

HUD Documents Packet

CONTRACT PROVISIONS

(Required in all county bidding and contract documents for HUD-funded projects)

All HUD-funded construction contracts and subcontracts awarded by Lee County and/or subrecipients shall include at least the provisions listed below. The term *Contractor* includes subcontractors when applicable, which means these provisions must be included in all subcontracts. The dollar amount specified for contract awards is based on the total project costs and therefore all contractors involved in the project are subject to the provisions specified.

- A. This contract and other pertinent contracts entered into by the General Contractor may be terminated for non-compliance if the General Contractor materially fails to comply with any term of this agreement in accordance with existing Lee County contract termination procedure.
- B. This contract and all pertinent contracts entered into by the General Contractor for amounts which are in excess of \$10,000 shall contain suitable provisions for termination by Lee County, including the manner by which it will be affected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated because of circumstances beyond the control of the General Contractor.
- C. The General Contractor shall furnish certificates of insurance prior to the commencement of work. The certificates shall contain a provision that coverage afforded under the policies shall not be canceled until at least thirty (30) days notice by registered mail to the certificate holder. The insurance required shall be written for not less than the limits of liability required by Florida law. Workers Compensation Insurance shall also be required in accordance with Florida law.
- D. The General Contractor for all construction contracts exceeding \$100,000 shall provide a performance bond for 100 percent of the contract price, to secure the contractor's fulfillment of all obligations under the contract; and, a payment bond for 100 percent of the contract price, to assure the payment of all persons supplying labor and material under the contract.
- E. Lee County, HUD and the Comptroller General of the United States shall have access to any books, documents, papers, and records of the Contractor that are directly pertinent to the expenditure of the HUD grant funds for the purpose of making audits, examinations, excerpts, and transcriptions.
- F. All Contractors shall be licensed to do business in Lee County, Florida.
- G. All Contractors shall comply with 24 CFR 570.607 and Executive Order 11246, as amended by Executive Orders 11375 and 12086 and the regulations issued pursuant thereto which provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in all phases of employment during the performance of Federal or Federally-assisted construction contracts. As specified in Executive Order 11246 and the implementing regulations, contractors and subcontractors on Federal or Federally-assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, training and apprenticeship. The General Contractor shall post a copy of the Equal Employment Opportunity poster on the job site.
- H. All Contractors shall comply with the requirements of Executive Orders 11625 and 12432

(Concerning Minority Business Enterprise), and 12138 (Concerning Women's Business Enterprise) to ensure to the maximum extent possible the inclusion of minorities and women and entities owned by minorities and women in all contracts.

- I. All Contractors shall comply with Section 3 of the Housing and Urban Development Act of 1968 (12 USC 1701u) and the implementing regulations in 24 CFR Part 135 which requires to the greatest extent feasible that the training, employment and other economic opportunities arising in connection with proposed project be given to low and very low-income persons residing within the local community and that contracts be awarded to eligible business concerns which employ and/or are owned in substantial part by such low and very low-income persons residing in Lee County.
- J. All Contractors shall comply with Title VI of the Civil Rights Act of 1964 as amended, (Public Law 88-352) which states that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- K. Pursuant to Section 109 of Title I of the Housing and Community Development Act of 1974, as amended, and pursuant to 24 CFR Section 570.602, no person on the grounds of race, color, national origin, religion, sex, or age shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any program or activity funded in whole or in part with HUD funds.
- L. All Contractors shall comply with 24 CFR Part 8, Nondiscrimination Based upon Handicap in Federally-Assisted Programs and Activities, Architectural Barriers Act of 1968, Sections 502 and 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and the implementing regulations at 24 CFR Part 8, Title III of the Americans with Disabilities Act of 1990, and prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR Part 146.
- M. All Contractors shall comply with 24 CFR 570.608 that prohibits the use of lead based paint. Section 401(b) of the Lead Based Paint Poisoning Prevention Act (42 U.S.C. 4831 (b)) directs the Secretary to prohibit the use of lead based paint in residential structures constructed or rehabilitated with Federal assistance. Such prohibitions are contained in 42 U.S.C. 4821, et seq. and 24 CFR Part 35, Subpart B, and are applicable to residential structures constructed or rehabilitated with assistance provided under this part.
- N. All Contractors involved in a project that results in an award of \$100,000 or more shall have filed the required Anti-Lobbying Certification in accordance with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). Execution of the contract by the General Contractor is a material representation of fact upon which reliance was placed that this provision has been complied with.
- O. All Contractors for awards in excess of \$100,000 shall comply with all applicable standards orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et sea.). Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

