

**STATE OF NEW MEXICO
COUNTY OF GRANT**

**RESOLUTION NO. R-03-33
SECTION 3 PLAN**

WHEREAS, the County of Grant is a recipient of the Community Development Block Grant (CDBG); and

WHEREAS, participation in the CDBG program requires compliance with Section 3 of the Housing an Urban Development Act of 1968; and

WHEREAS, the County of Grant encourages the use of small local businesses and the hiring of low income residents of the community.

NOW THEREFORE BE IT RESOLVED, that the County of Grant approves the adoption of the Section 3 Plan as follows:

The County of Grant is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. This Act encourages the use of small local businesses and the hiring of low income residents of the community.

The County of Grant has appointed Harry Burgess, County Manager as the Section 3 Coordinator, to advise and assist key personnel and staff on Section 3, to officially serve as a focal point for Section 3 complaints, and as the on -site monitor of prime contractors and sub-contractors to insure the implementation and enforcement of the Section 3 plans. The approval or disapproval of the Section 3 plan is the ultimate responsibility of the County of Grant. Documentation of efforts will be retained on file for monitoring by the state.

Therefore, the County of Grant shall:

1. Hiring
 - a. Advertise for all County of Grant positions in local newspapers
 - b. Give preference in hiring to lower income persons residing in the County of Grant. This means that if two equally qualified persons apply and one is a resident of the County of Grant and one is not, the resident will be hired, providing that such action is not in opposition to existing labor contracts / personnel policies.
 - c. Maintain records of hiring and compliance with this plan.

2. Contracting

- a. The County of Grant will maintain a vendor's list of businesses, suppliers and contractors located in the County of Grant.
- b. These vendors who have requested to be placed on this list will be contacted for bid or quotes whenever the County of Grant requires supplies, services or construction, relative to the products/services they supply.
- c. Preference will be given to small local businesses. This means if identical bids/quotes are received from a small business located within the County of Grant and one from outside the County of Grant, the contract will be awarded to the business located within the community.

2. Training

The County of Grant shall maintain a list of all training programs operated by the County and its agencies and will direct them to give preference to County of Grant residents. The County of Grant will also direct all CDBG sponsored training to provide preference to County of Grant residents.

3. CDBG Contracts

All CDBG bid proposals and contracts shall include the following Section 3 language.

- a. 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 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that the greatest extent feasible, opportunities for training and employment be given lower income residents of the project areas, and contracts for work in connection with the project be awarded to business concerns residing in the project area.
- b. The parties to this contract will comply with the provision of said Section 3 and the regulations 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.
- c. The contractor will send to each labor organization or representative of

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 the Section 3 clause, and shall post copies of the notice in conspicuous places available to employees and applicants of employment or training.

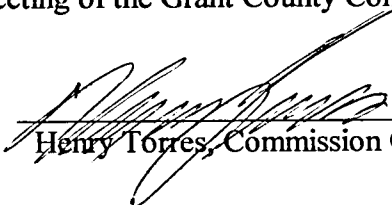
- d. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of federal financial assistance, take appropriate action pursuant to subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. 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 135, and will not let any subcontractor unless the subcontractor has first provided it with the requirements of these regulations.
- e. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department, 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.

The County of Grant shall require each contractor on CDBG projects to prepare a written Section 3 plan as part of their bids on all jobs exceeding \$100,000. All Section 3 plans shall be reviewed and approved by the County of Grant Section 3 Compliance Officer and retained for monitoring by the state.

LOWER INCOME CLARIFICATION

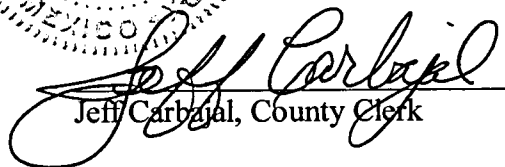
For the purposes of this plan, a lower income family is defined as a family who resides in the County of Grant and whose income does not exceed the income limit for the size of family as per the attached Section 8 Income Limit for Grant County.

