

SECTION 3 ACCOMPLISHMENTS 2011-2012

Title 24 CFR, Part 135, (a) *Section 3*. The purpose of section 3 of the Housing Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) 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 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 of Metropolitan Statistical Areas (MSA) expended for housing and community development activities. Section 3 also ensures that contracts are awarded to businesses that commit to hire residents in low-income neighborhoods. Pursuant to Title 24 CFR, Part 135, the City of Jacksonville, Neighborhoods Department, Housing and Community Development Division adopted the current 2011-2016 Section 3 Action Plan on August 15, 2011. The plan was later revised in February 2009 to include a monitoring and compliance strategy. The Department has made continued progress in implementing and sustaining the eight main goals outlined in our plan. Our 2011-2012 accomplishments are as follows:

Goal #1 - Identify Section 3 Residents and Business Concerns on HCDD website and database.

The Neighborhoods Department continues to identify qualified Section 3 residents and Business concerns through partnerships as the City's EBO office, Work Source, Youthbuild, Jacksonville Housing Authority (JHA), Florida State City of Jacksonville (FSCJ), Community Rehabilitation Center (CRC), Clara White Mission, Operation New Hope, I.M. Sulzbacher, EmployFlorida and Job Corps of Jacksonville.

HCDD has developed these partnerships to assist in maintaining a perpetual Section 3 central database for Section 3 resident's profiles and Business concerns. Resident profiles to include Section 3 eligibility, construction experience and other qualifying certifications. Section 3 businesses are included in the database upon EBO qualifications review and formal certification. The database provides contractors and others seeking Section 3 eligible residents and business concerns a direct source of qualified resources.

HCDD's outreach and partnerships with WorkSource, EmployFlorida and other agencies has increased Section 3 database profiles that are providing construction and non-construction related training. Individuals meeting the residency and or income requirements are included in the EmployFlorida database as Section 3 eligible. The referred database provides a referral base for employers seeking eligible employees that qualify for Section 3 and other federally funded projects. The HCDD Section 3 webpage provides specific information on the Section 3 program, directory access and links to partnering agencies.

<http://www.coj.net/departments/neighborhoods/housing-and-community-development/section-3.aspx>

Goal #2 - Develop and implement marketing strategies to inform residents and businesses concerns of employment and training opportunities.

The City of Jacksonville in May 2011, hired a Labor Standards/Section 3 Compliance Coordinator for the purpose of facilitating strategic recruitment to ensure responsible and effective outreach on the opportunities generated by CDBG covered projects. The Department has effectively continued marketing Section 3 employment and training opportunities by notifying public and private agencies, community organizations and partnering agencies to provide notification of employment and contracting opportunities. Notifications of Section 3 contracting opportunities and other federally funded projects are forwarded via e-mail to all certified Section 3 contractors from the City of Jacksonville EBO's Section 3 database. Notices are also posted in the City's permitting office to provide general information regarding project specifications and where to obtain additional information. The Neighborhood Department, HCDD provides ongoing updates to the existing webpage that offers specific information for those seeking employment eligibility requirements, agencies offering training and certification programs and links to provide direct access to Section 3 business concerns. The 2011/12 fiscal year included quarterly technical assistance workshops for Section 3 Vendors providing assistance in the process of submitting responsive responsible bid submittals for general contractors and subcontractors and ongoing technical assistance to increase opportunities with the program. The Department promoted meet and greet events to provide an environment for established businesses to meet upcoming, qualified and certified Section 3 Business Concerns. HCDD has encouraged smaller Section 3 business concerns to partner to increase participation and success in the bidding process.

Goal #3 - Establish a referral program with experienced private sector partners and contractors.

The City of Jacksonville has facilitated a referral program of new and established private sector partners to promote the benefits of Section 3 and the accessibility of the Section 3 resident database and certified Section 3 vendor database. Private sector partnerships has created a network of opportunity for those providing training and others soliciting qualified Section 3 residents and vendors.

The Section 3 database was established through a network of partnerships as WorkSource and EmPLYFlorida to identify an available pool of resources to assist in meeting the objectives of increasing opportunities for Section 3 Vendors and residents. These partnerships has generated opportunities for Section 3 residents and business concerns which is strengthening the capacity of Section 3 businesses soliciting future business as a prime or subcontractor.