NOTE: The above contract provisions are required by 2 CFR Part 200



LEE COUNTY

SOUTHWEST FLORIDA

Board of County Commissioners
DEPARTMENT OF HUMAN SERVICES

SECTION 3

POLICY AND PROCEDURES

Revised June 2012

LEE COUNTY DEPARTMENT OF HUMAN SERVICES
SECTION 3 POLICY AND PROCEDURE
REVISED 2011

It is the policy of the Lee County Department of Human Services (DHS) to comply with the requirements of Section 3 of the Housing and Urban Development Act (HUD) of 1968 pursuant to 24 CFR 570.607 (b) which helps foster local economic development, neighborhoods economic improvement and individual self sufficiency. This legislative directive provides preference to low income residents, and businesses that substantially employ these persons, for new employment, training, and contracting opportunities resulting from HUD-funded projects.

As such it is the intent of DHS to give, to the greatest extent feasible, (consistent with existing Federal, State, and local laws and regulations), employment, contracting and other economic opportunities arising in connection with a proposed project to low-income persons, Section 3 residents and businesses in the local community, and that contracts be awarded to eligible businesses which employ and/or are owned in substantial part by such low-income persons residing in Lee County.

In order to accomplish this objective, all Lee County Construction projects anticipated to cost in excess of \$100,000 and which involve HUD financial assistance shall comply with the full and complete Section 3 requirements including bidding procedures set forth in the Section 3 Business Concern/ Disadvantaged Business Enterprise Participation Policy. As noted in Chapter 2, item I of the Department's Construction Manual, all Contractors shall comply with Section 3 of the Housing and Urban Development Act of 1968 (12 USC 1701u) and the implementing regulations in 24 CFR Part 135. Thus, Section 3 requirements are incorporated into the Construction Manual, the bidding packet, the General Contractor Packet, the preconstruction conference and in all covered contracts.

For construction contracts under \$100,000 every effort will be made to hire Section 3 residents if new employees are required for the project and to contract with a certified Section 3 Businesses if sub contractors are needed. Contractor will be required to sign a notice at the beginning of the project (Notice to Proceed Form) of their intent to hire new employees and of requirement to track and report information for new hires.

For all construction contracts awarded by Lee County Department of Human Services, every effort will be made to utilize a Section 3 Business and to hire Section 3 residents.

Residents and business, should contact the Real Estate Development Dept., Housing Authority City of Ft. Myers, 239-344-3232 to be identified as qualified under Section 3 regulations. Contractors needing new hires should also contact the Real Estate Development Dept., Housing Authority City of Ft. Myers, 239-344-3232 to receive a list of qualified Section 3 residents and businesses prior to advertising or using other methods to hire new employees or contracting work.

Section 3 is triggered only when the normal completion of construction and rehabilitation projects creates the need for new employment, contracting, or training opportunities. Section 3 regulations do not mean that recipients are required to hire Section 3 residents or award contracts to Section 3 businesses other than what is needed to complete covered projects/activities.

Section 3 residents or businesses are not guaranteed employment or contracting opportunities. Residents must demonstrate that they meet the qualifications for new employment opportunities created and Section 3 business

must submit evidence to demonstrate that they are responsible firms and have the ability to perform successfully under the terms and conditions of the proposed contract.

Residents and business, should contact the Real Estate Development Dept., Housing Authority City of Ft. Myers, 239-344-3232 to be identified as qualified under Section 3 regulations. Contractors needing new hires should also contact the Real Estate Development Dept., Housing Authority City of Ft. Myers, 239-344-3232 to receive list of qualified Section 3 residents and businesses prior to advertising or using other methods to hire new employees or contracting work.

