



Shelby County, Tennessee

Mark H. Luttrell, Jr., Mayor

Request for Qualifications Shelby County Government Purchasing Department

160 N. Main, Suite 900
Memphis, TN 38103

Issued: May 19, 2016

Due: June 21, 2016 no later than 2:00 P.M. (Central Standard Time)

RFQ #16-005-77

RESILIENCE MASTER PLANNING CONSULTING SERVICES FOR SHELBY COUNTY, TENNESSEE AND SURROUNDING AREAS

Shelby County Government, an Equal Opportunity, Affirmative Action Employer, seeks to retain the services of one or more consultant firms to provide professional services for the development of the Mid-South Regional Resilience Plan. Shelby County is issuing this Request for Qualifications (RFQ) to solicit written proposals from consultants or consultant teams who are interested in providing such services. Based on an evaluation of responses to this RFQ, a consultant will be selected and invited to participate in further discussions and negotiation of a contract agreement for the requested services.

This notification and any future information regarding this RFQ is and will be located on the County's website at www.shelbycountyttn.gov. At the top of the home page, click on the links "Department", "P" for the Purchasing Department and "Bids" to locate the name of the above-described Request For Qualifications. Based on an evaluation of responses to this RFQ, one or more firms/consultants will be selected and invited to participate in further discussions and negotiation of a contract for the requested services.

I. INTRODUCTION

Shelby County Government, an Equal Opportunity, Affirmative Action Employer, seeks to retain the services of one or more consultant firms to provide professional services for the development of the Mid-South Regional Resilience Plan. Shelby County is issuing this Request for Qualifications (RFQ) to solicit written proposals from consultants or consultant teams who are interested in providing such services. Qualified Section 3 Business Concerns are encouraged to apply for the project.

Interested consultants should submit a Letter of Interest and Statement of Qualifications related to the services requested by the RFQ specifications. Based on an evaluation of responses to this RFQ, one or more firms/consultants will be selected and invited to participate in further discussions and negotiation of a contract for the requested services.

Please Note: As a part of doing business with Shelby County, each individual, company, or organization is required to obtain an “Equal Opportunity Compliance” certification number prior to submitting your response.

You can access the online applications to receive the numbers indicated above at www.shelbycountyttn.gov. To obtain a vendor number and an EOC number, please follow the instructions below:

Vendor Number (Purchasing Department)

At the top of the home page, click on the links “Department”, “P” for the Purchasing Department and “Conducting Business with Shelby County”. The “Vendor Registration” link is at the bottom of the drop down box. Please download the application instructions and read thoroughly prior to accessing the application. (*Applications for a vendor number are accepted online only.*)

Equal Opportunity Compliance (EOC) Number (EOC Administration Office)

At the top of the home page, click on the links “Department”, “E” for the Equal Opportunity Compliance and “Contract Compliance Program”. The “Contract Compliance Packet” link is in the middle of the page. Please print the packet and mail or fax the completed packet to the EOC office. The mailing address is 160 N. Main Street, Suite 200, Memphis, TN 38103. The fax number is 901-222-1101.

Note: Because of the length of time it takes to apply and receive an EOC number, vendors who apply prior to the RFQ due date, bid will be accepted pending EOC approval of their application.

If you have any questions regarding the application, you may contact Purchasing at (901)222-2250 or the EOC Administration at (901) 222-1100.

II. MINIMUM REQUIREMENTS

All proposers must:

- Adhere to all Title VI requirements and provide proof/documentation.
- Adhere to the requirements of certified Locally Owned Small Business (LOSB) participation. Project goal is **20%** participation.
- Prime and LOSB contractors must apply and qualify for an Equal Opportunity Compliance (EOC) certification number through our EOC Administration prior to submitting response.
- Adhere to HUD Section 3 requirements.
- Independent contractors (sole proprietors) must adhere to State of Tennessee Public Chapter No. 436, known as the “Tennessee Lawful Employment Act” (effective date of 1/1/2012). Proof and documentation of employment eligibility must be included with the proposal.
- Adhere to all insurance requirements and provide documentation. Insurance requirement subject to change.

