CITY OF PHILADELPHIA

FRANK L. RIZZO
MAYOR

January 11, 1977

EXECUTIVE ORDER 1-77

The Affirmative Action Plan for the City of Philadelphia, Commonwealth of Pennsylvania, related to Provisions of Section 3 of the U.S. Housing and Urban Development Act of 1968 as amended is hereby adopted.

This Plan is made City policy to provide for Employment Opportunities for Businesses and Lower Income Persons in connection with Federal Assisted Projects for Public Works contracts funded with Community Development Block Grants under Title I of the Housing and Community Development Act of 1974, P.L. 93-383.

The Managing Director and his office are designated as the person and office responsible for maintaining this Plan.

FRANK L. RIZZO
MAYOR

CONTRACTING AGENCY'S STATEMENT OF GOALS
SECTION 3 OF THE U.S. HOUSING ACT OF 1968 FOR
THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Form S3-1
(June 76)

1. Based on the fact that $_____ of the Community Development Block Grant for the Fiscal Year _____ has been earmarked for expenditures by _____ Dept/Agency, the _____ Dept/Agency hereby sets as its goals for utilization of Section 3 eligible businesses through its contracts for public works a target of ____%, of its budget of $_____ for public works. This percentage is based on our knowledge of available, qualified and eligible Section 3 businesses.

2. As part of the preparation of the contract documents, the _____ Dept/Agency _____ will analyze the specific public works projects and will determine for such specific public works contract a goal and percentage amount which represents in the judgement of the _____ Dept/Agency as to maximum feasible involvement of Section 3 type businesses. Thus, individual projects may vary from the stated percentage goal. It is expected during the course of the year, however, that total volume awarded to Section 3 businesses will approximate goals stated above.

3. The _____ Dept/Agency is familiar with the City's Affirmative Action Plan for Section 3 and will comply with it in all contracts for public works funded with Community Development Block Grant Funds.

_____ Dept/Agency Head _____ Date

CONCURRENCE OF $_____ and _____% of total contract amount of $_____.

_____ Housing and Community Development Director's Office _____ Date

Return concurred in copies to: Dept/Agency and City's Equal Employment Opportunity Office

Form S3-2
(June 76)

DEPARTMENT/AGENCY'S REPORT TO CITY'S EQUAL EMPLOYMENT OPPORTUNITY OFFICER FOR SECTION 3 COMPLIANCE

DATE: _____

Reporting Period: _____ Funding Year 19_____
Month Ending

Agency or Department: _____

Goals for Funding Year, 1/ 19___ Total Budget for Contracts $_____

Name and Phone No. of Person Preparing Report
Name: _____
Phone No. _____

Original Goals for Section 3 Business Utilization _____% $_____
Revised Goals 2/ for Section 3 Business Utilization _____% $_____

Number or Contractors and Subcontrs.	Total Amount for FY Awarded		Section 3 Contracts - Subcontracts Awarded			
			Reporting Period		Cumulative FY to Date	
	No. of Contrs. and Subcontrs.	Dollar Amount	No. of Contractors	Dollar Amount	No. of Contractors	Dollar Amount

CERTIFICATION:

All contractors and subcontractors are on target with their projected goals except _____ contractors. Conferences have been scheduled with these contractors for the purpose of achieving compliance with Section 3 of the Housing and Urban Development Act of 1968 to the maximum extent feasible.

_____ _____
Name and Title Date

1/ For each funding year, separate reports should be filed by the 30th day of each month.

2/ If there are revised goals for the year funded, do not use until the Housing and Community Development Director's Office has been advised in writing as to the extent of the revisions and has given written concurrence.