In order for the Department to be considered in compliance with the regulation, DHS will make, to the greatest extent feasible, efforts to achieve the three annual minimum numerical goals as set forth at 24 CFR Part 135.30, for employment and contracting

Efforts to ensure that these levels are achieved include: 1) requiring that all contractors post information at job sites in effected areas regarding employment opportunities and preference in hiring Section 3 employees and 2) advertising projects identifying contracting opportunities and the preference to utilize Section 3 businesses.

As required, DHS will also conduct the following activities:

1. Inform sub recipients about the requirements of Section 3;
2. Assist sub recipients and their contractors with achieving compliance;
3. Inform all potential contractors about Section 3 requirements and provide training.
4. Notify all potential contractors about eligibility to be certified as a Section 3 Business and encourage certification if applicable.
5. Require contractors and sub recipients if applicable to contact the Real Estate Development Dept., Housing Authority City of Ft. Myers, 239-344-3232 prior to bidding projects and/or hiring new employees to ensure that eligible Section 3 residents and businesses are considered.
6. Require contractors to submit project reports at the completion of a project or as indicated in contract The reports will include documentation of advertisement opportunities and new hire form for all employees hired during course of project
7. Post on DHS website information about how to become certified as Section 3 Business and/or be qualified as a Section 3 resident.
8. Inform residents and businesses about Section 3 certification criteria to encourage participation.
9. Monitor sub recipients' performance with respect to meeting the requirements of Section 3;
10. Refrain from entering into contracts with contractors that are in violation of Section 3 regulations.
11. Report to HUD on the cumulative Section 3 activities taking place within their jurisdiction by submitting HUD form 60002 annually, pursuant to 24 CFR Section 135.90.

The reporting cycle for Lee County DHS is concurrent with the CAPER report. Form HUD 60002 (the primary existing vehicle to track job creation) is due by September 30th and will be submitted to the Employment Opportunities Division, HUD Headquarters by the DHS Section 3 Officer. A tracking form to collect required Section 3 information necessary to complete the 60002 will be utilized on a regular basis by each unit within DHS that manages construction projects.

Enforcement strategies – During the post award or pre-bid conference, critical Section 3 information will be provided to the contractor prior to commencement of the work/project. The contractor will be required to certify its understanding of the terms and conditions of the contract as they pertain to Section 3 requirements.

The DHS contract manual stipulates that an on-site program monitoring will be conducted annually of all agencies funded by/through the Department of Human Services. The on-site monitoring visits will take place during the term of the contract and prior to contract closure. Additional on-site visits may be necessary as follow-up or to comply with federal requirements such as Davis Bacon and Section 3. The purpose of monitoring is to inspect, review and report on the agency's compliance with the terms and conditions of the contract in order to be assured of satisfactory performance.

Complaint Procedure - Any Section 3 resident or business (or authorized representative) seeking employment, training or contracting opportunities generated by Section 3 covered assistance may file a written complaint using HUD form 958(http://www.hud.gov/offices/fheo/section3/rev_958_final.pdf). Section 3 complaints must be filed at the appropriate FHEO Regional Office in which the violation occurred. Please visit www.hud.gov/offices/fheo to obtain the address and telephone number for FHEO regional offices. Complaints must be filed no later than 180 days from the date of the action or omission upon which the complaint is based.

Definitions:

New hire - a full-time employee for a **new** permanent, temporary, or seasonal position that is created during the expenditure of Section 3 covered financial assistance.

Section 3 Residents - 1) a public housing resident; or 2) a low income person residing in the County in which the Section 3 covered assistance is expended.

Section 3 Business - businesses that can provide evidence that they meet one of the following:

1. 51 percent or more owned by Section 3 residents; OR
2. At least 30 percent of its full time employees include persons that are currently Section 3 residents, or within three years of the date of first employment with the business were Section 3 residents; **or**
3. Commits to subcontract 25 percent of subcontracts to Section 3 businesses.

Low-income - Section 3 regulation includes individuals at or below 80% of the local income levels as defined by HUD at: <http://www.huduser.org/DATASETS/il.html>.

