corporate stockholder of an additional interest in a project resulting in a total interest of 10 percent or more.
- Projects with U.S.D.A., Farmers Home Administration, or with state or local government housing finance agencies that include rental assistance under Section 8 of the Housing Act of 1937. For projects of this type, form HUD-2530 should be filed with the appropriate applications directly to those agencies.

Դիմումի վրա Բացարձակ Բացարձակ - If approval of your participation in a HUD project is denied, withheld, or conditionally granted on the basis of your record of previous participation, you will be notified by the HUD Office. You may request reconsideration by the HUD Review Committee. Alternatively, you may request a hearing before a Hearing Officer. Either request must be made in writing within 30 days from your receipt of the notice of determination.

If you do request reconsideration by the Review Committee and the reconsideration results in an adverse determination, you may then request a hearing before a Hearing Officer. The Hearing Officer will issue a report to the Review Committee. You will be notified of the final ruling by certified mail.

Արդյունքի Նկարագրություն Ինքնաշարժիչ

Դիմումի վրա Կապակցություն this Certification: e.g., refinance, change in ownership, change in management agent, transfer of physical assets, etc.

Դիմում3 - Fill in the name of the agency to which you are applying. For example: HUD Office, Farmers Home Administration District office, or the name of a State or local housing finance agency. Below that, fill in the name of the city where the office is located.

Դիմում 4 - Fill in the name of the project, such as "Greenwood Apts." If the name has not yet been selected, write "Name unknown." Below that, enter the HUD contract or project identification number, the Farmers Home Administration project number, or

the State or local housing finance agency project or contract number. Include **cm** project or contract identification numbers that are relevant to the project. Also enter the name of the city in which the project is located, and the ZIP Code.

Դիմում 5 - Fill in the dollar amount requested in the proposed mortgage, or the annual amount of rental assistance requested.

Դիմում 6 - Fill in the number of apartment units proposed, such as "40 units." For hospital projects or nursing homes, fill in the number of beds proposed, such as "100 beds."

Դիմում 7 - Fill in the section of the Housing Act under which the application is filed.

Դիմում 9 - Definitions of all those who are considered principals and affiliates are given above in the section titled "Who Must Sign and File...."

Դիմում: - Beside the name of each principal, fill in the appropriate role. The following are examples of possible roles that the principals may assume: Owner/Mortgagor, Managing Agent, Sponsor, Developer, General Contractor, Packager, Consultant, Nursing Home Administrator etc.

Դիմում; - Fill in the percentage of ownership in the proposed project that each principal is expected to have.

Դիմում 32 - Fill in the Social Security Number or IRS employer number of every principal listed, including affiliates.

Ինքնաշարժիչ Եզրագրության վրա Կապակցություն

Be sure that Schedule A is filled-in completely, accurately and the certification is properly dated and signed, because it will serve as a legal record of your previous experience. All Multifamily Housing projects involving HUD/ FmHA, and State and local Housing Finance Agencies in which you have previously participated **o w w d g** listed. Applicants are reminded that previous participation pertains to the individual principal within an entity as well as the entity itself. A newly formed company may not have previous participation, but the principals within the company may have had extensive participation and disclosure of that activity is required.

Եզրագրության 40 All previous projects must be listed or your certification cannot be processed. Include the name of all projects, project number, city where it is located and the governmental agency (HUD, USDA-FmHA or state or local housing finance agency) that was involved.

Եզրագրության 50 List the role(s) as a principal, dates participated and if fee or identity of interest (IOI) with owners.

<p>Equo p 60Indicate the current status of the loan. Except for current loan, the date associated with the status is required. Loans under a workout arrangement are considered assigned. For all noncurrent loans, an explanation of the status is required.</p> <p>Equo p 70 Explain any project defaults during your participation.</p> <p>Equo p 80Provide the latest Management Review (MOR) rating and Physical Inspection score.</p> <p>Egtvllcevp<After you have completed all other parts of</p>	<p>form HUD-2530, including schedule A, read the Certification carefully. In the box below the statement of the certification, fill in the names of all principals and affiliates as listed in block 7. Each principal should sign the certification with the exception in some cases of individuals associated with a corporation (see "Exception for Corporations" in the section of the instructions titled "Who Must Sign and File Form HUD-2530). Principal who is signing on behalf of the entity should attach signature authority document. Each principal who signs the form</p>	<p>should fill in the date of the signature and a telephone number. By providing a telephone number, HUD can reach you in the event of any questions.</p> <p>If you cannot certify and sign the certification as it is printed because some statements do not correctly describe your record, use a pen to strike through those parts that differ with your record, and then sign and certify.</p> <p>Attach a signed statement of explanation of the items you have struck out on the certification. Item 2e. relates to felony</p>	<p>convictions within the past 10 years. If you are convicted of a felony within the past 10 years, strike out 2e. and attach statement of explanation. A felony conviction will not necessarily cause your participation to be disapproved unless there is a criminal record or other evidence that your previous conduct or method of doing business has been such that your participation in the project would make it an unacceptable risk from the underwriting stand point of an insurer, lender or governmental agency.</p>
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The Department of Housing and Urban Development (HUD) is authorized to collect this information by law (42 U.S.C. 3535(d) and 24 C.F.R. 200.217) and by regulation at 24 CFR 200.210. This information is needed so that principals applying to participate in multifamily programs can become HUD-approved participants. The information you provide will enable HUD to evaluate your record with respect to established standards of performance, responsibility and eligibility. Without prior approval, a principal may not participate in a proposed or existing multifamily project. HUD uses this information to evaluate whether or not principals pose an unsatisfactory underwriting risk. The information is used to evaluate the potential principals and approve only individuals and organizations that will honor their legal, financial and contractual obligations.

Rtlxce{ CevUcvgp gpv< The Housing and Community Development Act of 1987, 42 U.S.C. 3543 requires persons applying for a Federally-insured or guaranteed loan to furnish his/her Social Security Number (SSN). HUD must have your SSN for identification of your records. HUD may use your SSN for automated processing of your records and to make requests for information about you and your previous records with other public agencies and private sector sources. HUD may disclose certain information to Federal, State and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. It will not be otherwise disclosed or released outside of HUD, except as required and permitted by law. You must provide all of the information requested in this application, including your SSN.

Rwdnle tgrqtvp dwtfgp for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

A response is mandatory. Failure to provide any of the information will result in your disapproval of participation in this HUD program.

PROFILE OF FIRM



**525 South Lawrence Street
Montgomery, Alabama 36104**

(This Form must be fully completed and placed in the submittal.)