AFFIRMATIVE ACTION PLAN

CITY OF PHILADELPHIA

COMMONWEALTH OF PENNSYLVANIA

NOVEMBER 1976

****

SECTION 3

U.S. HOUSING AND URBAN DEVELOPMENT ACT OF 1968

Employment Opportunities for Business and Lower Income Persons in Connection with Federal Assisted Projects

for

Public Works Contracts funded with Community Development Block Grants

Under Title I of the

Housing and Community Development Act of 1974 P.L. 93-383

TABLE OF CONTENTS

AFFIRMATIVE ACTION PLAN
CITY OF PHILADELPHIA, PENNSYLVANIA
SECTION 3 - U.S. HOUSING AND URBAN DEVELOPMENT ACT OF 1968
EMPLOYMENT OPPORTUNITIES FOR BUSINESSES AND LOWER INCOME PERSONS

I. PURPOSE AND SCOPE

A. Background
B. Section 3
C. Applicability of Section 3 to City's Community Development Block Grant Program

II. CITY'S PROGRAM FOR COMPLIANCE WITH SECTION 3

A. Community Development Block Grant Program
1. Housing and Community Development Block Grant Act of 1974
2. Contract Requirements
3. Training and Employment Opportunities
4. Business Utilization
5. Definition of Disadvantaged and Small Businesses
6. City's Maintenance of Listing of Eligible Businesses

B. Statement of Goals

C. Designation of Equal Employment Opportunity Officer

D. Publicity Program
1. Notification to Interested Organizations
2. Advertisement
3. Assistance for Interested Section 3 Businesses

E. Bidding Procedures

F. Notification to HUD of Contract Award

G. Reporting
1. Inter-Agency Reporting
2. City's Reporting Responsibilities to HUD

III. DUTIES IMPOSED ON CONTRACTOR AND SUBCONTRACTOR

A. Contract Language
B. Certification of Compliance
C. Utilization of Project Residents
D. Utilization of Businesses
E. Reporting

IV. GRIEVANCE PROCEDURE

AFFIRMATIVE ACTION PLAN
CITY OF PHILADELPHIA, PENNSYLVANIA
SECTION 3 - U.S. HOUSING AND URBAN DEVELOPMENT ACT OF 1968
EMPLOYMENT OPPORTUNITIES FOR BUSINESSES AND LOWER-INCOME PERSONS

I. PURPOSE AND SCOPE

A. BACKGROUND

Affirmative Action means promoting equal employment and income development opportunities by gaining support from all administrative levels in establishing practical action plans, maintaining continual evaluation, and making adjustments to retain focus and progress toward stated goals. An Affirmative Action Program endeavors to realistically reinforce the concept that all segments of our society have an opportunity to participate in public service on a competitive basis and advance in accordance with capabilities. The process for reaching equal opportunity is comprehensive and requires assessment of needs in the immediate situation and establishment of goals into an action plan for successful accomplishment.

B. SECTION 3 - PROVISIONS

Section 3 of the U.S. Housing and Urban Development Act of 1968, as amended, with initial implementation regulations first published in the Federal Register on June 18, 1971 and a revised form effective November 23, 1973, provides

that the Secretary of the U.S. Department of Housing and Urban Development (HUD), in the administration of programs providing direct financial assistance in aid of housing, urban planning, renewal, public or community facilities, shall require, to the greatest extent feasible, as follows:

1. Opportunities for training and employment, arising in connection with the planning and carrying out of any project assisted under any such program be given to lower income persons residing in the area of such project. Based on Family Income Computations related to 1976 Median incomes issued by the Philadelphia HUD Area Office, the 1975 median income for the Philadelphia - New Jersey SMSA Area is $14,400. According to this schedule, a family of four residing in this SMSA Area earning $11,520 per year would be considered lower income.

2. Contracts for work, to be performed in connection with any such project be awarded to business firms which are located in or owned in substantial part by persons residing in the area of such project which are considered small and to be socially or economically disadvantaged.

The Assistant Secretary for Equal Opportunity has been delegated the functions of the HUD Secretary in administering Section 3 in accordance with the Regulations of November 23, 1973.

C. APPLICABILITY OF SECTION 3 TO CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Based on Section 118 of the Housing and Community Development Act of 1974, PL 93-383, Section 3 of the Housing and Urban Development Act of 1968 is made applicable to Community Development Block Grant projects funded under Title I of the Act. The City of Philadelphia, in its annual application gives assurance that it will comply. This Affirmative Action Plan was developed by the City to carry out the letter and the intent of that assurance.

II. CITY'S PROGRAM FOR COMPLIANCE WITH SECTION 3

A. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

1. Housing and Community Development Act of 1974

Section 118 of the Housing and Community Development Act of 1974 amends Section 3 by specifying its applicability to community development block grants under Title I of the Act. The Community Development Block Grant regulations require that local programs be conducted in conformity with Section 3 of the Housing and Urban Development Act of 1968. The signed Assurances and the Grant Agreement commit the City to complying with the requirements of Section 3 as set forth in 24 C.F.R. 135.

