

RESOLUTION No. R 06-07

COUNTY OF GRANT SECTION 3 PLAN

STATE OF NM, GRANT COUNTY
200601033

I hereby certify that this instrument was filed for record on 02/15/2006 at 03:38:51 PM & duly recorded in book 268 page 1033
Pages 1 of 3
Witness my hand & seal of office
HOWIE MORALES, COUNTY CLERK
DEPUTY- SANDRA

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. 1701u. 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:

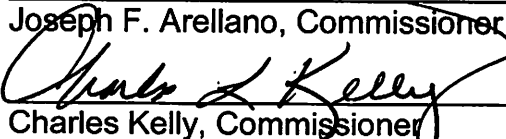
Grant County FY 2005 MFI \$38,700

	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 26th day of January 2006.


Henry Torres, Commission Chairman

Joseph F. Arellano, Commissioner

Charles Kelly, Commissioner

ATTEST.


Henry "Howie" Morales
County Clerk 

STATE OF NM, GRANT COUNTY
200601033
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HOWIE MORALES, COUNTY CLERK
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RESOLUTION No. R 06-06

COUNTY OF GRANT
RESIDENTIAL ANTI-DISPLACEMENT AND
RELOCATION PLAN AND CERTIFICATION

STATE OF NM, GRANT COUNTY
200601032
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Section 104(d) of the Housing & Community Development
Act of 1974, as Amended

Section 509 of the Housing and Community Development Act of 1987 (Public Law 100-242, approved February 5, 1988) amended section 104 of the Housing and Community Development Act of 1974 (the Act) by adding a new subsection (d).

The new subsection 104(d) of the Act provides that a grant under section 106 (CDBG Programs) may be made only if the grantee certifies that it is following a "residential anti-displacement and relocation plan."

Local government, recipients under the State CDBG Program, must make this certification to the State. The requirement applies only to those recipients of CDBG funds awarded to the State by HUD after October 1, 1988.

ACCORDINGLY, the foregoing plan represents the effort of the County of Grant to comply with the requirements of Section 104(d) of the Act and is certified herewith:

PLAN AND CERTIFICATION

The County of Grant herewith certifies that it will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.496 a(b).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the County of Grant will make public and submit to the Local Government Division of the Department of Finance and Administration the following information in writing:

- A description of the proposed activity;
- The location on a map and the approximate number of units, described by size (number of bedrooms), that will be demolished or converted;
- A time schedule for commencement and completion of the demolition or conversion;
- The location on a map and the approximate number of dwelling units described by size (number of bedrooms) that will be provided as replacement dwelling units;
- The source(s) of funding and a time schedule for the provision of replacement units; and
- The basis for concluding that each replacement unit will remain a low/moderate-income dwelling unit for (10) years from the date of initial occupancy.

The County of Grant will provide relocation assistance, as described in 570.496-a to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

To the extent which the County of Grant participates in Federal Assistance Programs wherein the following anti-displacement strategies can be applied, and consistent with the goals and objectives of activities assisted under the Act, the County of Grant will take the following steps to minimize the displacement of persons from their homes (this listing not all inclusive):

DISPLACEMENT STRATEGY

A. Steps to Minimize or Prevent Displacement:

1. Plan, organize and stage the rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation so as to provide the greatest convenience, safe and economically sound rehabilitation effort possible.
2. Assist in the identifying and locating of temporary relocation facilities in order to house families whose displacement will be of short duration, so that they can move back to their neighborhood after rehabilitation or new construction.
3. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent the placing of undue financial burdens on long-established owners or on tenants of multi-family buildings.
4. Counsel and advice homeowners and renters to understand the range of assistance that may be available to meet and protect their housing rights and interests.
5. In cooperation with neighborhood organizations, continuously review neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.

B. Actions to Assist Displaced Persons to Remain in their Present Neighborhoods:

1. Provide lower-income housing in the neighborhood through HUD housing programs; purchase units as is; rehabilitate vacant units; or construct housing units.
2. Give priority in assisted housing units in the neighborhood to area residents facing displacement.
3. Target Section 8 existing programs and certificates to households being displaced, and recruit area landlords to participate in the program.
4. Provide counseling and referral services to assist displacees find alternate housing in the neighborhood.
5. Work with area landlords and real estate brokers to locate vacancies of households facing displacement.