Disclosure of Proposal Contents

All correspondence, proposals and questions concerning the RFQ are to be submitted to:

**Tosha Davenport, Purchasing Specialist
Shelby County Government
160 N. Main St. Suite 900
Memphis, TN 38103
(901) 222-2250**

III. General Information:

Shelby County Government was awarded a U.S. Department of Housing and Urban Development (HUD) Grant through the National Disaster Resilience Competition (NDRC) to implement the *Greenprint for Resilience* proposal (<http://www.resilientshelby.com>). Shelby County's *Greenprint for Resilience* proposal elevates the Mid-South Regional Greenprint and Sustainability Plan ("GREENPRINT"), a tri-state planning initiative funded by a HUD Sustainable Communities Regional Planning Grant, into a replicable, scalable framework for county and regional resilience. A Mid-South Regional Resilience Plan will complement three (3) HUD NDRC funded resilience activities designed to address unmet housing, environmental degradation and infrastructure recovery needs from severe storms and floods in 2011. Shelby County's resilience approach of "making room for the river" builds off of the Mid-South Regional Greenprint and Sustainability Plan to address four core resilience values:

- Protect lives and improve quality of life through creation of wetlands and other flood storage to protect communities and create green assets
- Reduce community burden of vacancy and vulnerable housing by removing residents from homes at risk of continued flooding and developing a vacant lot program to reduce blight and vacancy
- Establish connectivity to opportunities and community assets, building on regional Greenprint with nearly 30 miles of new trails or bike paths connecting to green space, housing, and jobs
- Implement the regional sustainability plan integrating scalable, resilient solutions by creating innovative solutions to flood prone communities along Greenprint corridors

We anticipate that this project will achieve the following short-term outcomes:

- Analysis of existing plans and documents related to land use, development regulations, hazard mitigation, and sustainability to build integration of resilient principles into programs, policies and planning
- Analysis of hydraulic and drainage models prepared for Shelby County and the region which will provide the foundation for a data driven approach by prioritizing areas vulnerable to flooding and identifying ways to increase their resilience.
- Consideration of additional climate risks including, but not limited to heavy wind, severe snow and ice, extreme heat or cold and drought in resilient recommendations.
- Analysis of risks to the region's population, housing stock, infrastructure, economy, civic spaces and historic and natural resources to identify vulnerable communities.
- Information exchange with twelve (12) other states, counties, or municipalities selected as recipients of HUD NDRC funding, including the State of Tennessee.
- A data based process for evaluating potential land uses in relation to resiliency values.
- Identification of land use and zoning policies needed to support and encourage resilient development.

Additionally, we believe that the plan will result in the following long-term results:

- Increased ability of Shelby County to respond to and recover from acute shocks and chronic stresses so that the region can effectively respond to adverse events and deliver basic functions to all populations in both good times and bad.
- Increased environmental, economic and social opportunity for all residents of the region, especially vulnerable communities.
- Creation of a long-term strategy for infrastructure resilience to storm and flood damage. The replicable and scalable flood control projects will “make room for the river” and reduce damage from future severe storms and flooding through increased flood protection infrastructure, wetlands development and passive greenspace for the retention of stormwater.
- Creation of green space and wetlands that will not only reduce climate risk and mitigate natural hazards but protect the most vulnerable populations in the flooding areas.
- Creation of resilience infrastructure co-benefits of recreation, transportation choice, community health, and economic and community revitalization.
- Collaboration between a multi-jurisdictional alliance of public, private and non-profit groups and organizations to implement initiatives that will create a more resilient region.
- Increased public, private, and non-profit investment and funding for resilience initiatives.
- Increased collaboration among resilience supporters and stakeholders to achieve common goals.
- Improved community driven connections between people, places, ideas and systems to provide potential for transformational impact.
- Improved community decision-making on issues related to resilient communities.
- Increased public awareness of hazard mitigation, disaster recovery and resilience planning to support a proactive approach to disaster response.
- Formal identification and articulation of the values, processes, and common language that will enable and inspire more people and organizations to engage and participate in building a more resilient region.
- A regional plan for resilience that will enhance understanding of the flooding vulnerabilities of the region, engage community participation in implementation of project activities and replicate successful interventions throughout the region.
- An integrated system of planning and policy documents that supports resilience in sustainability, land use development, zoning and hazard mitigation.