DHS Determined Section 3 Covered Projects - activities involving **housing construction, demolition, rehabilitation (including reduction of lead-based paint hazards), or other public construction—i.e., roads, sewers, community centers, etc. which involve HUD funding in whole or in part.** Section 3 applies to the **entire** covered project or activity regardless of whether the activity was fully or partially funded with HUD assistance. **Full and complete compliance with Section 3 requirements is required for contracts in which the amount of funds is a minimum of \$100,000.**

**EQUAL EMPLOYMENT OPPORTUNITY, CIVIL RIGHTS AND
SECTION 3 CERTIFICATION**

(To Be Completed By General Contractor And All Subcontractors)

PROJECT NAME: _____

The undersigned, having executed a contract with: _____

for construction of the above identified project in the amount of: \$ _____
does hereby certify that it shall:

1. Comply with Title VI of the Civil Rights Act of 1964 as amended; Section 109 of Title I of the Housing and Community Development Act of 1974 as amended; Sections 502 and 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; and the Age Discrimination Act of 1975 in that no person shall on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
2. Comply with Executive Orders 11246, 11375 and 12086 in that no employee or applicant for employment shall be discriminated against because of race, color, creed, religion, ancestry, national origin, sex, disability or other handicap, age, marital/familial status, or status with regard to public assistance. Will take affirmative action to insure that all employment practices are free from such discrimination. Such employment practices include but are not limited to the hiring, upgrading, demotion, transfer, recruitment or recruiting advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.
3. Comply with Executive Orders 11625 and 12432 Concerning Minority Business Enterprise and Executive Order 12138 Concerning Women's Business Enterprise to ensure to the maximum extent possible the inclusion of minorities and women and entities owned by minorities and women in all subcontracts pursuant to the above contract.
4. Comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the implementing regulations in 24 CFR Part 135 which requires to the greatest extent feasible that the training, employment and other economic opportunities arising in connection with the above identified project be given to low and very-low income persons residing within the local community and that contracts be awarded to eligible business which employ and/or are owned in substantial part by such low and very-low income persons residing in Lee County.
5. Furnish and cause each of its own subcontractors to furnish all information and reports required hereunder and permit access to its books, records and accounts by Lee County, HUD or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.

CONTRACTOR NAME: _____

SIGNATURE/TITLE: _____

FEDERAL I.D or SOCIAL SECURITY NUMBER: _____

DATE: _____

Recipient Responsibilities Pursuant to Section 3

SECTION 3 BUSINESS CERTIFICATE OF ELIGIBILITY FOR PREFERENCE

NOTE: This certificate must be signed by the person who will sign, or has signed the Bid Form. This certificate will become a part of the contract documents.

Project Number: _____ Bid Number: _____

Project Name: _____

This is a formal certification that the below list of Section 3 Business(es) will be utilized on the above project and that such business(es) qualify for a Section 3 Business Preference and meet the requirements of a Section 3 Business as defined in the Bidding Procedures for this project.

a. Section 3 Business Name: _____

Address: _____

Description of Work: _____

Dollar Value of Proposed Work: _____

b. Section 3 Business Name: _____

Address: _____

Description of Work: _____

Dollar Value of Proposed Work: _____

c. Section 3 Business Name: _____

Address: _____

Description of Work: _____

Dollar Value of Proposed Work: _____

d. The percentages of the total dollar value of all Section 3 Business work compared to the total bid price _____%.

e. This certification is a material representation of the face upon which reliance may be placed if the proposed transaction is entered into. If it is later determined that an erroneous certification was rendered, in addition to other remedies available to the Federal Government, the Department of Housing and Urban Development and Lee County may pursue available remedies.

f. The undersigned contractor's representative shall provide immediate written notice to the agency to which this proposal is submitted if at any time the undersigned learns that this certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

Contractor's Name

Signature

Date

SECTION 3 PLAN Statement of Commitment

Project Number Project Name

Submitted by:

By signature below, I am hereby acknowledging to the Lee County Florida Department of Human Services (LCDHS) that I have been duly provided with information regarding the LCDHS's Section 3 Program which explains the obligations and requirements of any construction project which is funded in part or whole by HUD sourced funds. I certify that I am fully empowered to enter into this Statement of Section 3 Utilization Commitment on behalf of this company. I am certifying that the information contained within this Section 3 Utilization Plan is accurate and correct and that I understand that the LCDHS may impose penalties and sanctions for the submission of any false and inaccurate statements within this document.

Date

Print Name

Signature

Title

Company Name

Company Address

SECTION 3 EMPLOYMENT PLAN

To be completed by General Contractor at beginning of contract.