PRIME _____ **SUB-CONTRACTOR** _____

(Proposer must also identify his sub-contractors (if any) by providing Profile of Firm form for each)

(1) Name of

Vendor: _____

(2) Address, City, State, Zip: _____

(3) Telephone: _____ Fax: _____

Email: _____

(4) Proposer Diversity Statement: You must check all of the following that apply to the ownership of this vendor and enter where provided the correct percentage (%) of ownership of each:

<input type="checkbox"/> Caucasian American (Male) _____ %	<input type="checkbox"/> Public-Held Corporation _____ %	<input type="checkbox"/> Government Agency _____ %	<input type="checkbox"/> Non-Profit Organization _____ %
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Resident – (RBE), Minority- (MBE), or Woman-Owned (WBE) Business Enterprise (Qualifies by virtue of 51% or more ownership and active management by one of more of the following:

<input type="checkbox"/> Resident- Owned _____ %	<input type="checkbox"/> African American _____ %	<input type="checkbox"/> Native American _____ %	<input type="checkbox"/> Hispanic American _____ %	<input type="checkbox"/> Asian/Pacific American _____ %	<input type="checkbox"/> Asian/Indian American _____ %
--	---	--	--	---	--

<input type="checkbox"/> Woman-Owned (MBE) _____ %	<input type="checkbox"/> Woman-Owned (Caucasian) _____ %	<input type="checkbox"/> Disabled Veteran _____ %	<input type="checkbox"/> Other (Specify) _____ %
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WMBE Certification Number: _____

Certified by: _____

(NOTE: A CERTIFICATION / NUMBER NOT REQUIRED TO PROPOSE – ENTER IF AVAILABLE)

(5) Federal Tax ID No. _____

DUNS No. _____

(6) Business License No. _____ State _____

(7) General Liability Insurance Carrier: _____

Policy No. _____ Expiration Date _____

(8) Worker's Compensation Insurance Carrier: _____

MONTGOMERY HOUSING AUTHORITY, ALABAMA

PROFILE OF FIRM

Policy No. _____ Expiration Date _____

- (9) Professional Liability Insurance Carrier: _____

Policy No. _____ Expiration Date _____

- (10) Debarred Statement: Has this firm or any principal(s) ever been debarred from provided any services by the Federal Government, any state government, the State of Alabama, or any local government agency within or without the State of Alabama? ☐ Yes ☐ No

If "Yes" please attach a full detailed explanation, including dates, circumstances and current status.

- (11) Disclosure Statement: Does this firm or any principals thereof have any current past personal or professional relationship with any Commissioner or Officer of MHA? ☐ Yes ☐ No

If "Yes" please attach a full detailed explanation, including dates, circumstances and current status.

- (12) **Non-Collusive Affidavit:** The undersigned party submitting this proposal or bid hereby certifies that such proposal or bid is genuine and not collusive and that said proposer entity has not colluded, conspired, connived or agreed, directly or indirectly, with any proposer or person to put in a sham proposal or bid or to refrain from proposing or bidding, and has not in any manner, directly or indirectly sought by agreement or collusion or communication or conference with any person, to fix the proposal or bid price of affiant or of any other proposer or bidder, to fix overhead, profit or cost elements of said proposal or bid price, or that any other proposer or bidder or to secure any advantage against the Housing Authority or any person interested in the proposed contract; and that all statements in said proposal or bids are true.

- (13) **Verification Statement:** The undersigned proposer hereby states that by completing and submitting this form he/she is verifying that all information provided herein is, to the best of his/her knowledge, true and accurate, and agrees that if MHA discovers that any information entered herein if false, that shall entitle MHA to not consider nor make or to cancel any award with the undersigned party.

- (14) **Code of Alabama §11-93-2. Maximum amount of damages recoverable against governmental entities; settlement or compromise of claims not to exceed maximum amounts.**

The recovery of damages under any judgment against a governmental entity shall be limited to \$100,000.00 for bodily injury or death for one person in any single occurrence. Recovery of damages under any judgment or judgments against a governmental entity shall be limited to \$300,000.00 in the aggregate where more than two persons have claims or judgments on account of bodily injury or death arising out of any single occurrence. Recovery of damages under any judgment against a governmental entity shall be limited to \$100,000.00 for damage or loss of property arising out of any single occurrence. No governmental entity shall settle or compromise any claim for bodily injury, death or property damage in excess of the amounts herein above set forth. (Acts 1977, No. 673, p. 1161, §2.)

Signature

Date

Printed Name

Title

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the
_____ of the corporation
named as the Principal in the within bond; that _____,
who signed the said bond on behalf of the Principal was then _____
of said corporation; that I know his signature, and his signature thereto is genuine, and that said
bond was duly signed, sealed, and attested to for and in behalf of said corporation by authority of
its governing body.

(Affix Corporate Seal)

NON-COLLUSIVE AFFIDAVIT
(Prime Bidder/Respondent)

State of _____

County of _____

_____, Being first duly sworn, deposes and says that he/she is _____, (a partner or officer of the firm of, etc.) the party making the forgoing proposal or bid, that such proposal or bid is genuine and not collusive or sham; that said respondent/bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any respondent/bidder or person, to put in a sham bid/cost or to refrain from bidding or submitting cost proposal, and has not in any manner, directly or indirectly, sought by agreement to collusion, or communication or conference, with any person, to fix the bid/cost price of affiant or of any other respondent/bidder, or to fix overhead, profit or cost element of said bid/cost price, or of that of any other respondent/bidder, or to secure any advantage against the City of Montgomery Housing Authority of any person interested in the proposed contract:

And that all statements in said proposal or bid are true.

(Respondent/Bidder, if the
respondent/bidder is an individual;
Partner, if the respondent/bidder is a
partnership; Officer, if the
respondent/bidder is a corporation)

Subscribed and sworn to before me this

_____ Day of _____, 20_____

My commission expires _____, 20_____

Montgomery Housing Authority Section 3

SECTION 3 CLAUSE COMPLIANCE COMMITMENT

All Section 3 covered contracts shall include the following cause (referred to as the Section 3 Clause, 24 CFR § 75.38):

- 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 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.
- G. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and sub contracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

Acknowledged:

For: _____
Company Name

By: _____

Date: _____

Montgomery Housing Authority Section 3

SECTION 3 PARTICIPATION ELECTION FORM

The purpose of Section 3 of the Housing and Urban Development Act of 1968, as in the *Federal Register* at 85 FR 61524 (codified at 24 CFR Part 75), is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, **to the greatest extent feasible**, and consistent with existing Federal, State, and local laws and regulations, be directed toward low and very low-income persons, and to businesses that provide economic opportunities to low and very low-income persons. MHA's Section 3 Policy, which is consistent with the federal Section 3 requirements, has procedures to assist grant recipients, contractors and subcontractors in understanding and complying with Section 3 requirements. Undersigned certifies that he/she has received a copy of such policy, reviewed such policy, and is familiar with the requirements set forth therein.

How will your company fulfill its Section 3 Requirement?

- ☐ Certified Section 3 Business (Include Certification)
- ☐ Priority I – Employment/Training of Section 3 Workers in the priority set forth in MHA's Section 3 Policy, Section 3C
- ☐ Priority II – Contracting with Section 3 Businesses in the priority set forth in MHA's Section 3 Policy, Section 3C

By signing below, the contractor hereby agrees to comply with the selected Section 3 requirements indicated above.

Name: _____

Company: _____

Address: _____

Phone No: _____

Email Address: _____

Authorized By: _____

Montgomery Housing Authority Section 3

Date: _____

Section 3 Business Concern Certification Form

The purpose of this form is to comply with Section 3 of the HUD Act of 1968 Business Certification requirements. To count as a Section 3 Business your company/firm must meet one of the listed categories below. Each category will require additional documentation to support the election. You must provide that supporting documentation with this form properly completed to be confirmed as a Section 3 business. If this form is submitted without the required supplemental data, your certification will not be processed.