The City will meet this requirement by insisting on affirmative action with regard to all public works contracts and construction contracts funded in whole or in part with block grants that are continuations of urban renewal activities, model cities activities, or that are new activities funded for the first time with block grant funds.

2. Contract Requirement

The City will require to be incorporated in all public works and construction contracts and subcontracts for work in connection with block grant funded activities the Section 3 clause set forth under Section III.A.

3. Training and Employment Opportunities

The City will require its prospective bidders to provide an estimate of work force needs on the Table of Work Force Needs and Manpower Utilization Training, which will indicate the approximate number of employee and trainee positions that will be required in the execution of the Contract. The bidder must also certify that good faith efforts will be made to employ lower income residents as employees and trainees to the greatest extent feasible.

4. Business Utilization

The City shall require each contractor undertaking work on block grant activities to develop and implement an Affirmative Action Plan to utilize, to the maximum extent feasible, small business concerns located in the City of Philadelphia and, businesses owned by persons considered by the Small Business Administration to be socially or economically disadvantaged. The Plan will indicate the number and dollar value of all proposed contracts and set forth a goal or target number and estimated dollar amount of contracts to be awarded to eligible business concerns.

5. Definition of Disadvantaged and Small Businesses

a. Socially or Economically Disadvantaged

The Small Business Administration defines a business owned by persons considered socially or economically disadvantaged as those deprived of the opportunity to develop and maintain a competitive position in the economy because of social or economic disadvantage. Such disadvantage may arise from cultural, social, or chronic economic circumstances or background or other similar cause. In many cases, such persons may include, but are not limited to, members of the following minority groups: black Americans; American Indians; Spanish-Americans; oriental-Americans; Eskimos and Aleuts.

b. Small Business Size Standards

2) has 500 employees or less; and

3) has average annual receipts for its preceding three fiscal years which do not exceed $12 million.

6. City's Maintenance of Registry of Eligible Section 3 Businesses

The City will maintain and make available to Contractors a registry of Philadelphia-based small and disadvantaged business concerns. The list will be compiled from various sources, including Small Business Administration's Section 8 (a) approved companies, and minority listings from HUD, the Philadelphia Urban Coalition, the Pennsylvania Department of Commerce OMBE, the Wilmington Business Opportunity and Economic Development Corporation and the Delaware State OMBE.

B. STATEMENT OF GOALS

At the beginning of each Community Development Block Grant Program Year, the City will make an estimate of the amount of work that will be available for businesses eligible under Section 3 of the Housing and Urban Development Act of 1968 and such estimate shall become a part of the Affirmative Action Plan for that particular year of the program.

The procedure for establishing the program year's goal will be as follows:

1. As soon as the City files its application with HUD for funding, it will request each Department and Agency which has been allocated a part of the Community Development Block Grant funds for public works to prepare the attached form S.3-1 "STATEMENT OF GOALS," and submit it to the Housing and Community Development Director's Office within 30 days.
2. The completed "STATEMENT OF GOALS" will then be reviewed by the Housing and Community Development Director's Office who will make any changes that are warranted.
3. The Housing and Community Development Director's Office will then prepare a composite City goal by the time HUD's 75-day review period for the application expires.
4. The "Goals" as concurred in by the Housing and Community Development Director's Office will then become part of this Affirmative Action Plan for Section 3 for the funding year in question.

C. DESIGNATION OF SECTION 3 AFFIRMATIVE ACTION OFFICER

The City will designate a person and an office responsible for maintaining the Affirmative Action Plan for Section 3. It will be a person at the City staff level who would then be supported by the Affirmative Action Coordinators in each department and agency receiving Community Development Block Grant Funds.

D. PUBLICITY PROGRAM

1. Notification to Interested Organizations

Prior to advertising for bids, the City will notify interested agencies such as the Philadelphia Urban Coalition, Small Business Administration, and other agencies referred to in Section A.6 of the potential contract and the tentative date of advertisement for bids. This will permit these agencies an opportunity to distribute this advance notification to eligible businesses.