Employment & Training Opportunity Worksheet

Name of Company	# of *Core Employees	Proposed # of New Hires	Proposed # of New Hires that are Section 3 Eligible	Proposed % of New Hires that are Section 3 Eligible

SECTION 3 BUSINESS UTILIZATION PLAN

To be completed by General Contractor at beginning of contract

List all Section 3 Business(es) (sub contracts) that will be utilized for this Project

Company Name	Company Owner	Company Contact	Service Provided	Date of Contract	% of contract	\$ of contract

SECTION 3 - NEW HIRE COMPLIANCE REPORT

The US Department of Housing & Urban Development (“HUD”) requires the Lee County Department of Human Services (DHS) to collect information on every person hired in connection with Section 3 projects to ensure DHS compliance with Federal regulations. **This form must be completed by all firms working on a HUD funded (in whole or in part) construction project. The form must be submitted within 30 after completion of project or as indicated in the contract (usually on a quarterly basis).**

As part of DHS’s Section 3 program your firm is required to report the number of employees hired in connection with a HUD funded (in whole or in part) construction project who are Section 3 Eligible. Complete this form by entering the names and addresses of all new hires and by indicating whether they are Section 3 eligible. For purposes of DHS, a Section 3 resident is:

1. A public housing resident;
2. An individual who lives within Lee County and whose income falls within the eligible income guidelines.

INSTRUCTIONS FOR EMPLOYERS:

1. Enter the name and address of **every new** employee hired in connection with the Section 3 Project on the following list. (Add additional sheets if necessary).

Contact the Real Estate Development Dept., Housing Authority City of Ft. Myers, 239-344-3232 to determine if the new hire is Section 3 eligible. Document methods used to contact and verify resident status.

OR

2. Upon hiring ask the new hire the following questions to determine whether they are Section 3 eligible:

a. **Are you a resident of public housing?**

- YES
- NO

If the answer is “YES,” **STOP**, new hire is eligible as Section 3 resident. Report as “eligible” on form.

If the answer is “NO,” ask the following question.

b. **In the last 12 months, was your household income (meaning the total gross income for everyone in your family) less than or equal to the amount listed on chart below based on your household size?**

- YES
- NO

Lee County 2018 Income Limit	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Low (80%) Income Limits	\$35,700	\$40,800	\$45,900	\$50,950	\$55,050	\$59,150	\$63,200	\$67,300

If yes, have the employee complete the certification form (Exhibit 1) and attach to your submission.

If the answer is “NO”, this person is not a Section 3 eligible resident.

4. Indicate whether each new hire is Section 3 eligible by “Y” for Yes or “N” for No next to their name and address on New Hire Chart listed below.

5. Indicate the Job Category using the following codes:

- Professionals P
- Technicians T
- Office and Clerical OC
- Sales S
- Trades T
- Labor L
- Service Workers SW
- Other Other

6. For each new hire indicate the number of hours they worked on the project for the reporting period.

7. An authorized representative of the firm must certify the accuracy and completeness of the information provided by signing this form where indicated.

8. Developers and contractors – who have direct agreements with DHS regarding a Section 3 covered project – are responsible for collecting the Section 3 New Hire Report from all applicable contractors and sub-contractors performing on a Section 3 covered project. Forms are due to DHS within 30 days of completion of project or as indicated in the contract (usually on quarterly basis).

9. If there were NO new hires for the report period, please document by checking the box and providing an authorized signature for your company.

Project Name: _____

Project Address: _____

Developer Name (if applicable): _____

General Contractor Name: _____

Name of Firm Completing This Form: _____

This Firm is a (check one):

- Developer
- General Contractor
Contract Amount: \$ _____
- Subcontractor
Contract Amount: \$ _____
- Professional Services Consultant
Contract Amount: \$ _____

Contracts and subcontracts made with vendors to solely provide supplies and/or materials are not subject to the HUD Section 3 requirements. However, where such vendors also install such supplies and materials, said contracts and subcontracts shall be subject to the HUD Section 3 requirements.