CATEGORY	DOCUMENTATION REQUIRED	YOUR ELECTION
a business at least 51 percent owned by low- or very low-income persons;	Proof of ownership showing all owners and their percentages and a completed Section 3 Individual Self-Certification form for all low- and very low-income owners	<input type="checkbox"/>
Over 75 percent of the labor hours performed for the business are performed by low- or very low-income persons; or	Provide the last 90 days full payrolls for the entire company, make a list of the names from the payrolls of the Section 3 workers, and provide a completed Section 3 Individual Self- Certification for all low- and very low-income workers you list	<input type="checkbox"/>
It is a business at least 51 percent owned by current public housing residents or residents who currently live in Section 8-assisted housing.	Proof of ownership showing all owners and their percentages and a Section 3 Individual Self-Certification form for all public housing and/or Section 8 owners	<input type="checkbox"/>

I hereby certify to the US Department of Housing and Urban Development (HUD) that all of the information on this form is true and correct. I attest under penalty of perjury that my business meets the elected definition and understand proof of this information may be requested. If found to be inaccurate, I understand that I may be disqualified as a certified Section 3 business.

Full Name: _____

Company Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Signature: _____ Date: _____



SECTION 3 PLAN

[Revised to comply with HUD's Code of Federal Regulations (CFR) Title 24, Part 75]

(Adopted by Board Resolution No. 6642 on April 26, 2022)

1. Overview of Section 3 Requirements

A. WHAT IS SECTION 3?

Section 3 is a provision of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) that is regulated by the provisions of 24 CFR 75. Section 3 regulations ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.

B. PURPOSE OF THIS DOCUMENT

This plan outlines how the Housing Authority of the City of Montgomery, Alabama and its subrecipients, contractors and subcontractors will comply with HUD's Section 3 requirements. MHA will, to the greatest extent feasible, ensure that employment and other economic opportunities are directed to low- and very low-income persons (Section 3 workers and Targeted Section 3 workers) and to eligible businesses (Section 3 Businesses) and requires the same of its contractors.

MHA may amend its Section 3 Policies and Procedures document as necessary to ensure continued compliance with HUD's requirements and/or to reflect updated Section 3 guidance and outreach strategies.

This plan shall be construed consistently with the requirements set forth in 24 CFR Part 75 and with the requirements set forth in HUD's Procurement Rules and Regulations and with the requirements of any applicable Alabama State bid laws. In the event that this Policy is deemed to conflict with any of the foregoing sources of legal authority, any such conflicting legal authority shall be deemed to supersede this policy and shall be deemed to be controlling. Likewise, to the extent that 24 CFR Part 75 is amended or interpreted by HUD, the requirements of any such amendment or interpretation shall be deemed to be included herein.

C. APPLICABILITY

For public housing financial assistance, all funding is covered, regardless of the amount of expenditure or size of a contract. This plan applies to development assistance, operating funds, capital funds, and all mixed-finance development.

For housing and community development financial assistance, this plan applies to housing rehabilitation, housing construction, and other public construction projects that exceed \$200,000 or more of housing and community development financial assistance from one or more HUD programs. Applicability is determined at the project level.

For projects funded with Lead and Hazard Control and Healthy Homes Programs, this plan applies to projects that exceed \$100,000.

This plan also applies to projects that include multiple funding sources. Multiple funding source projects include projects that include public housing financial assistance, housing and community development financial assistance for single or multiple recipients, and the Lead Hazard Control and Healthy Homes Program.

Section 3 requirements **do not** apply to: 1) Material Supply Contracts - § 75.3(b), 2) Indian and Tribal Preferences - § 75.3(c), and 3) Other HUD assistance and other Federal assistance not subject to Section 3 §75.3 (d). However, for financial assistance that is not subject to Section 3, recipients are encouraged to consider ways to support the purpose of Section 3. Additionally, Professional service jobs are defined in 24 CFR 75.5 as “non-construction services that require an advanced degree or professional licensing, including, but not limited to, contracts for legal services, financial consulting, accounting services, environmental assessment, architectural services, and civil engineering services.” These jobs are excluded from the reporting requirement for Section 3 and Targeted Section 3 workers because it is very difficult for grantees and contractors to recruit and hire eligible persons for these roles due to the higher wages/salaries earned for these types of jobs. See, HUD Notice: CPD-21-09.

2. Section 3 Coordinator

MHA’s Section 3 Coordinator shall serve as the central point of contact for Section 3 compliance for MHA and its subrecipients, contractors and subcontractors supporting the program. Subrecipients, contractors, subcontractors and others are encouraged to reach out to MHA’s Section 3 Coordinator with questions regarding Section 3 compliance.

3. Employment, Training, and Contracting Goals

A. SAFE HARBOR COMPLIANCE

MHA and its contractors and subcontractors will be considered to have complied with the Section 3 requirements and met safe harbor, if they certify that they followed the required prioritization of effort and met or exceeded the Section 3 benchmarks, absent evidence of the contrary.

Prior to the beginning of work, contractors and subcontractors will be required to certify that they will follow the required prioritization of effort for Section 3 workers, Targeted Section 3 workers, and Section 3 business concerns as outlined below in Section C below. After completion of the project, on the Section 3 Cumulative Report, in the Appendices hereto, contractors and subcontractors will be required to certify that they followed the prioritization of effort requirements.

If the contractor and subcontractor does not meet the safe harbor requirements, they must report on the qualitative nature of their Section 3 compliance activities and provide documentation of same. Such qualitative efforts may, for example, include but are not limited to the following:

- (1) Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.
- (2) Provided training or apprenticeship opportunities.
- (3) Provided technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).
- (4) 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.
- (5) Held one or more job fairs.

- (6) Provided or referred Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, child care).
- (7) Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
- (8) Assisted Section 3 workers to obtain financial literacy training and/or coaching.
- (9) Engaged in outreach efforts to identify and secure bids from Section 3 business concerns.
- (10) Provided technical assistance to help Section 3 business concerns understand and bid on contracts.
- (11) Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns (note that such should not be used as a means to avoid any applicable federal or state procurement requirements).
- (12) Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
- (13) Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.
- (14) Outreach, engagement, or referrals with the state one-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.

B. SAFE HARBOR BENCHMARKS

MHA has established employment and training goals that subrecipients, contractors, and subcontractors should meet in order to comply with Section 3 requirements outlined in 24 CFR Part 75.9 - for public housing financial assistance or 24 CFR Part 75.19 - for housing and community development financial assistance. The safe harbor benchmark goals are as follows:

(for public housing financial assistance)

- 1) Twenty-five (25) percent or more of the total number of labor hours worked by all workers employed with public housing financial assistance in the PHA's fiscal year are Section 3 workers;

Section 3 Labor Hours/Total Labor Hours = 25%

And

- 2) Five (5) percent or more of the total number of labor hours worked by all workers employed with public housing financial assistance in the PHA's fiscal year are Targeted Section 3 workers, as defined at 24 CFR Part 75.11.

Targeted Section 3 Labor Hours/Total Labor Hours = 5%

(for housing and community development financial assistance)

- 1) Twenty-five (25) percent or more of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers;

Section 3 Labor Hours/Total Labor Hours = 25%

And

- 2) Five (5) percent or more of the total number of labor hours worked by all workers on a Section 3 project are Targeted Section 3 workers, as defined at 24 CFR Part 75.21.