2. Advertisement

a. The City will highlight by placing in bold print in its advertisements for bids that the proposed Contractors must utilize to the greatest extent feasible business concerns which are located in or owned in substantial part by persons residing in the project area. The City will maintain a Registry of qualified Section 3 businesses. This list will be made available to all proposed bidders who meet the Pre-Bid Qualifications Test.

b. The City will advertise in at least one of the major daily newspapers as well as in the Philadelphia Tribune, in an effort to further attract eligible and interested Section 3 business concerns.

c. The advertisements for bids will have the following language inserted in bold print so as to have the bid opportunity noticed by prospective Section 3 Project businesses and businesses qualifying under the Small Business Administration's 8(a) Program: "NOTICE IS HEREBY GIVEN THIS IS A SECTION 3 PROJECT OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AND MUST, TO THE GREATEST EXTENT FEASIBLE, UTILIZE PROJECT AREA BUSINESSES LOCATED IN OR OWNED IN SUBSTANTIAL PART BY PROJECT RESIDENTS. THE CITY MAINTAINS A REGISTRY OF QUALIFIED SECTION 3 BUSINESSES. IF YOU BELIEVE YOUR BUSINESS QUALIFIES UNDER SECTION 3 AND IS NOT ON THE CITY'S REGISTRY, CONTACT THE AFFIRMATIVE ACTION OFFICER, ROOM 205, CITY HALL. THE NAMES OF QUALIFIED SECTION 3 BUSINESSES WILL BE SUPPLIED TO ALL POTENTIAL BIDDERS WHO MEET THE CITY'S PREBID QUALIFICATION TESTS.

3. Assistance for Interested Section 3 Businesses

The City will make available to the successful bidder a list of those Section 3 businesses who have responded to the advertisement and expressed an interest in participating in the project.

E. BIDDING PROCEDURES

1. In the contract specifications for public works, the contract language set forth in Section III.A of the Affirmative Action Plan will be inserted in the contract documents so as to make all parties aware of their employment and business utilization responsibilities at the earliest possible time.

2. Each bidder will be required to submit their Utilization Goals and Affirmative Action Plan. In eval-

3. The only significant opportunities for utiliz

a. Prior to advertising for bids, all interested organizations will be notified of the Department or Agency's efforts pursuant to the publicity program in Section 11.D.1.

b. The advertisement for bids will contain the special bold-faced language referred to under Section 11.D.2.c of the Affirmative Action Plan.

c. The City's Registry of eligible Section 3 businesses as supplemented by firms who submit their qualifications to the Affirmative Action Officer pursuant to any advertisements for bids, will be supplied to all bidders who meet the Prebid Qualification Test.

F. NOTIFICATION TO HUD OF CONTRACT AWARD

The City will advise the PHILADELPHIA HUD AREA OFFICE within 15 days of the award of a contract for public works subject to Section 3. Such notification will include the steps which have been and will be taken to comply with the requirements of Section 3.

G. REPORTING

1. Inter-Agency Reporting

The City will require each Department or Agency receiving Community Development Block Grant funds to report monthly its progress in achieving Section 3 goals in its contracting process. In this regard each agency and department will insure that contractor's file

their monthly progress report for compliance with Section 3 by the 15th day of each month. A review of the contractor's report will then be made by each department or agency, to determine whether substantial compliance is being achieved. A cumulative report of all contracts shall be completed by each Agency/Department filling out the reporting form attached and marked S3-2. This report shall be filed with the City's Affirmative Action Officer by the 30th day of each month.

2. City's Reporting Responsibilities to HUD

The City will report to the Philadelphia HUD Area Office on an annual basis the results of the Affirmative efforts undertaken by the City, and including those of its contractors and subcontractors to utilize Section 3 businesses, as part of its annual performance report.

III. DUTIES IMPOSED ON CONTRACTOR AND SUBCONTRACTOR

A. CONTRACT LANGUAGE FOR ALL SECTION 3 COVERED PROJECTS

Every contractor and subcontractor shall incorporate, or cause to be incorporated, in all contracts for work in connection with a Section 3 covered project, the following clause:

1. 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. 170lu. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.

2. The parties to this contract will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR 135, 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.

3. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract 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.

4. 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 the subcontract upon the 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 subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

5. 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 assignees. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors, and assignees, 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.