	NAME OF NEW HIRE	ADDRESS (include Suite/Apt #)	SECTION 3 ELIGIBLE YES OR NO	Labor Category See Instructions	Number of Hours Spent on project
1					
2					
3					
4					

If there were NO new hires for the report period, please document by checking the box and providing an authorized signature for your company.

I certify that there were no new hires during the reporting period ___ / ___ / ___ to ___ / ___ / ___

Name: _____
(please print)

Title: _____
(please print)

Signature: _____

Date: _____

I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief.

Exhibit 1 Income Limits and Certification

Lee County 2018 Income Limit	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Low (80%) Income Limits	\$35,700	\$40,800	\$45,900	\$50,950	\$55,050	\$59,150	\$63,200	\$67,300

**Certification for Resident Seeking Section 3 Training and Employment Preference
Household Income Certification Form**

Any individual who is seeking to be certified as a Section 3 resident, and who is **not a public housing resident, or not in a federally assisted housing program, or not a recipient public assistance program** shall attest that their total current gross annual household income. All additional household income earned by household members, excluding children under 18, and/or provided through public or private assistance, child support, bank or investment earnings must be included in annual household income.

I, _____, (Print Individual's Full Name) DO SOLEMNLY SWEAR UNDER PENALTY OF PERJURY THAT I AM A LEGAL RESIDENT OF LEE COUNTY AND THAT THE INFORMATION I HAVE PROVIDED BELOW IS TRUE. I further attest that I meet the income eligibility guidelines for Lee County as indicated in chart above.

Number of family members who live in my household: _____

My total current gross annual household income is: \$ _____

The source(s) of my total **annual** household income is/are:

Gross Earnings \$ _____

AFDC \$ _____

Child Support \$ _____

Bank Income \$ _____

Other Income \$ _____

PRINT NAME _____

SIGNATURE _____ DATE _____

My permanent address is:

**CERTIFICATION FOR A BUSINESS SEEKING SECTION 3
PREFERENCE IN CONTRACTING AND DEMONSTRATION OF CAPBILITY**

Name of Business _____

Address of Business _____

Type of Business: Corporation Partnership
 Sole Proprietorship Joint Venture

Attached is the following documentation as evidence of status:

For Business claiming status as a Section 3 resident-owned enterprise:

- Copy of resident lease Copy of receipt of public assistance
- Copy of evidence of participation Other evidence
 in a public assistance program

For business entity as applicable:

- Copy of Articles of Incorporation Certificate of Good Standing
- Assumed Business Name Certificate Partnership Agreement
- List of owners/stockholders and Corporation Annual Report
 % ownership of each Latest Board minutes appointing officers
- Organization chart with names and titles Additional documentation
 and brief function statement

For business claiming Section 3 status by subcontracting 25 percent of the dollar awarded to qualified Section 3 business(es):

- List of subcontracted Section 3 business(es) and subcontract amount

For business claiming Section 3 status, claiming at least 30 percent of their workforce are currently Section 3 residents or were Section 3 eligible residents within 3 years of date of first employment with the business:

- List of all current full-time employees List of employees claiming Section 3 status
- PHA/IHA Residential lease less than 3 Other evidence of Section 3 status less than 3
 years from day of employment years from date of employment

Evidence of ability to perform successfully under the terms and conditions of the proposed contract:

- Current financial statement
- Statement of ability to comply with public policy
- List of owned equipment
- List of all contracts for the past two years

Authorizing Name and Signature

(Corporate Seal)

Attested by: _____

SCHEDULE D

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

NOTE: This form must be signed by the person who will sign, or has signed the Bid Form. This form is a listing of subcontractors that are planned to be a part of the project. If those subcontractors are unknown or none apply, the form must still be completed. This form will become a part of the contract documents.