Targeted Section 3 Labor Hours/Total Labor Hours = 5%

HUD establishes and updates Section 3 benchmarks for Section 3 workers and/or Targeted Section 3 workers through a document published in the Federal Register, not less frequently than once every 3 years. Given that the Section 3 benchmarks are subject to change every three years or sooner, MHA will review and update the Section 3 Plan annually, as needed.

It is the responsibility of contractors to implement efforts to achieve Section 3 compliance. Any contractor that does not meet the Section 3 benchmarks must demonstrate why meeting the benchmarks were not feasible. All contractors submitting bids or proposals to the MHA are required to certify that they will comply with the requirements of Section 3.

C. CERTIFICATION OF PRIORITIZATION OF EFFORT FOR EMPLOYMENT, TRAINING, AND CONTRACTING

EMPLOYMENT AND TRAINING

Under the MHA's Section 3 Program, contractors and subcontractors should make best efforts to provide employment and training opportunities to Section 3 workers in the priority order listed below:

(for public housing financial assistance)

- 1) To residents of the public housing projects for which the public housing financial assistance is expended;
- 2) To residents of other public housing projects managed by the PHA that is providing the assistance or for residents of Section 8-assisted housing managed by the PHA;
- 3) To participants in YouthBuild programs; and
- 4) To low- and very low-income persons residing within the metropolitan area (or nonmetropolitan county) in which the assistance is expended.

(for housing and community development financial assistance)

Provide employment and training opportunities to Section 3 workers within the metropolitan area (or nonmetropolitan county) in which the project is located in the priority order listed below:

- 1) Section 3 workers residing within the service area or the neighborhood of the project, and
- 2) Participants in YouthBuild programs.

Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization of effort requirements prior to the beginning work and after work is completed.

CONTRACTING

Under the MHA's Section 3 Program, contractors and subcontractors must make their best efforts to award contracts and subcontracts to business concerns that provide economic opportunities to Section 3 workers in the following order or priority:

(for public housing financial assistance)

- 1) Section 3 business concerns that provide economic opportunities for residents of public housing projects for which the assistance is provided;
- 2) Section 3 business concerns that provide economic opportunities for residents of other public housing projects or Section-8 assisted housing managed by the PHA that is providing assistance;
- 3) YouthBuild programs; and
- 4) Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or nonmetropolitan county) in which the assistance is provided.

(for housing and community development financial assistance)

- 1) Business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or nonmetropolitan county) in which assistance is located in the following order of priority (where feasible):
 - a) Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the service area or the neighborhood of the project; and
 - b) YouthBuild programs.

Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization of effort requirements prior to the beginning work and after work is completed.

4. Section 3 Eligibility and Certifications

Individuals and businesses that meet Section 3 criteria may seek Section 3 preference from MHA or its contractors/subcontractors for training, employment, or contracting opportunities generated by public housing financial assistance or housing and community development financial assistance. To qualify as a Section 3 worker, Targeted Section 3 worker or a Section 3 business concern, each must self-certify that they meet the applicable criteria.

Businesses who misrepresent themselves as Section 3 business concerns and report false information to MHA may have their contracts terminated as default and be barred from ongoing and future considerations for contracting opportunities.

A. SECTION 3 WORKER AND TARGETED SECTION 3 WORKER CERTIFICATION

A Section 3 worker seeking certification shall submit self-certification documentation to the recipient contractor or subcontractor, that the person is a Section 3 worker or Targeted Section 3 worker as defined in 24 CFR Part 75. For the purposes of Section 3 worker eligibility, MHA will use individual income rather than family/household income to determine eligibility. The income limits will be determined annually using the guidelines published at <https://www.huduser.org/portal/datasets/il.html>.

Persons seeking the Section 3 worker preference shall demonstrate that it meets one or more of the following criteria currently or when hired within the past five years, as documented:

- 1) A low or very low-income resident (the worker's income for the previous or annualized calendar year is below the income limit established by HUD); or
- 2) Employed by a Section 3 business concern; or
- 3) A YouthBuild participant.

The Section 3 Certification Form included in the Appendix can be used to document the status of a Section 3 worker. The status of a Section 3 worker shall not be negatively affected by a prior arrest or conviction. Nothing in this part shall be construed to require the employment of someone who meets this definition of a Section 3 worker. Section 3 workers are not exempt from meeting the qualifications of the position to be filled.

Persons seeking the Targeted Section 3 worker preference shall demonstrate that it meets one or more of the following criteria:

(for public housing financial assistance)

- 1) Employed by a Section 3 business concern or
- 2) Currently meets or when hired met at least one of the following categories as documented within the past five years:
 - a) A resident of public housing; or
 - b) A resident of other public housing projects or Section 8-assisted housing; or
 - c) A YouthBuild participant.

(for housing and community development assistance)

- 1) Employed by a Section 3 business concern or
- 2) Currently meets or when hired met at least one of the following categories as documented within the past five years:

- a) Living within the service area or the neighborhood of the project, as defined in 24 CFR Part 75.5; or
- b) A YouthBuild participant.

The Targeted Section 3 Certification Form included in the Appendix can be used to document the status of a Targeted Section 3 worker. The status of a Targeted Section 3 worker shall not be negatively affected by a prior arrest or conviction. Nothing in this part shall be construed to require the employment of someone who meets this definition of a Targeted Section 3 worker. Targeted Section 3 workers are not exempt from meeting the qualifications of the position to be filled.

PROJECTS INVOLVING MULTIPLE SOURCES OF FUNDING

In cases where Section 3 covered projects include multiple sources of funds, including public housing financial assistance and housing and community development assistance, MHA must follow the definition of Targeted Section 3 worker and priorities as outlined in subpart B of Part 75. For housing and community development financial assistance, MHA may follow either subpart B or subpart C of Part 75.

In cases where Section 3 covered projects include multiple housing and development funding sources (financial assistance) from single or multiple recipients, MHA will follow subpart C of Part 75. Refer to chart in [Appendix B](#).

B. SECTION 3 BUSINESS CONCERN CERTIFICATION

The MHA, should encourage contractors and subcontractors to make best efforts to award contracts and subcontracts to Section 3 business concerns.

Businesses that believe they meet the Section 3 Business requirements may self-register in the HUD Business registry, here: <http://www.hud.gov/Sec3Biz>. Businesses may seek Section 3 Business Concern preference by demonstrating that it meets one or more of the following criteria:

- 1) At least 51 percent of the business is owned and controlled by low- or very low-income persons; or
- 2) 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; or
- 3) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers.

Businesses that seek Section 3 preference shall certify, or demonstrate to MHA, contractors or subcontractors, that they meet the definitions provided in the above. Businesses may demonstrate eligibility by submitting the Section 3 Business Concern Certification Form.

Businesses that consider themselves as a Section 3 Business Concern can self-certify by visiting the HUD Section 3 Business Registry Website: <http://www.hud.gov/Sec3Biz>. MHA can accept the completed self-certification form as long as MHA does not have reason to doubt the business' eligibility. The status of a Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owner(s) or employees. Nothing in this part shall be construed to require the contracting or subcontracting of a Section 3 business concern. Section 3 business concerns are not exempt from meeting the specifications of a contract or any applicable procurement requirements.