B. CERTIFICATION OF COMPLIANCE

Every contractor shall execute the Certification of Compliance, attached and marked Form S3-3 and cause all subcontractors undertaking work in connection with this contract to furnish the same.

C. UTILIZATION OR PROJECT RESIDENTS

The City is most interested in employment opportunities for lower income residents of the City. Section 3 of the Housing Act of 1968 imposes an obligation to use lower income residents to the greatest extent feasible for employment and/or training.

The City is also desirous that all residents hired as trainees are given a meaningful training experience. Accordingly as part of its pre-qualifications of bidders, a proposed bidder must submit evidence that his training program is acceptable to either the Pennsylvania or Federal Department of Labor, if trainees are to be used. Failure to submit such evidence will be considered as a basis to disqualify a proposed bidder.

1. Trainees

The contractor and subcontractor shall fulfill his obligation to utilize lower income project area residents as trainees to the greatest extent feasible by:

a. Identifying on the Manpower Utilization Training Table the number of trainee positions in the various occupational categories required, to perform each phase of the Section 3 projects.

b. Identifying the number of trainee positions currently occupied by regular, permanent employees and those that are not currently filled.

c. Determining maximum number of trainee positions to be filled by lower income project area residents.

d. Utilizing the maximum number of persons in the various occupational categories in all phases of the work to be performed under Section 3 covered projects, and

e. Filling all vacant trainee positions with lower income project area residents except for those

training positions which remain unfilled after a good faith effort has been made.

2. Employees

Each contractor and subcontractor shall fulfill his obligation to utilize lower income project area residents as employees to the greatest extent feasible by:

a. Identifying on the "Work Force Needs Table" the number of positions in the various occupational categories including skilled, semi-skilled, and unskilled labor needed to perform each phase of the Section 3 covered project.

b. Identifying the number of positions currently occupied by regular, permanent employees.

c. Identifying the positions not currently occupied by regular, permanent employees.

d. Establishing the positions identified in paragraph (c) of this part, a goal which is consistent with this subpart within each occupational category of the number of positions to be filled by lower income residents of the Section 3 covered project area.

e. Making a good faith effort to fill all of the positions identified in paragraph (d) of this section with lower income project area residents.

3. Good Faith Effort

Each Contractor and Subcontractor seeking to establish that a good faith effort has been made to fill trainee and skilled positions with lower income area residents shall:

a. Attempt to recruit from the appropriate areas the necessary number of lower income residents through local advertising media, signs placed at the proposed site and notices sent to community organizations and public and private institutions operating within or serving the project area, such as the State Employment Office, Opportunities Industrialization Center (OIC) and Negro Trade Union Leadership Council.

b. Maintain a list of all lower income residents who have applied either on their own or on referral from any source, and employ such person if otherwise eligible and/or qualified and if a vacancy exists. If no vacancies exist, the eligibility and/or qualifications of the applicant shall be considered and listed for the first available opening.

c. Any contractor or subcontractor which fills vacant apprentice and trainee positions and/or employment positions in his organization immediately prior to undertaking work pursuant to a Section 3 covered contract shall set forth evidence acceptable to the City that its actions were not an attempt to circumvent these regulations.

D. UTILIZATION OF BUSINESSES

1. Each contractor in developing an Affirmative Action Plan on Form S3-4 attached, shall set forth the approximate dollar value of subcontracts to be awarded to eligible businesses and entrepreneurs within each category over the duration of this project.

2. Each contractor and subcontractor must establish that a good faith effort has been made to recruit eligible business concerns. Evidence of good faith shall consist of calling the project to the attention of eligible Section 3 businesses whenever advertisement in the local media is used, through signs placed at the site, and use of minority and disadvantaged business listings made available by HUD, SBA, Pennsylvania Department of Commerce and the Philadelphia Urban Coalition or by the City.

E. REPORTING

The Contractor must report to the Contracting Agency by the 15th of each month the results of the Affirmative efforts undertaken in Section C and D above and by completing the attached Form S3-5 and S3-6 "Contractor's Monthly Progress Report for Section 3 Compliance." It is suggested that subcontractors utilize the same form in order to have uniformity and consistency in information and minimize the administrative duties in complying with this report. The contractor must keep documentation in his files supporting the report so that if the Contracting Agency requires more detailed information it will be readily available.