DIVISION OF EQUAL OPPORTUNITY CERTIFIED DBE /MINORITY /WOMEN
(CHECK APPROPRIATE DESIGNATION)

DESCRIPTION OF WORK: _____

SUBCONTRACTOR'S NAME: _____

EST. DOLLAR VALUE OF PROPOSED WORK: _____

DIVISION OF EQUAL OPPORTUNITY CERTIFIED DBE /MINORITY /WOMEN
(CHECK APPROPRIATE DESIGNATION)

DESCRIPTION OF WORK: _____

SUBCONTRACTOR'S NAME: _____

EST. DOLLAR VALUE OF PROPOSED WORK: _____

DIVISION OF EQUAL OPPORTUNITY CERTIFIED DBE /MINORITY /WOMEN
(CHECK APPROPRIATE DESIGNATION)

DESCRIPTION OF WORK: _____

SUBCONTRACTOR'S NAME: _____

EST. DOLLAR VALUE OF PROPOSED WORK: _____

DIVISION OF EQUAL OPPORTUNITY CERTIFIED DBE /MINORITY /WOMEN
(CHECK APPROPRIATE DESIGNATION)

DESCRIPTION OF WORK: _____

SUBCONTRACTOR'S NAME: _____

EST. DOLLAR VALUE OF PROPOSED WORK: _____

TOTAL VALUE OF ALL DBE/MINORITY/WOMEN SUBCONTRACT WORK: _____ \$ _____

ESTIMATED TOTAL PERCENT (%) TO BE UTILIZED: _____ %

CONTRACTOR NAME **SIGNATURE** **DATE**

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS
DISADVANTAGED BUSINESS ENTERPRISE
PARTICIPATION CERTIFICATION**

Project No.: _____ Bid No.: _____ Contract No.: _____

Contract/Project Name(s): _____

This is a formal certification that the below list of Disadvantage Business Enterprise Sub-Contractor(s) and amount(s) were utilized on the above project.

DBE SUB-CONTRACTOR	SUB-CONTRACTOR AMOUNT	AMOUNT PAID

SIGNED: _____

DATE: _____

Send To: Lee County Department of Human Services
2440 Thompson Street
Fort Myers, FL 33901
(239) 533-7930

ANTI-LOBBYING CERTIFICATION

(REQUIRED FOR ALL BIDS OF \$100,000 OR MORE)

PROJECT NAME: _____

The undersigned, having submitted a bid to: _____

for construction of the above identified project in the amount of: \$ _____

does hereby certify that:

1. No appropriated Federal funds have been paid or will be paid, by or on behalf of myself, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or any 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 appropriated Federal funds have been paid or will be paid to any person 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 this Federal contract, grant, loan, or cooperative agreement, I will complete and submit Standard Form - LLL, Disclosure of Lobbying Activities in accordance with its instructions.
3. Submission of this certification is 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.

GENERAL CONTRACTOR _____

SIGNATURE _____

TITLE _____

FEDERAL ID OR SOCIAL SECURITY NUMBER _____

DATE _____

NOTE: All general contractors who bid for an award of \$100,000 or more shall file the required anti-lobbying certification in accordance with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). Each tier of subcontractors certifies to the tier above that it will not and has not used appropriated Federal funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures shall be forwarded from tier to tier up to the General Contractor.

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: 4c	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 <i>(if individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
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.

CONFLICT OF INTEREST DISCLOSURE

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

I understand that I must disclose relationships with persons who may be associated within Affordable Homeownership Foundation. I, therefore, attest to the following:

- I am not a current employee, board member, agent and/or other representative of Affordable Homeownership Foundation.
- I am a current employee, board member, agent and/or other representative of Affordable Homeownership Foundation.

Name and Position/Title: _____

- I am a former employee, board member, agent and/or other representative of Affordable Homeownership Foundation.

Name and Position/Title: _____

Date Employment/Term Ended: _____

- To the best of my knowledge, I am not aware of any current employee, board member, agent and/or other representative of Affordable Homeownership Foundation who is related to me or with whom I am a business associate.
- I am related to or have a business relationship with a current Affordable Homeownership Foundation employee, board member, agent and/or other representative.

(Contractor) Name and Position/Title: _____

(Affordable Homeownership Foundation) His/her name is: _____

The person is associated with Affordable Homeownership Foundation in the capacity as: _____

The relationship of the person is as follows: _____

Parent; Spouse; Immediate family; Business associate; Other: _____

.....

Contractor's Business Name: _____

Signature Title Date

Signature Title Date

Signature Title Date

Signature Title Date

Signature Title Date

.....

Warning: Florida Statute 817 provides that willful false statements or misrepresentation concerning income; asset or liability information relating to financial condition is a misdemeanor of the first degree, punishable by fines and imprisonment provided under Statutes 775.082 or 775.83.