The study area for this project is defined as the boundary of the Memphis Metropolitan Planning Organization (MPO). This includes all of Shelby County, TN, and the cities of Arlington, Bartlett, Collierville, Germantown, Lakeland, Memphis, and Millington; northern DeSoto County, MS, including the cities of Hernando, Horn Lake, Olive Branch, Southaven, and Walls; and western Fayette County, including the cities of Piperton, Gallaway and Braden.

The planning process will be driven by the Memphis and Shelby County Office of Sustainability (MSCOS) and Shelby County Resilience Council (SCRC). SCRC is a multi-disciplinary team appointed by Shelby County Mayor Mark H. Luttrell, Jr. to formalize development and implementation of the Greenprint for Resilience Project. The SCRC is comprised of executives from Division of Public Works, Division of Planning & Development, Memphis & Shelby County Office of Sustainability, Shelby County Department of Housing, City of Memphis Engineering Division, and Shelby County Office of Preparedness (SCOP).

Effective community engagement is critical to this process. The Shelby County Outreach and Engagement Plan, the approach that began during the GREENPRINT and continued during the NDRC, will guide resilience planning outreach efforts. Throughout the planning process there will be extensive public input to gather public knowledge and to build community support for any recommendations. Since it is likely that many of these recommendations will impact public safety during emergencies, public input and acceptance of the plan are critical.

As defined by HUD, a resilient community is able to resist and rapidly recover from disasters or other shocks with minimal outside assistance. Reducing current and future risk is essential to the long-term vitality, economic well-being, and security of all communities. By identifying future risk and vulnerabilities, resilient recovery planning can maximize preparedness, save lives, and bring benefits to a community long after recovery projects are complete. Through this planning process, consideration should be provided to not only the infrastructure needed to become resilient, but also the social and economic characteristics that allow communities to quickly bounce back after a disruption. Planning will need to consider how projects will promote community development goals, ensure meaningful public engagement and participation, and build collaborations with neighboring jurisdictions and stakeholders who are critical partners in preventing, mitigating, and recovering from disasters.

The resilience plan will be guided by methodology outlined in the Rockefeller Foundation's City Resilience Framework (CRF) which will help to evaluate the study area's strengths and weaknesses, assess challenges and opportunities and guide strategies and actions in the plan. Based on extensive research in cities, the CRF defines the four essential dimensions of urban resilience as:

Health & Wellbeing: The health & wellbeing of everyone living and working in the city.

Economy & Society: The social & financial systems that enable urban populations to live peacefully, and act collectively.

Infrastructure & Environment: The way in which man-made & natural infrastructure provide critical services and protects urban citizens.

Leadership & Strategy: Effective leadership, empowered stakeholders, and integrated planning.

Each dimension contains three drivers:

Health and Well Being must meet basic needs, support livelihoods & employment, and ensure public health services.

Economy & Society must foster Economic prosperity, ensure social stability, security & justice, and promote cohesive & engaged communities.

Infrastructure & Environment must provide reliable communication & mobility, ensure continuity of critical services, and provides & enhances natural and manmade assets

Leadership & Strategy must promote leadership & effective management, empower a broad range of stakeholders and foster long-term and integrated planning.

The City Resilience Framework also outlines qualities of resilient systems. Resilient systems withstand, respond to, and adapt more readily to shocks and stresses to bounce back stronger after tough times, and live better in good times. Extensive research has shown that resilient cities demonstrate seven main qualities: reflectiveness, resourcefulness, robustness, redundancy, flexibility, inclusiveness and integration.

IV. Project Scope:

The selected consultant will lead the process and develop a regional resilience plan. The consultant/team procured will provide the following services:

1. Review of relevant existing plans and documents related to land use, development regulations, hazard mitigation, and sustainability for pertinent information as recommended by the Shelby County Resilience Council.
2. Lead a public participation process in which the consultant will present information, and obtain public input to help the community define problems, set policy goals, explore options, and craft solutions for local and regional resilient recovery strategies.
3. Analysis of HEC-RAS modeling of the Loosahatchie, Wolf and Nonconnah drainage basins developed as part of Shelby County's HUD NDRC grant (under separate RFQ) and all available InfoSWMM drainage models developed by the City of Memphis, along with consideration of other climate risks (heavy wind, severe snow and ice, extreme heat or cold, and drought). These analyses will serve as a foundation for project recommendations to minimize the effect of severe storms, flood and climate risks while maximizing the area's ability to recover.
4. Development of formal recommendations for resilience projects and policies in a report that will be reviewed by federal, state, regional, and local agencies and organizations for adoption of resilient approaches into short and long term decision making and planning for the region;