IV. GRIEVANCE PROCEDURE

The City accepts the Grievance Procedure as outlined below:

A. WHO MAY FILE

Any lower income project resident seeking employment or training opportunities; also, any business concerns located in, or owned in substantial part by project residents seeking contract opportunities.

B. CONTENT OF THE GRIEVANCE

The grievance should include (a) identification of the grievant and the respondent (the City of Philadelphia or the contractor); (b) description of the acts or omissions causing grievance; and (c) corrective action sought. Each grievance shall be in writing and signed.

C. PLACE OF FILING

A grievance may be mailed to the Assistant Secretary of Equal Opportunity, HUD, Washington, D. C. 20410, or presented at the HUD Regional/Area Office, Curtis Building, 6th & Walnut Streets, Philadelphia, PA. 19106.

D. TIME OF FILING

A grievance must be filed within 90 days from the date the action (or omission) occurred. An extension may be granted by the Secretary for good cause.

E. PROCESSING OF GRIEVANCE

The Office of the Secretary assumes the full responsibility for processing each grievance, including proper notifications to affected parties, investigating, resolving or dismissing, and conducting periodic reviews to insure compliance. If the Secretary is unable to resolve a grievance by informal conference, conciliation, or persuasion, he may terminate his efforts. All parties will be properly notified of the Secretary's proposed resolution, which shall be final unless either party requests a hearing.

TABLE I
BUSINESS UTILIZATION TABLE

PROPOSED SUBCONTRACTS 1/	SUBCONTRACT DOLLAR AMOUNT ESTIMATE	USE OF SECTION 3 BUSINESSES		PROPOSED SUBCONTRACTS TO SECTION 3 BUSINESSES DOLLAR AMOUNT
		YES	NO	
TOTALS	$			$

1/ The following are the examples of services which may be required by Subcontractors and these classifications should be inserted in the Table if applicable:

1. Selling bricks
2. Selling lumber
3. Selling cement, sand and gravel
4. Making steel cast
5. Selling electrical supplies
6. Selling kitchen appliances
7. Selling bathroom fixtures
8. Window-installation
9. Air conditioning sales and/or installations
10. Floor tile sales and/or installations
11. Door sales and/or installations
12. Landscaping
13. Carpeting
14. Stationery and/or advertising
15. Other (Specify)

This list should also include professional services, and all of the construction trades, i.e., plumbing, electrical, drywall, carpenters, etc. which are intended to be subcontracted.

Form [illegible]
(June 76)

DATE: _____

CONTRACTOR'S MONTHLY PROGRESS REPORT FOR SECTION 3 COMPLIANCE EMPLOYMENT OPPORTUNITIES

WORK FORCE NEEDS

Contracting Agency: _____

Reporting Period: _____ (Month Ending)

Contract Control No: _____

Name of Person Preparing Report: _____

Phone No: _____

Date of Award: _____

Date of Written Concurrence in revised goals: _____

Goal for No. Skilled Employees Required 1/		No. Skilled Employees Originally on Payroll		No. Skilled Employees Hired				No. Section 3 Skilled Employees Hired			
				Contractor		Subcontractor		Contractor		Subcontractor	
ontractor	Subcontractor	Contractor	Subcontractor	Report Period	Cumulative	Report Period	Cumulative	Report Period	Cumulative	Report Period	Cumulative

MANPOWER UTILIZATION TRAINING

Goal for No. Trainees Required		No. Trainees Originally on Payroll		No. Trainees Hired				No. Section 3 Trainees Hired			
				Contractor		Subcontractor		Contractor		Subcontractor	
ontractor	Subcontractor	Contractor	Subcontractor	Report Period	Cumulative	Report Period	Cumulative	Report Period	Cumulative	Report Period	Cumulative

1/ Use goal from bid document unless Agency has granted a written concurrence in revised goals

Form S3-3
(June 1976)

CONTRACTOR'S
CERTIFICATION OF COMPLIANCE

SECTION 3

CITY OF PHILADELPHIA'S CERTIFICATION OF COMPLIANCE WITH REGULATIONS TO SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968 AS REQUIRED FOR PARTICIPATION IN THE FEDERALLY FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, PL 93-383.

