

RESOLUTION No. 05-20

COUNTY OF GRANT  
SECTION 3 PLAN

STATE OF NM, GRANT COUNTY  
200501540  
I hereby certify that this instrument was filed for record on 05/18/2005 at 09:04:59 AM & duly recorded in book 267 page 1540  
Pages 1 of 3  
Witness my hand & seal of office  
HOWIE MORALES, COUNTY CLERK  
DEPUTY- CONNIE

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 County.

The County of Grant has appointed Harry Burgess 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 incorporate the following procedures when soliciting new employees:

1. Hiring

- a. Advertise for all County positions in local newspapers
- b. Give preference in hiring to lower income persons residing in the County. This means that if two equally qualified persons apply and one is a resident of the County and one is not, the resident will be hired
- c. Maintain records of hiring as specified on this form.

COUNTY OF GRANT

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

2. Contracting

- a. The County of Grant will compile a list of businesses, suppliers and contractors located in the County.
- b. These vendors will be contacted for bid or quotes whenever the County requires supplies, services or construction.
- c. Preference will be given to small local business. This means if identical bids/quotes are received from a small business located within the County and one from outside the County, the contract will be awarded to the business located within the County.

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### 3. 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 residents. The County will also direct all CDBG-sponsored training to provide preference to County residents.

### 4. 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. 170lu. Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given to 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 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's Equal Opportunity Section 3 Compliance Officer and retained for monitoring by the State.

The County of Grant will maintain all necessary reports and will insure that all contractors and subcontractors submit required reports.

#### LOWER INCOME CLARIFICATION

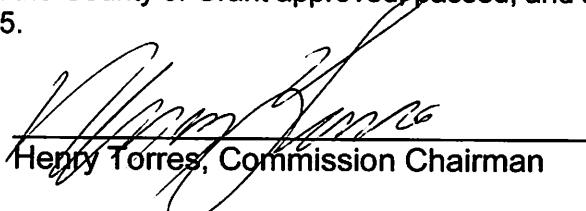
The following table lists the low income status of a family who resides in Grant County and whose income does not exceed the income limit for the size of family:

Grant County FY 2004 MFI \$37,500

	30% of Medium	Very Low Income	Low Income
1 person	8,200	13,700	21,900
2 persons	9,400	15,650	25,000
3 persons	10,550	17,600	28,150
4 persons	11,750	19,550	31,300
5 persons	12,650	21,100	33,800
6 persons	13,600	22,700	36,300
7 persons	14,550	24,250	38,800
8 persons	15,500	25,800	41,300

Information contained in our Section 3 Plan reflects the status of the County employees regarding lower income considerations based on their salary paid by the County.

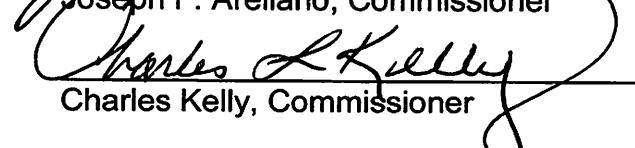
NOW THEREFORE BE IT RESOLVED that the County of Grant approved, passed, and adopted the Section 3 Plan this 12th day of May 2005.



Henry Torres, Commission Chairman



Joseph F. Arellano, Commissioner



Charles Kelly, Commissioner

ATTEST:



Henry "Howie" Morales

County Clerk

STATE OF NM, GRANT COUNTY  
200501540

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