Section 3 Business Concern Certification Forms must be submitted at the time of bid/proposal. If the MHA previously approved the business concern to be Section 3 certified, then the same certification can be submitted along with a bid or proposal, as long as the form is submitted within the prescribed expiration

date. The Section 3 Business Concern Certification Form will expire after 3 months after completion of a contract with MHA. Establishing a 3-month certification of eligibility period allows the MHA the ability to assess contractor performance to ensure the business is striving to meet the required goals.

Qualifying as a Section 3 businesses does not mean that the business will be selected if it meets the technical requirements of the bid, regardless of bid price.

PROOF OF QUALIFICATIONS

In accordance with the regulation, residents and business concerns seeking Section 3 preference shall certify, or submit evidence to the recipient, contractor, subcontractor or sub-recipient (if requested) verifying that they meet the definitions provided above for Section 3 worker, Targeted Section 3 worker, and Section 3 Business.

In addition to the above certifications, MHA can use its discretion for determining the type of verification that is required by prospective Section 3 workers, Targeted Section 3 workers, and business concerns. Some examples include proof of residency in a public housing authority; proof of federal subsidies for housing, food stamps, or unemployment benefits; and payroll data or other relevant business information.

As provided in 2 CFR 200.318, contract awards shall only be made to responsible contractors possessing the ability to perform under the terms and conditions of the proposed contract.

5. Assisting Contractors with Achieving Section 3 Goals

In an effort to assist contractors with meeting or exceeding the Section 3 goals, MHA will do the following:

- 1) Share Section 3 Plan with contractors and subcontractors and explain policies and procedures
- 2) Require contractors wishing to submit a bid/offer/proposal to attend pre-bid meeting
- 3) Require contractor to sign the Section 3 Plan at pre-construction conference
- 4) Review Section 3 benchmarks and prioritization of effort with contractors and subcontractors to ensure that the goals are understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to meet Section 3 benchmark goals by utilizing existing qualified workforce and by considering qualified eligible Section 3 workers and Targeted Section 3 workers (per the prioritization of effort outlined in Section #3) before any other person, when hiring additional employees is needed to complete proposed work to be performed.
- 5) At the time of bid, require the contractor to present a list, of the number of total labor hours, Section 3 worker labor hours, and Targeted Section 3 worker labor hours expected to be generated from the initial contract and a list of projected number of available positions, to include job descriptions and wage rates.
- 6) Maintain a local Section 3 worker/Targeted Section 3 worker database and provide the contractor with a list of interested and qualified Section 3 workers and Targeted Section 3 workers and contact information.
- 7) Inform contractors about the HUD Section 3 Opportunity Portal <https://hudapps.hud.gov/OpportunityPortal/>

- 8) Require contractors to notify Section 3 Coordinator of their interests regarding employment of Section 3 workers prior to hiring.
- 9) Encourage local business to register on the HUD Business Registry and direct contractors to the HUD Section 3 Business Registry <https://www.hud.gov/section3businessregistry>
- 10) Leverage MHA 's communication outlets (social media, website, etc.) to effectively communicate employment and contracting opportunities that arise.
- 11) Require contractors to submit a list of core employees (including administrative, clerical, planning and other positions pertinent to the construction trades) at the time of contract award.

6. Section 3 Outreach

A. OUTREACH EFFORTS FOR EMPLOYMENT AND TRAINING

In order to educate and inform workers and contractors, MHA's Section 3 Coordinator will be prepared to provide training and technical assistance on a regular basis per program guidelines. When training opportunities are available, contractors and subcontractors should, to the greatest extent feasible:

- 1) Notify the Section 3 Coordinator when training opportunities are available
- 2) Provide information/handouts about Section 3 training opportunities to potential Section 3 workers and Targeted Section 3 workers
- 3) Conduct an annual training for Section 3 workers and Section 3 businesses

Contractors and subcontractors should employ several active strategies to notify Section 3 workers and Targeted Section 3 workers of Section 3 job opportunities, including:

- 1) Clearly indicating Section 3 eligibility on all job postings with the following statement: "This job is a Section 3 eligible job opportunity. We encourage applications from individuals that are low income and/or live in Public Housing and/or receive a Section 8 voucher";
- 2) Including the Section 3 Worker and Targeted Section 3 Worker Self-Certification Form in all job postings
- 3) Working with the Section 3 Coordinator to connect Section 3 worker and Targeted Section 3 workers in MHA's Section 3 database with opportunities and/or utilize the Section 3 Opportunity Portal to find qualified candidates
- 4) Establishing a current list of Section 3 eligible applicants
- 5) Contacting local community organizations and provide them with job postings for Section 3 eligible applicants; and
- 6) Coordinating a programmatic ad campaign, which results in widespread job posting across diverse ad networks including:
 - a) Advertising job opportunities via social media, including LinkedIn and Facebook;
 - b) Advertising job opportunities via flyer distributions and mass mailings and posting ad in common areas of housing developments and all public housing management offices

- c) Contacting resident councils, resident management corporations, and neighborhood community organizations to request their assistance in notifying residents of available training and employment opportunities

B. OUTREACH EFFORTS FOR CONTRACTING

When applicable contracting opportunities arise, MHA will employ the following strategies to notify Section 3 Business Concerns of Section 3 contracting opportunities, including but not limited to:

- 1) Adding Section 3 language to all RFPs, procurement documents, bid offerings and contracts.
- 2) Coordinating mandatory pre-bid meetings to inform Section 3 Business Concerns of upcoming contracting opportunities. The Section 3 Coordinator will participate in these meetings to explain and answer questions related to Section 3 policy.
- 3) Advertising contracting opportunities in local community papers and notices that provide general information about the work to be contracted and where to obtain additional information.
- 4) Providing written notice of contracting opportunities to all known Section 3 Business Concerns. The written notice will be provided in sufficient time to enable business concerns the opportunity to respond to bid invitations.
- 5) Coordinating with the prime contractor to publicize contracting opportunities for small businesses.
- 6) Coordinating with business assistance agencies and contractor associations to inform them of contracting opportunities and request their assistance in identifying Section 3 business concerns. Could include local community development organizations, business development agencies (Chamber of Commerce), and minority contracting associations.
- 7) Connecting Section 3 business concerns with resources to support business development to assist in obtaining contracting opportunities (e.g., bonding and insurance assistance, etc.). Contractors will also be encouraged to collaborate with the MHA as subcontract opportunities arise in an effort to notify eligible Section 3 business concerns about the contracting opportunities.

7. Section 3 Contracting Policy and Procedure

MHA shall incorporate Section 3 in its existing Procurement Policy and adopt a Section 3 Contracting Policy and Procedure to be included in all procurements generated for use with HUD funding. This policy and procedure contain requirements for making efforts to award contracts to Section 3 Business Concerns.

All contractors/businesses seeking Section 3 preference must, before submitting bids/proposals to the MHA be required to complete certifications, as appropriate. Such certifications shall be adequately supported with appropriate documentation as referenced in the Section 3 Business Concern Certification Form set forth in the Appendices hereto.

BID OR PROPOSAL EVALUATION

Contractors who fail to address Section 3 requirements, when applicable, in Bid or Proposal Evaluations will be deemed nonresponsive as set forth herein. This means that in the proposal or bid documents submitted to MHA, when applicable, the Contractor's Section 3 Clause Compliance Commitment and Section 3 Participation Election Form must be completed including applicable attachments and supporting documentation.