PURPOSE, AUTHORITY AND RESPONSIBILITY

Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (hereinafter Section 3) requires that to the greatest extent feasible, opportunities for training and employment in a Section 3 covered project be given lower income residents of the project area and that contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.

_____

_____(hereinafter called the Contractor,

upon being awarded a contract for _____

_____

in the City of Philadelphia, to the extent feasible, will make a good faith effort to train and employ lower income residents and shall make a good faith effort to utilize the services of businesses located in or substantially owned by persons who live within the project boundaries.

The Contractor has been informed by the City, that the HUD Area Office Director has determined that the project area boundaries for the Community Development Program are the municipal limits of the City.

The City has determined that by Labor Department Standards there are approximately 160,600 Lower income persons within the City limits based on the 1970 Census.

To complete the project it is estimated that the Contractor's work force needs will be as reflected in the Table of Manpower Utilization Training and Work Force Needs.

To complete the project it is also estimated that the Contractor will be subcontracting for supplies and services for which certain business concerns eligible under Section 3 could provide. In order to comply with the regulations for utilization of businesses under Section 3, the contractor will adopt an Affirmative Action Plan. The contractor will also require each subcontractor, if any, to adopt an affirmative action plan.

Form S3-4
(June 76)

WORK FORCE NEEDS TABLE

EMPLOYEES

OCCUPATION CATEGORY 1/	APPROX. NUMBER OF SKILLED EMPLOYEES REQUIRED	TOTAL NUMBER OF SKILLED EMPLOYEES PRESENTLY ON PAYROLL	TOTAL NUMBER OF SKILLED EMPLOYEES TO BE HIRED	TOTAL NUMBER OF LOWER INCOME RESIDENTS OF PHILA. TO BE HIRED

1/ The following are the occupational category classifications that should be inserted in the Table:

1. Asbestos Workers
2. Bricklayers
3. Carpenters
4. Cement Masons
5. Electricians
6. Elevator Constructors
7. Glaziers
8. Iron Workers
9. Lathers
10. Machinists
11. Operating Engineers
12. Painters
13. Plasterers
14. Plumbers
15. Roofers
16. Sheet Metal
17. Tile Setters
18. Others (Specify)

EMPLOYMENT CERTIFICATION

A. The Contractor hereby certifies that the above table represents the approximate number of employee positions that are needed and which are not presently filled by regular and permanent employees, and which new employees will be required in the execution of the _____ contract and also represents the number of lower income City residents that the Contractor proposes to make a good faith effort to employ.

B. The Contractor certifies that it will make a good faith effort to employ the number of lower income employees stated above by contacting

such community based organizations and service agencies as Negro Trade Union Leadership Council, Philadelphia Urban League, Bureau of Employment Security and Opportunities Industrialization Center (OIC), in addition to advertising through the City's daily newspaper and erecting signs on the project site contractor's employment posters.

C. The Contractor, prior to subcontracting any portion of the work covered by this contract will require a Manpower Utilization Table to be prepared and certification similar to paragraph A, B, and C to be executed.

MANPOWER UTILIZATION TRAINING TABLE

TRAINEES

OCCUPATION 1/ CATEGORY	APPROX. NUMBER OF TRAINEES REQUIRED	TOTAL NUMBER OF TRAINEES PRESENTLY ON PAYROLL	TOTAL NUMBER OF TRAINEES TO BE HIRED	TOTAL NUMBER OF LOWER INCOME TRAINEES TO BE HIRED

1/ The following are the occupational category classifications that should be inserted in the Table:

1. Asbestos Workers
2. Bricklayers
3. Carpenters
4. Cement Masons
5. Electricians
6. Elevator Constructors
7. Glaziers
8. Iron Workers
9. Lathers
10. Machinists
11. Operating Engineers
12. Painters
13. Plasterers
14. Plumbers
15. Roofers
16. Sheet Metal
17. Tile Setters
18. Others (Specify)

TRAINEE CERTIFICATION

A. The Contractor hereby certifies that the above table represents the approximate number of trainee positions required in the execution of the _____ contract and also represents the number of lower income residents of the City of Philadelphia that the Contractor proposes to utilize in filling Trainee positions pursuant to a Federal or State Department of Labor approved training plan.

