

Chapter 30 Section 3 Plan

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Section 30.1 Purpose

The municipality is committed to complying with Section 3 of the Housing and Urban Development Act of 1968. That Act encourages the use of small local businesses and the hiring of low income residents of the community. The mayor is designated as Equal Opportunity Officer to coordinate the municipality's Section 3 efforts, to advise and assist key personnel and staff on Section 3, to officially serve as focal point on Section 3 complaints, and the on-site monitoring of price contractor's and subcontractor's to ensure the implementation and enforcement of the Section 3 plan. The approval or disapproval of the Section 3 plan is the ultimate responsibility of the municipality. Documentation will be retained on file in the appropriate office for monitoring by the Louisiana Division of Administration, Office of Community Development. (Ordinance No. 10 of 1993)

Section 30.2 Requirements

The municipality shall:

(a) Hiring

- (1) Advertise for all municipal positions in local newspapers.
- (2) List all municipal job opportunities with the state employment service.
- (3) Preference in hiring will be given to lower income persons residing in the municipality. This means that if two equally qualified persons apply and one is a resident of the municipality and one is not, the resident will be hired.
- (4) Maintain current records of anticipated hiring as specified on this form, and maintain a current listing of employees as noted on the attached Workforce Analysis form.

Anticipated Municipal Hiring 200 - 200 .

Job Classification	# of Positions to be Filled	# of Positions to be Filled by Lower Income Municipal Residents	# of Positions Filled	# of Positions Filled by Lower Income Municipal

(b) Contracting

- (1) The municipality will compile a list of businesses, suppliers, and contractors located in the municipality.
- (2) These vendors will be contacted whenever the municipality requires supplies, service, or construction to solicit bids or quotes.
- (3) Preference will be given to small local businesses. This means if identical bids/quotes are received from a small business located within the municipality and one from outside the municipality, the contract will be awarded to the business located within the municipality.

(c) LCDBG Contracts

- (1) All LCDBG bid packages and contracts shall include the following Section 3 language:
 - (i) The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and 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 requires that to the greatest extent feasible, opportunities for training and employment be given lower income of the project areas and contracts for work in connection with the project be awarded to business concerns residing in the project area.
 - (ii) The parties to this contract will comply with the provisions of said Section 3 and the regulation issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR and all applicable rules and orders of the department issued thereunder prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
 - (iii) The contractor will send to each labor organization or representative or workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
 - (iv) The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of, federal assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR, and will not let any subcontract unless the subcontractor has first provided it with the requirements of these regulations.
 - (v) Compliance with the provisions of Section 3, the regulations set forth in 24 CFR, and all applicable rules and orders of the Department of Housing and Urban Development, issued thereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors, and assigns. Failure to

fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors, and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR.135."

(2) The municipality shall require each contractor to prepare a written Section 3 plan as a part of its bid on all jobs exceeding ten thousand dollars and shall include both Tables A and B. All Section 3 plans shall be reviewed and approved by the municipality's Equal Opportunity Section 3 Compliance Officer and maintained in said office for monitoring by the Division of Administration, Office of Community Development.

(3) The municipality will maintain all necessary reports and will ensure that all contractors and subcontractors submit required reports. (Ordinance No. 10 of 1993)

30.3 Lower income classification

A family who resides in the municipality and whose income does not exceed eighty percent of the median family income for the Parish of West Baton Rouge is considered by the state to be a lower income family. On the effective date of this ordinance, the median family income for the Parish of West Baton Rouge according to the federal census, is \$28,285; therefore, a family whose income does not exceed \$22,628 (80% of \$28,285) will be considered as a lower income family. Lower income consideration shall be based on the family's total income at the time the individual is hired. (Ordinance No. 10 of 1993)