After written notice from MHA specifying any defects in the Section 3 information, contractors will be given

no more than 5 business days to complete the form and provide all required documents. Failure to respond within the 5 days will result in MHA declaring the bidder or respondent as non-responsive.

8. Section 3 Provisions/Contract Language

MHA will include standard Section 3 language in all of its contracts to ensure compliance with regulations in 24 CFR Part 75. MHA will take appropriate actions upon finding that a contractor is in violation of 24 CFR Part 75 and does not knowingly contract with any contractor that has been found in violation of the Section 3 regulations. On a periodic basis the Section 3 Coordinator will audit MHA contractors for compliance with the minimum Section 3 requirements outlined in the Section 3 Plan.

In addition, contractors and subrecipients are required to include language in all Section 3 covered contracts or agreements for subcontractors to meet the requirements of 24 CFR Part 75.9 (for public housing financial assistance) or 24 CFR Part 75.19 (for housing and community development financial assistance).

For businesses, noncompliance with HUD's regulations in 24 CFR part 75 may, at the sole discretion of MHA, result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

9. Reporting and Compliance Requirements

MHA is required to keep records and documentation certifying compliance with Section 3 benchmarks, and with Prioritization of Efforts.

COMPLIANCE REPORTING

MHA must report annually to HUD in a manner consistent with reporting requirements for the applicable HUD program. MHA will be considered to be in compliance with Section 3 Safe Harbor 1) by certifying compliance with Prioritization of Efforts in §75.9, and 2) by meeting the established Benchmark Goals for Section 3 and Target Section 3 workers.

If reporting indicates that MHA has not met the Section 3 Benchmarks, then MHA must report in a method on the qualitative nature of its activities and those its contractors and subcontractors pursued per 24 CFR § 75.15(b) and § 75.25(b).

Please note that it is important to document efforts made to comply with Section 3. Files should illustrate attempts to meet Section 3 benchmarks. The mere existence of a Section 3 Action Plan is not sufficient. Affirmative attempts to reach Section 3 goals must be made.

CONTRACTOR COMPLIANCE

Contractors will be required to comply with the Prioritization of Efforts for each contract.

Priority I. Employment and Training Compliance: Contractors will be considered to be in compliance by meeting the 25% and 5% Benchmark Goals for each project, or by providing proof of efforts to provide employment or training opportunities to Section 3 and Targeted Section 3 workers.

Priority II. Contracting Compliance: Contractors will be considered to be in compliance by providing documentation of contracting with Certified Section 3 Business Concerns.

As part of each bid or proposal submitted, the contractor must document their workforce byposition. Such information will be verified at the commencement of the contract.

Contractors will be required to complete the Targeted/ Section 3 Worker Tracking Form (See Appendix) on a monthly basis to clearly identify the Section 3 hires. The contractor must comply with the Section 3 requirements throughout the life of the contract. MHA will periodically audit this information at its discretion. Failure to comply with the monthly documentation may result in the termination of the contract at MHA's discretion.

Contractors employing Targeted Section 3 Workers, Section 3 Workers, and Section 3 BusinessConcerns must obtain and provide documentation to demonstrate such for meeting Section 3 goals.

REPORTING ON PROJECTS WITH MULTIPLE FUNDING SOURCES

1) For Section 3 projects that include public housing financial assistance and housing and community development financial assistance, MHA shall report on the project as a whole and will identify the multiple associated recipients.

2) For projects assisted with funding from multiple sources of housing and community development assistance that exceed the thresholds of \$200,000 and \$100,000 for Lead Hazard Control and Healthy Homes Programs (LHCHH), the MHA will follow subpart C of Part 75 and will report to the applicable HUD program office, as prescribed by HUD. Note: LHCHH assistance is not included in calculating whether the assistance exceeds the \$200,000 threshold. HUD public housing financial assistance and HUD housing and community development financial assistance is not included in calculating whether the assistance exceeds the LHCHH \$100,000 threshold. Refer to chart in [Appendix B](#).

10. Internal Section 3 Complaint Procedure

In an effort to resolve complaints generated due to non-compliance through an internal process, MHA encourages submittal of such complaints to its Section 3 Coordinator as follows:

- 1) Complaints of non-compliance should be filed in writing and must contain the name of the complainant and brief description of the alleged violation of 24 CFR Part 75.
- 2) Complaints must be filed in a timely manner after the complainant becomes aware of the alleged violation.
- 3) An investigation will be conducted if complaint is found to be valid. MHA will conduct an informal, but thorough investigation affording all interested parties, if any, an opportunity to submit testimony and/or evidence pertinent to the complaint.
- 4) The MHA will provide written documentation detailing the findings of the investigation. The MHA will review the findings for accuracy and completeness before it is released to complainants. The findings will be made available in a timely manner after receipt of the complaint. If complainants wish to have their concerns considered outside of the MHA a complaint may be filed with:

The HUD program office responsible for the public housing financial assistance or the Section 3 project, or to the local HUD field office. These offices can be found through the HUD website, www.hud.gov/.

Complainants may be eligible to bring complaints under other federal laws. The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate

against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information (medical history or predisposition to disease). For more information about complainant rights, please contact EEOC at: www.EEOC.gov.

The Department of Labor Office of Federal Contract Compliance Programs (OFCCP) enforces, for the benefit of job seekers and wage earners, the contractual promise of affirmative action and equal employment opportunity required of those who do business with the Federal government. More information about the services they provide can be obtained at: <http://www.dol.gov/ofccp/>.

11. Appendices

APPENDIX A: DEFINITIONS

The terms *HUD*, *Public housing*, and *Public Housing Agency (PHA)* are defined in 24 CFR part 5.

The following definitions also apply to 24 CFR Part 75 HUD's Economic Opportunities for Low-and Very Low-Income Persons:

1937 Act means the United States Housing Act of 1937, 42 U.S.C. 1437 *et seq. activities related to Public Housing*

Contractor means any entity entering into a contract with:

(1) A recipient to perform work in connection with the expenditure of public housing financial assistance or for work in connection with a Section 3 project; or

(2) A subrecipient for work in connection with a Section 3 project.

Labor hours means the number of paid hours worked by persons on a Section 3 project or by persons employed with funds that include public housing financial assistance.

Low-income person means a person as defined in Section 3(b)(2) of the 1937 Act, at or below 80% AMI. Note that Section 3 worker eligibility uses individual income rather than family/household income.

Material supply contracts means contracts for the purchase of products and materials, including, but not limited to, lumber, drywall, wiring, concrete, pipes, toilets, sinks, carpets, and office supplies.

Professional services means non-construction services that require an advanced degree or professional licensing, including, but not limited to, contracts for legal services, financial consulting, accounting services, environmental assessment, architectural services, and civil engineering services.

Public housing financial assistance means assistance as defined in 24 CFR Part 75.3(a)(1).

Public housing project is defined in 24 CFR 905.108.

Recipient means any entity that receives directly from HUD public housing financial assistance or housing and community development assistance that funds Section 3 projects, including, but not limited to, any State, local government, instrumentality, PHA, or other public agency, public or private nonprofit organization.

Section 3 means Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

Section 3 business concern means:

(1) A business concern meeting at least one of the following criteria, documented within the last six-month period:

(i) It is at least 51 percent owned and controlled by low- or very low-income persons;

(ii) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or

(iii) It is a business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

(2) The status of a Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owner(s) or employees.