5. Development of action-oriented short, medium and long term implementation projects, financing opportunities, regulatory strategies, and other approaches tailored for maximum effectiveness and feasibility for regional partners, including counties, municipalities, government agencies, and private entities, as applicable; and
6. Incorporation of all projects, strategies, and approaches into a regional resilience playbook designed to aid regional partners with funding and implementation. The plan should include priority projects and phases, general cost estimates, methods and preferred locations for implementation, and compelling, state of the art design concepts.

The Mid-South Regional Resilience Plan will identify and assess local risks and vulnerabilities through application of a science-based and forward-looking risk analysis to address recovery, resilience and revitalization needs. Ultimately, this plan will make the community more resilient to future threats or hazards, including extreme weather events or climate change, while also improving quality of life for existing residents and making communities more resilient to economic stressors or other shocks. In addition, the plan's community outreach component serves to fully engage and inform community stakeholders about the impacts of climate change and assist in developing pathways to resilience based on sound science. The analysis will be based on Rockefeller Foundation's City Resilience Framework's essential dimension of Leadership & Strategy, Health & Well-being, Economy & Society and Infrastructure & Environment.

This plan should highlight regional critical assets and opportunities as it seeks to create an effective, innovative, and realistic blueprint and implementation program for regional resilience.

It will provide recommendations specific to the Mid-South region for enhancing its ability to withstand and recover more quickly from future disasters, hazards, and shocks with minimal outside assistance. Resilience planning allows the Mid-South Region to consider not only the infrastructure needed to become resilient, but also the social and economic characteristics that allow communities to quickly bounce back after a disruption. Reducing current and future risk is essential to the long-term vitality, economic well-being, and security of this community.

This project will require a consultant/team with proven expertise in planning, architecture, landscape architecture, engineering, and community engagement. The ability to effectively communicate ideas and recommendations, lead discussions and achieve consensus of action and approach is essential. Experience in resilience plan development, design and implementation is strongly desired.

Proposers should note that the Scope of Services identified herein is considered an advanced draft and may be modified after selection of a consultant based upon changing circumstances and/or negotiations with the proposing firm(s).

Respondents requesting additional information or clarification are to contact Tosha.Davenport@shelbycountyttn.gov or at the address listed below. Questions should reference the section of the RFQ to which the question pertains and all contact information for the person submitting the questions. ***IN ORDER TO PREVENT AN UNFAIR ADVANTAGE TO ANY RESPONDENT, VERBAL QUESTIONS WILL NOT BE ANSWERED. The deadline for submitting questions will be June 10, 2016 by 12:00 p.m. (CST).***

Individual vendor questions will be answered by e-mail as received before the cut-off date. All written questions submitted by the deadline indicated above will be answered and posted on the County's website at www.shelbycountyttn.gov within forty eight (48) hours of the above cut-off date.

These guidelines for communication have been established to ensure a fair and equitable process for all respondents.

Please be aware that contact with any other personnel (other than the person clearly identified in this document) within Shelby County or its benefit administrators regarding this RFQ may disqualify your company from further consideration.

Firms may request consideration by submitting one (1) original, five (5) copies and a letter of interest and statement of qualifications to Ms. Tosha Davenport, Purchasing Specialist, Purchasing Department, Shelby County Government, 160 North Main Street, Suite 900, Memphis, TN 38103.

Please ensure you include the RFQ name number and Title of proposal on the outside of the envelope. **RFQ 16-005-77 "RESILIENCE MASTER PLAN FOR SHELBY COUNTY"**

All qualifications must be received by Ms. Davenport's office on or before 2:00 PM (Central Standard Time) Tuesday June 21, 2016.

Submittals will be reviewed by a Consultant Review Committee (CRC) that will identify the most qualified proposers. At the discretion of the CRC, selected consultants may be interviewed to determine the most qualified firm or firms.