Goal #4 - Support the transition of Section 3 residents currently receiving federal or State assistance into stable self-sufficiency.

HCDD has demonstrated a commitment to the transition of Section 3 residents receiving federal or state assistance into self-sufficiency by providing an effective referral base of partnering agencies creating employment opportunities through numerous housing construction, housing rehab, and other public and private construction projects.

Partnerships with WorkSource and EmployFlorida has ensured residents of accessibility to employment opportunities by identifying qualified individuals as Section 3 eligible in a database profiling employment history, training and certifications. The database allows Section 3 residents to be included in an environment that highlights their profile to both public and private sector businesses which increases their opportunity for employment and towards self-sufficiency.

Goal #5 - Certify Section 3 residents and businesses.

The City of Jacksonville EBO's office is central to receiving applications and certifying qualified business applicants to be included in the Section 3 database which is available to anyone seeking qualified Section 3 eligible residents and business concerns. The HCDD partnership with Work Source and EmployFlorida continues to lead in assisting to increase the database of Section 3 eligible resident's profiles and certifications and assist with on-site application processing during job fairs of Section 3 covered project sites. There are approximately (138) Certified Section 3 Businesses in the City of Jacksonville's vendor database and (674) Section 3 Eligible residents identified in the resident database.

Goal #6 -Train Section 3 sub-recipients and businesses concerns on regulatory requirements.

The Department will require that all sub-recipients attend a scheduled orientation on all regulatory requirements of the Section 3 program. Sub-recipients will be trained on responsibility and implementation of Section 3 Regulations, 24 CFR, Part 135 prior to accepting Section 3 covered assistance from the Neighborhood Department, HCDD. All subrecipients are required to review and sign the HCDD Section 3 Post Award Acknowledgement document for their understanding as it relates to their specific compliance responsibilities. Training will be provided at pre-bid meetings to assist sub-recipients and contractors with specific Section 3 and federal funding project requirements.

Further assistance is provided to awarded contractors and sub-recipients at pre-construction meetings emphasizing compliance, monitoring and documentation. Sub-recipients will be informed of the responsibilities of the required documentation to execute pay requests. Routine site interviews will be conducted to ensure compliance with Davis-Bacon regulations. The Department's training efforts has increased Section 3 certifications and increased efforts of contractors meeting the numeric goals of each covered project. The Section 3 webpage is updated to include FAQ's, Title 24 Part 135,

HUD brochure, Section 3 Clause, Complaint Process and Section 3 definitions to further assist in understanding regulatory requirements.

Goal #7 Ensure that sub-recipients develop procurement practices that include the Section 3 provision for contracting preference and provide an evaluation of a bidder's ability to comply.

All Neighborhood Department sub-recipients are required to submit revised procurement procedures to include a Section 3 policy statement. (a) *Section 3*. The purpose of section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (section 3) 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 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) *Part 135*. The purpose of this part is to establish the standards and procedures to be followed to ensure that the objectives of Section 3 are met.

Subrecipients are instructed on the processes required for CDBG/NSP/Limited Repair and UTIP RFP solicitations, review, notifications and evaluation for the lowest responsive-responsible bid submittals. Evaluations of Section 3 Proposals by Priority Ranking are evaluated by an Evaluation Committee consisting of the sub-recipient, the City of Jacksonville Section 3 Compliance/Labor Standards Coordinator, Project Manager and other approved HCDD program staff.

Bidders are evaluated and selected in a fair and impartial manner, on their own merit and rated according to the lowest Guaranteed Maximum Price (GMP) and Section 3 compliance to determine the lowest responsive-responsible bidder. The department will provide ongoing technical assistance to ensure that all subrecipients effectively monitor for compliance, submission of proper documentation and enforcement. Subrecipients are required to include the Section 3 Clause in all agency/contractor contractual agreements; contractor/subcontractor agreements and subcontractor/subcontractor agreements. The Section 3/Labor Standards Coordinator is responsible for monitoring for compliance and Section 3 Reporting through the Section 3 Monthly Report, Subcontractors List and Section 3 Preference Claim Form(s) to verify project specific compliance requirements.