(3) Nothing in this part shall be construed to require the contracting or subcontracting of a Section 3 business concern. Section 3 business concerns are not exempt from meeting the specifications of the contract.

Section 3 Coordinator is person tasked with overseeing all Section 3 responsibilities for the PHA/CD office.

Section 3 project means a project defined in 24 CFR Part 75.3(a)(2).

Section 3 worker means:

(1) Any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:

(i) The worker's income for the previous or annualized calendar year is below the income limit established by HUD.

(ii) The worker is employed by a Section 3 business concern.

(iii) The worker is a YouthBuild participant.

(2) The status of a Section 3 worker shall not be negatively affected by a prior arrest or conviction.

(3) Nothing in this part shall be construed to require the employment of someone who meets this definition of a Section 3 worker. Section 3 workers are not exempt from meeting the qualifications of the position to be filled.

Section 8-assisted housing refers to housing receiving project-based rental assistance or tenant-based assistance under Section 8 of the 1937 Act.

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.

Small PHA means a public housing authority that manages or operates fewer than 250 public housing units.

Subcontractor means any entity that has a contract with a contractor to undertake a portion of the contractor's obligation to perform work in connection with the expenditure of public housing financial assistance or for a Section 3 project.

Subrecipient has the meaning provided in the applicable program regulations or in 2 CFR 200.93.

Targeted Section 3 worker has the meanings provided in 24 CFR Part 75.11, 75.21, or 75.29, and does not exclude an individual that has a prior arrest or conviction.

Very low-income person means the definition for this term set forth in section 3(b)(2) of the 1937 Act (at or below 50% AMI).

YouthBuild programs refers to YouthBuild programs receiving assistance under the Workforce Innovation and Opportunity Act (29 U.S.C. 3226).

APPENDIX B: MULTIPLE FUNDING SOURCES - CHART

TYPE OF FINANCIAL ASSISTANCE	DEFINITIONS *TARGETED SECTION 3 WORKER	THRESHOLDS	PRIORITIZATION	REPORTING
Public Housing and Housing and Community Development	PHA – must follow subpart B of Part 75 HCD – may follow subpart B or C of Part 75	None *Any amount of PH assistance triggers Section 3	PHA – must follow subpart B of Part 75 HCD – may follow subpart B or C of Part 75	PHA – must follow subpart B of Part 75 HCD – may follow subpart B or C of Part 75 Both - Must report on project as a whole and identify the multiple associated recipients
Multiple Sources of Housing and Community Development <i>(single or multiple recipients)</i>	Must follow subpart C of Part 75	Exceeds \$200,000 for Section 3 projects *LHCHHP exceeds \$100,000	Must follow subpart C of Part 75	Must follow subpart C of Part 75 Must report on project as a whole and identify the multiple associated recipients Must report to the applicable HUD program office, as prescribed by HUD

APPENDIX C: FORMS

- 1) Targeted Section 3 Worker Certification
- 2) Section 3 Worker Certification
- 3) Targeted/ Section 3 Worker Tracking Form
- 4) Section 3 Permanent Workforce Form
- 5) Section 3 Business Concern Self-Certification: <http://www.hud.gov/Sec3Biz>
- 6) Section 3 Bid or Proposal Compliance Forms
 - a. Section 3 Clause Compliance Commitment
 - b. Section 3 Participation Election Form
- 7) Cumulative Report

Montgomery Housing Authority Section 3

Targeted Section 3 Worker Certification Form

A Targeted Section 3 Worker seeking the preference in training and employment provided by this part shall certify or submit evidence to the recipient contractor or subcontractor that the person is a Targeted Section 3 Worker, as defined in Section 24 CFR 75.

Print Name

Please check at least one option:

_____ I am employed by a Section 3 business concern.

OR within the past 5 years:

_____ I am a public housing resident or HCV Section 8 Resident of MHA.

_____ I am a resident of other housing assisted by MHA or in MHA's management portfolio.

_____ I am a YouthBuild participant.

The status of a Targeted Section 3 worker shall not be negatively affected by a prior arrest or conviction. Nothing in this part shall be construed to require the employment of someone who meets this definition of a Targeted Section 3 worker. Targeted Section 3 workers are not exempt from meeting the qualifications of the position to be filled.

I hereby certify that the information provided by me to be true and correct and understand any falsification of any of the information could subject me to disqualification from participation and punishment under the law.

Signature

Date

Montgomery Housing Authority Section 3

Section 3 Worker Certification Form

A Section 3 Worker seeking the preference in training and employment provided by this part shall certify or submit evidence to the recipient contractor or subcontractor that the person is a Section 3 Worker, as defined in Section 24 CFR 75.

Print Name

Please check at least one option:

_____ My annual income for the previous year or projected current year is below the HUD Low Income Individual Median Income (80%). I have attached a copy of the HUD income limits obtained from <https://www.huduser.gov/portal/datasets/il.html> for the year in which I comply.

_____ I am employed by a Section 3 business concern.

_____ I am a YouthBuild participant.

The status of a Section 3 worker shall not be negatively affected by a prior arrest or conviction. Nothing in this part shall be construed to require the employment of someone who meets this definition of a Section 3 worker. Section 3 workers are not exempt from meeting the qualifications of the position to be filled.

I hereby certify that the information provided by me to be true and correct and understand any falsification of any of the information could subject me to disqualification from participation and punishment under the law.

Signature

Date

Montgomery Housing Authority Section 3 Policy

TARGETED SECTION 3, SECTION 3 AND NON-SECTION 3 WORKER TRACKING FORM

*This form must be submitted monthly

For Month Ending: _____

Name of Employee/Worker Job Title INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SSN)	Non Section 3 Worker Yes or No	Targeted Section 3 Workers Yes or No	Section 3 Workers Yes or No	Total Labor Hours Worked

Montgomery Housing Authority Section 3

SECTION 3 PERMANENT WORKFORCE FORM

This form is used to determine the Section 3 Workers already employed by the contractor.
This form may be compared to Davis -Bacon Payrolls for cross referencing purposes.

Project Name: _____ Name of Contractor: _____

Address: _____ Date: _____

Employee Name	Job Title	Certified Section 3 Worker		Monthly Salary	Salary Below 80% of Median Income	
		YES	NO		YES	NO

I certify the above employees are permanent employees of _____. I certify the above employees are on our regular monthly payroll and have their W-2 tax forms for our records. These records will be available to MHA for the above referenced project for verification purposes. I understand that falsifying information is perjury and subject to legal ramifications.

Print Name

Signature

Date

Montgomery Housing Authority Section 3

SECTION 3 CLAUSE COMPLIANCE COMMITMENT

All Section 3 covered contracts shall include the following cause (referred to as the Section 3 Clause, 24 CFR § 75.38):

- 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 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.
- G. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and sub contracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

Acknowledged:

For: _____
Company Name

By: _____

Date: _____

Montgomery Housing Authority Section 3

SECTION 3 PARTICIPATION ELECTION FORM

The purpose of Section 3 of the Housing and Urban Development Act of 1968, as in the *Federal Register* at 85 FR 61524 (codified at 24 CFR Part 75), is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, **to the greatest extent feasible**, and consistent with existing Federal, State, and local laws and regulations, be directed toward low and very low-income persons, and to businesses that provide economic opportunities to low and very low-income persons. MHA's Section 3 Policy, which is consistent with the federal Section 3 requirements, has procedures to assist grant recipients, contractors and subcontractors in understanding and complying with Section 3 requirements. Undersigned certifies that he/she has received a copy of such policy, reviewed such policy, and is familiar with the requirements set forth therein.