Proposals:

Interested consultants should submit a Letter of Interest and Statement of Qualifications including, but not limited to, the following:

- Firm name, address, and telephone number.
- Point of contact: name and telephone number.
- Summary of suggested approach to meet the objectives for the project as described in the Scope of Services section.
- Past experience specific to the issues and problems applicable to resilience planning and implementation, including areas such as flood control infrastructure planning, land use planning, economic development, and housing, along with demonstrated experience and competence in the services to be provided.
- Overview of consulting team including clear statements of expertise in project of this nature.
- Qualifications of staff and if applicable sub-consultants.
- Demonstrated ability to meet schedules without compromising sound planning practices.
- Statement of level of certified Locally Owned Small Business (LOSB) participation (**project goal is 20%**) and approach for meeting the participation requirements.

- Completed Section 3 RFQ documents included with this RFQ.
- At least three (3) project references.
- Inclusion of a fee is not required. A cost proposal will be negotiated with the selected consultant.

Pursuant to the HUD NDRC grant awarded to Shelby County, three (3) sub-consultants for the resilience plan shall be included as grant-directed project partners: Pique Public Relations (community engagement), Community Development Council of Greater Memphis (community engagement), and University of Memphis Center for Applied Earth Sciences and Engineering Research (GIS mapping and analysis, decision support). Specific tasks and contract amounts shall be determined in the negotiation phase following the selection of a successful consultant/team.

Evaluation proceedings will be conducted within the established guidelines regarding equal employment opportunity and nondiscriminatory action based upon the grounds of race, color, sex and creed or national origin. Interested certified Disadvantaged Business Enterprise (DBE) firms as well as other minority-owned and women-owned firms are encouraged to respond to all advertisements.

The following guidelines for communication; have been established to ensure a fair and equitable process for all respondents:

Please be aware that contact with any other personnel (other than the person clearly identified in this document) within Shelby County regarding this Request for Qualifications may disqualify your company from further consideration.

Prevailing Wage – Any firm, individual, partnership or corporation awarded a contract by the COUNTY for the construction of, improvement, enlargement, alteration or replacement of a public work or project in excess of \$500,000 and any subcontractors of such public work or project in excess of \$100,000 (“Recipient”) shall be required to pay local prevailing wages and benefits for laborers, mechanics, or other listed classifications as defined by the Tennessee Department of Labor. The prevailing wage rate shall be the most current State of Tennessee prevailing wage established by the Tennessee Department of Labor For Region 1 (Shelby County). The benefit rates shall be the most current rates described in the published schedule by the Memphis and West Tennessee County Code of Ordinances.

The applicable rate shall be determined at the time that the project is awarded. In instances where Prevailing wage applies, Prevailing Wage will override the Living Wage requirement.

Non-discrimination and Title VI

The contractor hereby agrees, warrants, and assures compliance with the provisions of Title VI and VII of the Civil Rights Act of 1964 and all other federal statutory laws which provide in whole or in part that no person shall be excluded from participation or be denied benefits of or be otherwise subjected to discrimination in the performance of this Contract or in the employment practices of the contractor on the grounds of handicap and/or disability, age, race, color, religion, sex, national origin, or any other classification protected by federal, Tennessee State Constitutional or statutory law.

The contractor shall upon request show proof of such non-discrimination and shall post in conspicuous places available to all employees and applicants notices of non-discrimination.

Any recipient entity shall be subject to the requirements of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and regulations promulgated pursuant thereto. It shall develop a Title VI implementation plan with participation by protected beneficiaries as may be required by such law or regulations. To the extent applicable, such plan shall include Title VI implementation plans sub-recipients of federal funds through the entity. The contractor shall produce the plan upon request of Shelby County Government. Failure to provide same shall constitute a material breach of contract.

Disclosure of Proposal Contents

Provider understands and acknowledges that the County is a governmental entity subject to the laws of the State of Tennessee and that any reports, data, or other information supplied to the County is subject to being disclosed as a public record in accordance with the laws of the State of Tennessee. All proposals and other materials submitted become the property of Shelby County Government. All proposal information, including detailed price and cost information, will be held in confidence during the evaluation process and before the time of a Notice of Intent to Award is issued. Thereafter, proposals will become public information.