Goal #8 – Development of a group of stakeholders to facilitate Section 3 awareness and monitoring.

HCDD has facilitated the structuring of the Section 3 Compliance Team that includes The Mayor's Office, Central Operations, Youthbuild, Office of General Counsel, GAO, JHA, Procurement, EBO, Office of the Ombudsman and Public Works. The group has also included partnering agencies such as WorkSource, EmployFlorida, Florida State City of Jacksonville (FSCJ), Community Rehabilitation Center (CRC), Clara White

Mission, Operation New Hope and the Job Corps. The group meets to discuss issues that will further the development of the Section 3 program to create self-sufficiency and sustainability. Increase awareness and monitoring continues to identify areas requiring improvement to meet and exceed the numeric goals of the Section 3 program.

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EMPLOY FLORIDA

Employ Florida links all of Florida's state and local workforce services and resources. The partners are [Workforce Florida](#), the state policy and oversight board, and the [Department of Economic Opportunity](#), the state agency which administers workforce funds. At the local level, there are [24 regional workforce boards](#) that administer more than 80 "[one-stop centers](#)." The **Employ Florida** toll free number is 1-866-FLA-2345.

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CDBG Construction Contracts Public Facilities and Improvements (PFI)

In FY 2011-2012, the Neighborhoods Department, HCDD awarded five (5) prime construction contracts with CDBG funds totaling \$2,248,314.00. There were (3) contracts that were awarded to Section 3 Prime Contractors in the amount of \$2,113,081.00. Ninety-four percent of the funded CDBG Construction Contracts Public Facilities and Improvements projects were awarded to Section 3 Prime contractors. There were (4) contracts that were awarded to Section 3 subcontractors in the amount of \$264,581.00. Twelve-percent of the funded CDBG projects were awarded to Section 3 subcontractors.

- Hager Construction Safety Company, a Section 3 Prime Contractor was awarded a prime contract for \$295,294.00 for Confederate Park Improvements.
- Acon Construction Company, a Section 3 Prime Contractor was awarded a prime contract for \$514,008.00 for Lincoln Villas Senior Center Improvements.
- Shifting Gears, LLC. a Section 3 Prime Contractor was awarded a prime contract for \$303,779.00 for Fresh Ministries/Eastside Resource Center.
- Acon Construction Company, a Section 3 Prime Contractor was awarded a prime contract for \$1,000,000.00 for I.M. Sulzbacher Center Kitchen and Men's Wing Mezzanine Renovation.
- Flint Construction Company was awarded a prime contract for \$135,233.00 for Community Rehabilitation Center Green Institute Expansion Center.

CDBG-R Projects

Fresh Ministries Eastside Resource Center, Phase I (\$303,779) - A construction contract in the amount of \$303,779 in CDBG funds was awarded to Shifting Gears Construction to complete the Phase I renovations of the Eastside Resource Center. Phase I is the partial renovation of the building to expand services to low and moderate income persons. Fourteen (14) construction jobs were created. The facility will provide housing services, health, educational, and social services low-to-moderate income neglected, abused, homeless persons and children with special needs. The agency has requested additional CDBG-R funds in the amount of (\$84,957) for Phase II of the project. Phase II will be the completion of the second floor renovations to house the Jacksonville Hospitality Institute, which trains low and moderate income persons in the hospitality industry.

CDBG Non-Construction Contracts

The Department funded the Jacksonville Chamber of Commerce, Small Business Center with CDBG funds in the amount of \$45,500.00 to facilitate capacity building of Section 3 business concerns by delivering technical assistance, access to capital, mentoring, training, office space, and administrative support. This year, the Small Business Center assisted

Section 3 business concerns in developing micro-enterprises in low and moderate income areas, to include zip codes and census tracts in economically distressed areas with high levels of low to moderate income persons.

PQH Group Inc. a Section 3 Prime Contractor was awarded a prime contract for architectural building design, LEED Design, Interior Design, civil design/permitting, and landscape design of the Mary A. Eaves Senior Living Facility in the amount of \$475,000.00.

Davis & Baker Engineering DB Civil Works, a Section 3 Prime Contractor was awarded a prime contract for civil engineering and design services for Operation New Hope Klutho Building Parking Area in the amount of \$9,350.00.