C. Actions to Otherwise Mitigate Adverse Effects of Displacement

1. Use of public funds, such as CDBG, to pay moving costs and provide relocation payments, or, to the extent permissible by local or state law require private developers to provide compensation to persons displaced by development activities.

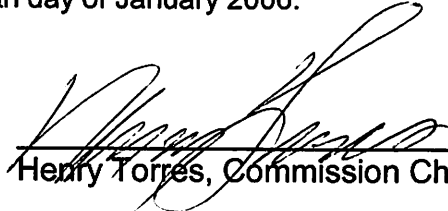
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Pages 2 of 3
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2. Give displacees priority in obtaining subsidized housing.
3. Provide counseling and referral services to assist displacees to locate elsewhere in the community.

It shall be the policy of the County of Grant that all persons displaced by CDBG activity shall be relocated into housing that is:

- Decent, safe and sanitary;
- Adequate in size to accommodate the occupants;
- Functionally equivalent;
- In an area not subject to adverse environmental conditions.

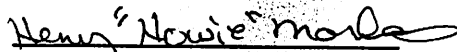
NOW THEREFORE BE IT RESOLVED that the County of Grant approved, passed, and adopted the Anti-Displacement and Relocation Plan this 26th day of January 2006.


Henry Torres, Commission Chairman

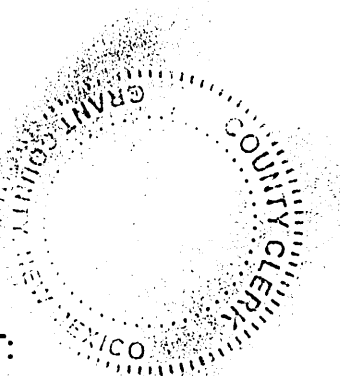
Joseph F. Arellano, Commissioner


Charles Kelly, Commissioner

ATTEST:


Henry "Howie" Morales
County Clerk

By 



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RESOLUTION No. R 06-05
COUNTY OF GRANT
CDBG PROCUREMENT POLICY

STATE OF NM, GRANT COUNTY
200601031
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Pages 1 of 2
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A. CODE OF CONDUCT

No employee, officer, or agent of the grantee shall participate in the selection or in the award or administration of a contract supported by CDBG funds if a conflict of interest, real or apparent, would be involved. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above has a financial or other interest in the firm selected for award.

No officer, employee, or grantee shall solicit or accept gratuities, favors or anything of monetary value from the contractors, potential contractors, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Any alleged violations of these standards of conduct shall be referred to the District Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to: dismissal or transfer; when violations or infractions appear to be substantial in nature, the matter may be referred to appropriate officials for criminal investigation and possible prosecution.

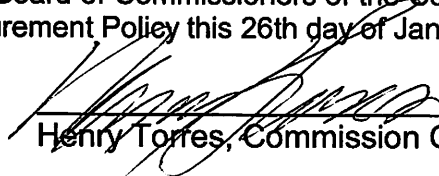
B. PROCUREMENT PROCEDURES

The grantee-designated purchasing officer responsible for procurement of services, supplies, equipment or construction obtained with CDBG funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the grantee, an analysis to determine which approach would be the most economical shall be undertaken. Procurement requirements, however, may not be divided so as to constitute a small purchase.

The purchasing officer shall take affirmative steps to assure that small and minority firms, and women's business enterprises are solicited whenever they are potential qualified sources. The purchasing officer shall also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority firms, and women's business enterprises. Where permitted by regulations, delivery schedules will be developed which will include participation by such businesses. Where possible, evaluation criteria will include a factor with an appropriate weight for these firms.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Grant

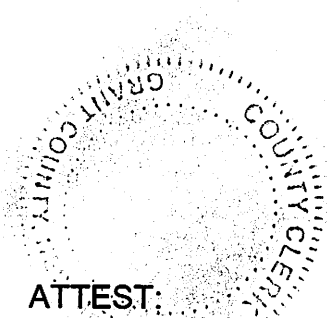
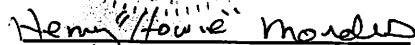
NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Grant approved, passed, and adopted the CDBG Procurement Policy this 26th day of January 2006.


Henry Torres, Commission Chairman

Joseph F. Arellano, Commissioner


Charles Kelly, Commissioner

ATTEST:



Henry "Howie" Morales
County Clerk

By 

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