Section 3 Employment Opportunities

The Contractor hereby agrees, warrants, and assures compliance with the provisions of section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. Sec. 1701u) as found at 24 CFR Part 135. 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.

Shelby County encourages responses from consultants qualifying as Section 3 Business Concerns.

Evaluation Process

Submittals will be reviewed by a Review Committee that will identify the most qualified proposers. At the discretion of the Review committee, selected consultants may be interviewed to determine the most qualified firm or firms.

Evaluation proceedings will be conducted within the established guidelines regarding equal employment opportunity and nondiscriminatory action based upon the grounds of race, color, sex and creed or national origin. Interested certified LOSB firms, Disadvantaged Business Enterprise (DBE) firms as well as other minority-owned and women-owned firms are encouraged to respond to all advertisements.

V. INSURANCE REQUIREMENTS

The Provider will provide evidence of the following insurance coverage with limits no less than:

1. *Commercial General Liability Insurance* - \$1,000,000 limit per occurrence bodily injury and property damage/\$1,000,000 personal and advertising injury/\$2,000,000 General Aggregate/\$2,000,000 Products-Completed Operations Aggregate. Shelby County Government, its elected officials, appointees, employees and members of boards, agencies, and commissions shall be named as additional insureds. The insurance shall include coverage for the following:
 - a. Premises/Operations
 - b. Products/Completed Operations
 - c. Contractual
 - d. Independent Contractors
 - e. Broad Form Property Damage
 - f. Personal Injury and Advertising Liability
2. *Business Automobile Liability Insurance* - \$1,000,000 each accident for property damage and bodily injury. Coverage is to be provided on all:
 - a) Owned/Leased Autos
 - b) Non-owned Autos
 - c) Hired Autos
3. *Workers Compensation and Employers' Liability Insurance* - As required by Tennessee State Statute. Employers Liability limit is \$1,000,000 per accident. Contractor/provider waives its right of subrogation against Shelby County for any and all workers' compensation claims.
4. *Professional Liability Insurance* – Errors and Omissions Coverage in limits of no less than \$1,000,000 per claim/\$3,000,000 annual aggregate.

All policies will provide for sixty (60) days written notice to Shelby County of cancellation of coverage provided. Ten (10) day notice is applicable to non-payment of premium. If the insurer is not required by the policy terms and conditions to provide written notice of cancellation to Shelby County, the Provider/Provider will provide immediate notice to Shelby County and evidence of replacement coverage with no lapse.

If the Contractor maintains higher limits than the minimums shown above, the County requires and shall be entitled to coverage for the higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County as additional insureds.

Upon termination or cancellation of any claims-made insurance currently in effect under this Contract, the Provider shall purchase an extended reporting endorsement or replace coverage with the same retroactive date and furnish evidence of same to the County.

All insurance policies maintained by the Provider/Provider shall provide that insurance as applying to Shelby County shall be primary and non-contributing irrespective of such insurance or self-insurance as Shelby County may maintain in its own name and on its own behalf. Any insurance company of the Provider shall be authorized to do business in the State of Tennessee and shall carry a minimum rating assigned by A.M. Best & Company's Key Rating Guide of "A-" and a Financial Size Category of "X".

Section 3

Documents

(RFQs and RFPs)

Section 3

Forms, Reports, and Policy

This project is governed under Section 3 of the Housing and Urban Development Act of 1968 [12 U.S.C. 1701u and 24 CFR Part 1351], which provides preference to low-to very low-income residents of the local community (regardless of race or gender), and the businesses that substantially employ these person, for new employment, training and contracting opportunities.

Required Section 3 Forms and Reports

Section 3 Opportunity Plan

A Section 3 Opportunity Plan must be completed by bidders or applicants seeking funding from the Shelby County Division of Planning and Development and the Department of Housing for a Section 3 covered project. The Section 3 Opportunity Plan must be submitted with the project bid or grant application.

Forms included in the Section 3 Opportunity Plan

1. Outreach Efforts to Section 3 Businesses
2. Section 3 Business Certification Form
3. Commitment to Contracting

A Section 3 Opportunity Plan is included.

Section 3 Summary Report

Project award recipients are required to complete and submit a Section 3 Summary Report each month throughout the life of the project. Information is cumulative and should run through the last day of the reporting month. Example: A report period of May 2015 will document required information from the start of the project through the last day of the May 2015.