Other CDBG Non-Construction Contracts:

City of Jacksonville-Adult Day Care Coalition	\$136,500.00
City of Jacksonville-Foster Grandparent Program	\$ 28,938.00
City of Jacksonville-Independent Living Program	\$127,036.00
City of Jacksonville-Special Programs for Older Adults	\$ 50,778.00
Catholic Charities Bureau	\$ 55,317.00
Clara White Mission	\$ 62,108.00
Community Connections	\$ 29,010.00
Edwards Waters College	\$ 28,160.00
Gateway Girl Scout Council	\$ 38,516.00

Jacksonville Area Legal Aide	\$ 31,850.00
JHA-Brentwood Computer Literacy Program	\$ 22,750.00
JHA-Family-Self Sufficiency	\$ 22,750.00
Metro Kids Connection	\$ 20,000.00
The Arc Jacksonville	\$ 29,120.00
The Bridge of NE Florida	\$ 38,220.00

CDBG Construction Contracts Housing Rehab, Limited Repair UTIP

In FY 2011-2012, the Limited Repair Program (LRP) funded eighty-one (81) properties with CDBG funds in the amount of \$1,550,229.00

In FY 2011-2012, the Utility Tap In Program (UTIP) funded sixty-nine (69) properties with CDBG funds in the amount of \$501,077.00.

NSP Construction Contracts Housing Rehab and New Construction

In FY 2011-2012, the Neighborhoods Department, HCDD awarded fifteen (15) prime construction contracts with NSP funds totaling \$3,292,428.00. Eleven prime contractors were Section 3 and were awarded \$2,205,877.00. Sixty-seven percent of the funded NSP projects were awarded to Section 3 prime contractors. Fifteen (15) Section 3 sub-contractors were awarded \$310,105.00 in subcontracting opportunities. Ten-percent of the funded NSP projects were awarded to Section 3 subcontractors.

NSP Non-Construction Contracts

The total amounts for the non-construction: NSP 1 = \$623,324.74 & NSP 3 = \$264,396.60 Grand total: \$887,721.34

SECTION 3 IMPOSED RESOLUTION

In January of 2009, HUD issued an Imposed Resolution to the City for the purpose of addressing the requirements of Section 3. The City did not wish to appeal the terms of the resolution and agreed to make every effort to ensure that all of the terms of the resolution were met for the duration of the agreement.

Since the initiation of the Imposed Resolution, the City has submitted a revised Section 3 Action Plan to include strategies for monitoring, reporting, and record keeping. Three new goals were added 1) Goal #6 Train Section 3 sub-recipients on regulatory requirements 2) Goal #7 Ensure that sub-recipients develop procurement practices that include the provision for contracting preference and provide an evaluation of a bidder's ability to comply and goal # 8 Development of a group of stakeholders to facilitate Section 3 awareness and monitoring.

To address these three new goals, all sub-recipients were asked to revise their current procurement policies and procedures to include provisions for contracting preference and evaluation of Section 3 covered bids. The revised policies and procedures can be obtained from the HCDD program files. Mandatory workshops are scheduled quarterly to train sub-recipients and business concerns.

The Neighborhoods Department has also put together a working group to determine all of the Section 3 projects in the City requiring compliance monitoring and to establish a process for notification and tracking of Section 3 projects throughout the City. The working group is chaired by the Director of Neighborhoods, HCDD and includes the City's Central Operations Department, Grants Management Office, Procurement Division, Equal Business Opportunity Office, Public Works and the Jacksonville Housing Authority. They are tasked with developing the necessary processes to ensure efficiency and effectiveness of the Section 3 program. Effective May 2011, HAND hired a Labor Standards/Section 3 Compliance Coordinator as an additional staff person to assist with promotion, monitoring, compliance and meeting the numeric goals of the projects.

Reporting and Record Keeping

The Department has required that all prime contractors/subcontractors agreements include the Section 3 Clause. Contractors are responsible for providing a Section 3 Contractor's Monthly Report to identify Section 3 Business Concerns percentage participation and Section 3 resident hiring. Subcontractors who agreed to provide training and employment opportunities are required to report their hiring to the prime contractor to be included in his/her monthly report. Project results requested submitted from each funded project and included in the HUD-60002 report.