How will your company fulfill its Section 3 Requirement?

_____ Certified Section 3 Business (Include Certification)

_____ Priority I – Employment/Training of Section 3 Workers in the priority set forth in MHA's Section 3 Policy, Section 3C

_____ Priority II – Contracting with Section 3 Businesses in the priority set forth in MHA's Section 3 Policy, Section 3C

By signing below, the contractor hereby agrees to comply with the selected Section 3 requirements indicated above.

Name: _____

Company: _____

Address: _____

Phone No: _____

Email Address: _____

Authorized By: _____

SECTION 3 CUMULATIVE REPORT

Upon final completion of a project, contractors and subcontractors shall provide the following certifications to MHA:

On behalf of the contractor or subcontractor identified below, undersigned represents, warrants, and certifies that such contractor or subcontractor has followed the prioritization of effort requirements as set forth in the attached Section 3 Clause Compliance Commitment (attach hereto executed Section 3 Clause Compliance Commitment).

By signing the below acknowledgement, Contractor or Subcontractor hereby represents, warrants, and certifies that it has met the safe harbor requirements set forth in Section 3B of MHA's Section 3 Plan. Otherwise, if the contractor and subcontractor has not met the safe harbor requirements set forth in Section 3B of MHA's Section 3 Plan, the contractor or subcontractor must explain below why meeting the benchmarks were not feasible. Any such contractor or subcontractor must also describe below on the qualitative nature of its Section 3 compliance activities (see Section 3A of MHA's Section 3 Plan for examples) and provide documentation of same:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Acknowledged:

For: _____
Contractor or Subcontractor Name

By: _____

Montgomery Housing Authority Section 3

Date: _____

Section 3 Business Concern Certification Form

The purpose of this form is to comply with Section 3 of the HUD Act of 1968 Business Certification requirements. To count as a Section 3 Business your company/firm must meet one of the listed categories below. Each category will require additional documentation to support the election. You must provide that supporting documentation with this form properly completed to be confirmed as a Section 3 business. If this form is submitted without the required supplemental data, your certification will not be processed.

CATEGORY	DOCUMENTATION REQUIRED	YOUR ELECTION
a business at least 51 percent owned by low- or very low-income persons;	Proof of ownership showing all owners and their percentages and a completed Section 3 Individual Self-Certification form for all low- and very low-income owners	<input type="checkbox"/>
Over 75 percent of the labor hours performed for the business are performed by low- or very low-income persons; or	Provide the last 90 days full payrolls for the entire company, make a list of the names from the payrolls of the Section 3 workers, and provide a completed Section 3 Individual Self- Certification for all low- and very low-income workers you list	<input type="checkbox"/>
It is a business at least 51 percent owned by current public housing residents or residents who currently live in Section 8-assisted housing.	Proof of ownership showing all owners and their percentages and a Section 3 Individual Self-Certification form for all public housing and/or Section 8 owners	<input type="checkbox"/>

I hereby certify to the US Department of Housing and Urban Development (HUD) that all of the information on this form is true and correct. I attest under penalty of perjury that my business meets the elected definition and understand proof of this information may be requested. If found to be inaccurate, I understand that I may be disqualified as a certified Section 3 business.

Full Name: _____

Company Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Signature: _____ Date: _____

Exhibit A-Links for MHA Section 3 forms

See links below for each form. You will also find guidance on when each form should be submitted.

1) Targeted Section 3 Worker Certification

https://docs.google.com/forms/d/e/1FAIpQLSdG26pigB1sxRI_36pGnhG9CbtVNjWUnbiXA2CEAl_HoH5D5A/viewform?usp=sf_link

- *Targeted Section 3 Worker Certification Form (to be completed at the start of the contract for all workers identified as targeted Section 3 worker, per HUD guidelines. This form should also be completed by any new targeted Section 3 workers hired after the contract start date.)*

2) Section 3 Worker Certification

https://docs.google.com/forms/d/e/1FAIpQLSdCIDAbBgdsJS0G4vAzDf6tfh9_IpizTXPTeT3iOd5Fq8UvAg/viewform?usp=sf_link

- *Regular Section 3 Worker Certification Form (to be completed at the start of the contract for all workers identified as regular Section 3 worker, per HUD guidelines. This form should also be completed by any new regular Section 3 workers hired after the contract start date. Form must only be completed once per contract term or if the worker's status changes.)*

3) Section 3 Worker Tracking Form

https://docs.google.com/forms/d/e/1FAIpQLSfp05sNh2jv-QTgTsyqEkgROcYP41sTIGu6q9v0tGuiClGPg/viewform?usp=sf_link

- *Targeted Section 3/Section 3/Non-Section 3 Worker Tracking Form (to be completed monthly by contractor and/or vendor and must include all employees working on the MHA contract or services))*

4) Section 3 Permanent Workforce Form

https://docs.google.com/forms/d/e/1FAIpQLSd9btz5CVCeC9NjIRZGsvSCHbWbw6Ex9zGAtVnG6JmvLdrGig/viewform?usp=sf_link

- *Section 3 Permanent Workforce Form (to be completed along with the initial contract paperwork for new contractors and vendors/must be completed by July 31st for current contractors and vendors)*

5) Section 3 Business Concern Certification Form: <http://www.hud.gov/Sec3Biz>

https://docs.google.com/forms/d/e/1FAIpQLSfjoDHfrQy7Y1iIA2z0Rg0VgRnxx6Fj6CHRzMq19bD_Hs1qIHQ/viewform?usp=sf_link

- *Section 3 Business Concern Certification Form (to be completed along with the initial contract paperwork for new contractors and vendors/must be completed by July 31st for current contractors and vendors)*

6) Section 3 Bid or Proposal Compliance Forms

a. Section 3 Clause Compliance Commitment

https://docs.google.com/forms/d/e/1FAIpQLSeDLY9a2gakOvclrn1UjsO_e3EOVHblhopjzo5vQchX0N0k8w/viewform?usp=sf_link

- *Section 3 Clause Compliance Commitment Form (to be completed along with the initial contract paperwork for new contractors and vendors/must be completed by July 31st for current contractors and vendors)*

b. Section 3 Participation Election Form

https://docs.google.com/forms/d/e/1FAIpQLSfjkyAl7kbBI_YOLNGTcUn7r4DIEztZWJweIE4JDppWzIDkcQ/viewform?usp=sf_link

- *Section 3 Participation Election Form (to be completed along with the initial contract paperwork for new contractors and vendors/must be completed by July 31st for current contractors and vendors)*

7) Cumulative Report

https://docs.google.com/forms/d/e/1FAIpQLSdADZ9_CeN5g_Pev2RCpoizq1gQ3fhDhRF7xAMFNXaF6JgArg/viewform?usp=sf_link

- *Section 3 Cumulative Report (to be completed by the contractor or vendors within 15 days of completion of the MHA contract or service provided. This should be included with the final invoice.)*