A Section 3 Summary Report is included.

Section 3 Business Certification Form

Preferential contract consideration will be granted to Section 3 businesses. The Section 3 Business Certification Form must be completed by businesses seeking Section 3 status. The Section 3 Business Certification Form must be completed by businesses listed as Section 3 in the Section 3 Opportunity Plan. The certification form must also be submitted with the Section 3 Summary Report when a contract is issued to a Section 3 business after the start of the project.

A Section 3 Business Certification Form is included.

Section 3 Opportunity Plan

Understanding Section 3

Section 3 is a Local Jobs and Contracting Initiative Utilizing Federal Housing Grant Funds.

What is Section 3?

Section 3 is a HUD requirement designed to ensure that the HUD funds invested in housing and community development activities provide employment opportunities for low income people. HUD's regulations state that "to the greatest extent feasible," businesses and employers working on select HUD-funded projects must make a good faith effort to train and employ low-to very low-income individuals in the area (called "Section 3 residents") and also to contract with business identified as Section 3.

In summary, the obligations of Section 3 are:

1. Provide training for Section 3 residents, and report on the outreach and training undertaken.
2. To the greatest extent feasible hire and train Section 3 residents, and report on employees and new hires.
3. To the greatest extent feasible contract with Section 3 businesses, and report on contracts and subcontracts.

Contracting Obligations: Applies to CDBG Projects

Applies to all projects

Section 3 requires that award recipients fulfill the following obligations:

- Show commitment to meet HUD's contracting requirement (the "minimum numerical target for contracting") that Section 3 businesses receive at least 10% of the building trades contracts for the project, and at least 3% of the total amount for all non-building trade contracts.
- "To the greatest extent feasible" contract with Section 3 business concerns identified as
 - 51 percent or more owned by Section 3 residents; or
 - At least 30 percent of its full-time employees include persons that are currently Section 3 residents, or were Section 3 residents within 3 years of the dated of first hire; or

- Provides evidence, as required, of a commitment to subcontract in excess of 25 percent (25%) of the dollar award of all subcontractors to businesses that meet one of the qualifications above.

Hiring Obligations: Applies to all CDBG Projects

Applies to all Projects

Section 3 requires that award recipients fulfill the following obligations to the greatest extent feasible when new employees are hired:

- Meet HUD's hiring requirement (the "minimum numerical target for training and employment") that 30% of new hires be Section 3 individuals.
- "To the greatest extent feasible" provide preference to hire area residents who are:
 - Low- to very low- income residents of the housing development or developments in which the HUD funds shall be expended; or
 - Low- to very low- income residents of other housing developments managed by the local Millington Housing Authority or the Memphis Housing Authority; or
 - Participants in HUD Youthbuild Programs; or
 - All other residents (including Section 8 recipients) of Shelby County who meet the low-to very low-income guidelines for Section 3 preference.

Section 3 Opportunity Plan

(TO BE COMPLETED FOR COMMUNITY DEVELOPMENT PROJECTS)

PURPOSE

The purpose of the Section 3 Opportunity Plan is to ensure that jobs and economic opportunities generated by the U. S. Department of Housing and Urban Development (HUD) financial assistance for housing and community development programs shall be directed to low- and very low- income persons to the greatest extent feasible, particularly those who are recipients of government assistance for housing and business concerns providing such opportunities.

BIDDER OR APPLICANT

RFP # and PROJECT NAME

CONTACT NAME
APPLICABLE)

TELEPHONE

EMAIL (IF

Requirements

The submitter of this Section 3 Opportunity Plan hereby agrees to comply with all of the provisions of Section 3 as set forth in 24 CFR 135, which implements Section 3 requirements. The Section 3 Opportunity Plan must be submitted with the Request For Quotation (RFQ), Request For Proposal (RFP), contact response, or grant application to Shelby County's Division of Planning and Development/Department of Housing or the appropriate Division/Department issuing the applicable request.

If a contract is awarded, a Section 3 Summary Report identifying progress in meeting the goals established in this Plan must be submitted monthly for projects throughout the contract period. The Section 3 Summary Report shall be submitted no later than 10 days after the end of each calendar month of the contract (e.g. January 10th, February 10th, etc.). For any goal not met, the report shall identify other economic opportunities that the contract recipient has or intends to provide.