B. The Contractor certifies that it will make a good faith effort to fulfill the number of lower income trainees stated above by utilizing such community based organizations as Negro Trade Union Leadership Council, Philadelphia Urban League, Bureau of Employment Security and Opportunities Industrialization Center (OIC).

C. The Contractor certifies that apprentices/trainees to be utilized on this project in no event will be less than the number of apprentices/trainees determined by the Secretary of Labor for each building construction occupation.

D. The Contractor, prior to subcontracting any portion of the work covered by this contract will require a Manpower Utilization Table to be prepared and certifications similar to paragraphs A, B and C to be executed.

REPORTING

The Contractor will report to the City on a regular basis (monthly or quarterly) the results of employee and trainee employment of lower income residents of the City. The Contractor reports will include not only his efforts, but the efforts of subcontractors, if any.

**** **** **** ****

_____, the Contractor will,

to the greatest extent feasible, abide by the requirements of

Section 3 of the Housing and Urban Development Act of 1968,

12, U.S.C. 1701u, in carrying out its contract.

_____ _____

Date Contractor

_____

Project Name

Form S3-5
(June 76)

CONTRACTOR'S
AFFIRMATIVE ACTION PLAN FOR BUSINESS UTILIZATION
SECTION 3

A. The Contractor shall utilize, to the maximum extent feasible, eligible Section 3 business concerns located in Philadelphia, Pennsylvania, in contracting for work to be performed in connection with the completion of the contract. Eligible Section 3 businesses are those which qualify as "small" under the Small Business Administration size standards and which are socially and economically disadvantaged.

B. The Contractor has established a goal of _____% of the total contract amount which he expects to award to eligible Section 3 business concerns. Table I, Business Utilization Table, sets forth the classification of subcontracts, the estimate of each subcontractor dollar amount, whether a Section 3 business is intended to be utilized and the dollar amount of proposed subcontracts to Section 3 businesses.

C. To achieve the goal specified in paragraph "B", the Contractor shall:

1. Make full use of minority business listings made available by HUD Area Office, Small Business Administration, Philadelphia Urban Coalition and Pennsylvania Department of Commerce, as compiled by the City. If an interested eligible business needs help in preparing bid documentation or meeting bonding requirements, they will be referred to the Business Development Center of the Philadelphia Urban Coalition.

2. Take steps to insure that subcontracts which are typically let on a negotiated rather than a bid basis are also let on a negotiated basis, whenever feasible.

3. Where competitive bids are solicited, include as part of the bid documents the contractor's goals for Section 3 as it relates to the work for which bids are being solicited, require each bidder to submit their Utilization Goals and Affirmative Action Plan for achieving Section 3 Business Utilization.

4. Insert the Section 3 contract language required by 24 CFR 135.20(b) in all subcontracts; and require to be executed by the subcontractor a certification of compliance with Section 3, similar to the Contractor's Certification of Compliance, Form S3-3, and an Affirmative Action Plan for Business Utilization, Form S3-4.

D. The Contractor will report to the City on a regular basis (monthly or quarterly) the results of the Affirmative efforts and undertakings per paragraphs A, B, and C above, including the efforts of its subcontractors.

_____ _____
Signature/Contractor Date

_____ _____
Approved/City of Phila. Date

CONTRACTOR'S MONTHLY PROGRESS REPORT
FOR SECTION 3 COMPLIANCE
BUSINESS UTILIZATION

TE: _____

Contracting Agency: _____ Contract Control No: _____ Date Executed: _____
Reporting Period: _____ Section 3 Goals established by AAP:
Month Ending Percent _____ $ _____
Name and Phone No. of Person Preparing
Report: Name _____ Phone No. _____

Consecutive Nos.	Name and Address of Subcontractors	1/Type of Sub-Contrs.	Owners 50% + Live in City YES NO	Date of Award	Subcontracts Awarded Dollar Amounts Report Period	Subcontracts Awarded Dollar Amounts Cumulative	Section 3 Subcontracts Awarded Dollar Amounts Report Period	Section 3 Subcontracts Awarded Dollar Amounts Cumulative
	Cumulative Totals							

Use appropriate letters for classification of subcontracts

1/ C - Construction
SP - Supplies
SV - Service

Page _____ of _____