APPROVED and ADOPTED in an open meeting of the Grant County Commission on December 11, 2003:


Henry Torres, Commission Chair



ATTEST:


Jeff Carbajal, County Clerk

11



NEW YORK
1900

STATE:NEW MEXICO

-----INCOME LIMITS-----

		PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Albuquerque, NM MSA FY 2003 MFI: 51400		30% OF MEDIAN	10800	12350	13900	15400	16650	17900	19100	20350
		VERY LOW INCOME	18000	20550	23150	25700	27750	29800	31850	33900
		LOW-INCOME	28800	32900	37000	41100	44400	47700	51000	54300
Las Cruces, NM MSA FY 2003 MFI: 37200		30% OF MEDIAN	7800	8950	10050	11150	12050	12950	13850	14750
		VERY LOW INCOME	13000	14900	16750	18600	20100	21600	23050	24550
		LOW-INCOME	20850	23800	26800	29750	32150	34500	36900	39300
Santa Fe, NM MSA FY 2003 MFI: 61800		30% OF MEDIAN	13250	15150	17050	18950	20450	21950	23450	25000
		VERY LOW INCOME	22100	25250	28400	31550	34050	36600	39100	41650
		LOW-INCOME	35350	40400	45450	50500	54500	58550	62600	66650
Satron County FY 2003 MFI: 34900		30% OF MEDIAN	7750	8850	9950	11050	11950	12850	13750	14600
		VERY LOW INCOME	12900	14750	16600	18450	19950	21400	22900	24350
		LOW-INCOME	20650	23600	26550	29500	31900	34250	36600	38950
Chaves County FY 2003 MFI: 35700		30% OF MEDIAN	7750	8850	9950	11050	11950	12850	13750	14600
		VERY LOW INCOME	12900	14750	16600	18450	19950	21400	22900	24350
		LOW-INCOME	20650	23600	26550	29500	31900	34250	36600	38950
Cibola County FY 2003 MFI: 34600		30% OF MEDIAN	7750	8850	9950	11050	11950	12850	13750	14600
		VERY LOW INCOME	12900	14750	16600	18450	19950	21400	22900	24350
		LOW-INCOME	20650	23600	26550	29500	31900	34250	36600	38950
Colfax County FY 2003 MFI: 39900		30% OF MEDIAN	8400	9600	10750	11950	12950	13900	14850	15800
		VERY LOW INCOME	13950	15950	17950	19950	21550	23150	24750	26350
		LOW-INCOME	22350	25550	28750	31900	34450	37050	39600	42150
Curry County FY 2003 MFI: 37500		30% OF MEDIAN	7900	9000	10150	11250	12150	13050	13950	14850
		VERY LOW INCOME	13150	15000	16900	18750	20250	21750	23250	24750
		LOW-INCOME	21000	24000	27000	30000	32400	34800	37200	39600
De Baca County FY 2003 MFI: 37300		30% OF MEDIAN	7850	8950	10050	11200	12100	13000	13900	14750
		VERY LOW INCOME	13050	14900	16800	18650	20150	21650	23150	24600
		LOW-INCOME	20900	23850	26850	29850	32250	34600	37000	39400
Eddy County FY 2003 MFI: 41100		30% OF MEDIAN	8650	9850	11100	12350	13300	14300	15300	16300
		VERY LOW INCOME	14400	16450	18500	20550	22200	23850	25500	27150
		LOW-INCOME	23000	26300	29600	32900	35500	38150	40750	43400
Grant County FY 2003 MFI: 37000		30% OF MEDIAN	7750	8900	10000	11100	12000	12900	13750	14650
		VERY LOW INCOME	12950	14800	16650	18500	20000	21450	22950	24400
		LOW-INCOME	20700	23700	26650	29600	31950	34350	36700	39050
Guadalupe County FY 2003 MFI: 35300		30% OF MEDIAN	7750	8850	9950	11050	11950	12850	13750	14600
		VERY LOW INCOME	12900	14750	16600	18450	19950	21400	22900	24350
		LOW-INCOME	20650	23600	26550	29500	31900	34250	36600	38950