The failure of the contract recipient to comply with the approved Plan shall be considered an event of default under the contract agreement.

Commitment to Contracting

Applies to all projects

Each applicant or bidder for a construction or labor-related contract must complete this Plan and submit all relevant information required herein. The following contracting requirements must be satisfied to the greatest extent feasible:

- At least ten percent (10%) of the total dollar amount of all applicable HUD-funded construction contracts shall be awarded to businesses identified as Section 3.
- At least three percent (3%) of the total dollar amount of all applicable HUD-funded non-construction contracts shall be awarded to businesses identified as Section 3.

The following documents must be completed and submitted with this Plan:

- Outreach Efforts to Section 3 Businesses
- Section 3 Business Certification Form
- Section 3 Commitment to Contracting

Commitment to the Employment and Training

Applies to all projects

Each bidder or applicant for a construction or labor-related contract must complete this Plan and submit all relevant information required herein. Bidders and applicants must satisfy the following hiring requirements to the greatest extent feasible:

Thirty percent (30%) of the aggregate number of **new** positions during a one year period shall be filled with Section 3 residents. Example: A construction contractor hires 10 new workers. Three of the new workers should qualify as local low- to very-low income persons.

Compliance

The failure of the bidder or applicant to comply with the Section 3 Opportunity Plan shall be considered an event of default under the contract agreement.

Acknowledged by

PRESIDENT OR AUTHORIZED OFFICER (PLEASE PRINT)

SIGNATURE

DATE

BUSINESS OR ORGANIZATION NAME

Section 3 Opportunity Plan

Outreach Efforts to Section 3 Businesses

Applies to all projects

Documentation of efforts to engage Section 3 businesses must be provided with responses to RFQs, RFPs, and grant applications.

Project Name _____

This form is to be completed by bidders or applicants seeking funding under a Shelby County Division of Planning and Development/Department of Housing Section 3 covered program (or any other Shelby County Division/Department when Section 3 applies).

Organization _____

Submitted By _____

The following businesses identified as Section 3 were contacted to determine capacity and availability to work on the above-listed project:

1. Company _____
Contact _____
Telephone /Email _____
Date(s) Contacted _____ Quote Provided (Y/N) _____

Follow-up Action and Company Response _____

2. Company _____
Contact _____
Telephone /Email _____
Date(s) Contacted _____ Quote Provided (Y/N) _____

Follow-up Action and Company Response _____

3. Company _____
Contact _____
Telephone /Email _____
Date(s) Contacted _____ Quote Provided (Y/N) _____

Follow-up Action and Company Response _____

4. Company _____
Contact _____
Telephone /Email _____
Date(s) Contacted _____ Quote Provided (Y/N) _____

Follow-up Action and Company Response _____

(Attach additional sheets if necessary)

Section 3 Business Certification Form

Required if Section 3 businesses are included in the bid or application

Businesses seeking Section 3 status and preference in contract by DPD/Department of Housing must complete and submit a Section 3 Business Certification Form.

Business Name _____

Address _____

City _____ State _____ Zip _____

Federal Employer Identification Number _____ Duns Number _____

Type of Business

- Corporation Partnership Sole Proprietorship
 Joint Venture

Please select one of the following three qualification methods for status as a Section 3 business.

Section 3 resident-owned business (51 % of more owned by Section 3 residents)

The following documents may be required in the future as added confirmation of status

- Complete list of Section 3 resident owners
- Section 3 Resident Certification Forms for each Section 3 resident owner

At least 30 % of permanent, full-time workforce are currently Section 3 residents or were Section 3 eligible residents within 3 years of date of first employment with the business

The following documents may be required in the future as added confirmation of status

- Complete list of all current full-time employees
- Complete list of employees claiming Section 3 status and employees Section 3 Resident Certification forms.
- Other evidence of Section 3 status less than 3 years for date of employment

Subcontracting 25% of the dollar amount awarded to qualified Section 3 businesses

The following documents may be required in the future as added confirmation of status

- Complete list of subcontracted Section 3 businesses and subcontract amount

I certify to the best of my knowledge that the information contained here within is true and accurate.

Signature _____

Date _____

Print Name _____

Title _____