



# TRUMBULL COUNTY COMMISSIONERS

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WARREN, OH 44481-1093  
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Commissioners  
Frank S. Fuda  
Paul E. Heltzel  
Daniel E. Polivka

Clerk  
Paulette A. Godfrey

December 23, 2009

The following action was taken by the Board of Trumbull County Commissioners on December 23, 2009, and duly recorded in their Journal Volume 133, page 14809.

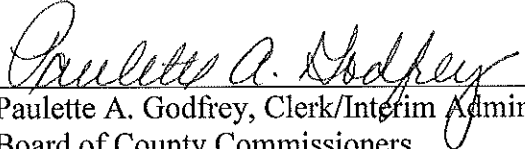
\*\*\*\*\*  
**RE: APPROVE/RECORD PROPOSED PROCUREMENT PROCEDURES FOR IMPLEMENTING THE SECTION 3 CONTRACTING PREFERENCES FOR ALL GRANT PROGRAMS ORIGINATING WITH UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**MOTION:** Made by Mr. Heltzel, seconded by Mr. Polivka, to approve the proposed Procurement Procedures for Implementing the Section 3 contracting preferences for all grant programs originating with the United States Department of Housing and Urban Development as defined in 24 CFR 85.36 (d)—*proposed procedures will be recorded on the Journal for record purposes*; this action per the recommendation of the Trumbull County Planning Commission.

Yeas: Heltzel, Polivka, Fuda  
Nays: None

## CERTIFICATION

I, Paulette A. Godfrey, Clerk of the Board of County Commissioners, Trumbull County, Ohio, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Board of Trumbull County Commissioners on December 23, 2009, and is duly recorded in Journal Volume 133, page 14809.

  
Paulette A. Godfrey, Clerk/Interim Administrator  
Board of County Commissioners

/kat

cc: Planning Commission

**Trumbull County shall consider Section 3 Business Concerns when awarding contracts funded by grant programs originating with the United States Department of Housing and Urban Development per 24 CFR 85.36 (d).**

Trumbull County encourages Section 3 Business Concerns to participate in the competitive bidding process. A Section 3 Business Concern is a business 51% or more owned by Section 3 Residents OR 30% of employees are Section 3 Residents OR 25% of subcontracts are committed to Section 3 Business Concerns.

A Section 3 Resident is defined as current Public Housing Resident or Section 8 Participant, a Participant in a HUD Youth Build Program, or a low-income person whose family income does not exceed 80% of the county's median income. See table below.

HUD Section 8 Income Limits, 80% of Trumbull County's Median Household Income, March 2016							
1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
\$31,050	\$35,450	\$39,900	\$44,300	\$47,850	\$51,400	\$54,950	\$58,500

**How can businesses find Section 3 residents to work for them?**

Businesses can recruit Section 3 residents in public housing developments and in the neighborhoods where the HUD assistance is being spent. Effective ways of informing residents about available training and job opportunities are:

- Contacting resident organizations, local community development and employment agencies
- Distributing flyers
- Posting signs
- Placing ads in local newspapers

**Are recipients, contractors, and subcontractors required to provide long-term employment opportunities, not simply seasonal or temporary employment?**

Recipients are required, to the greatest extent feasible, to provide all types of employment opportunities to low and very low-income persons, including permanent employment and long-term jobs.

Recipients and contractors are encouraged to have Section 3 residents make up at least 30 percent of their permanent, full-time staff.

A Section 3 resident who has been employed for 3 years may no longer be counted towards meeting the 30 percent requirement. This encourages recipients to continue hiring Section 3 residents when employment opportunities are available.

**Section 3 Procurement Procedures for Trumbull County, Ohio  
Procurement by Sealed Bids**

The information below details the proposed procurement procedures for implementing the section 3 contracting preference for the sealed bids competitive procurement method authorized in 24 CFR 85.36(d).

*(2) Procurement by sealed bids (Invitations for Bids).*

Preference in the award of section 3 covered contracts that are awarded under a sealed bid (IFB) process may be provided as follows:

- (i) Bids shall be solicited from all businesses (section 3 business concerns, and non-section 3 business concerns).

An award shall be made to the qualified section 3 business concern with the highest priority ranking and with the lowest responsive bid if that bid—

- (A) is within the maximum total contract price established in the contracting party's budget for the specific project for which bids are being taken, and;

- (B) is not more than “X” higher than the total bid price of the lowest responsive bid from any responsible bidder. “X” is determined as follows:

	<b>x=lesser of:</b>
When the lowest responsive bid is less than \$100,000	10% of that bid or \$9,000.
When the lowest responsive bid is: At least \$100,000, but less than \$200,000	9% of that bid, or \$16,000.
At least \$200,000, but less than \$300,000	8% of that bid, or \$21,000.
At least \$300,000, but less than \$400,000	7% of that bid, or \$24,000.
At least \$400,000, but less than \$500,000	6% of that bid, or \$25,000.
At least \$500,000, but less than \$1 million	5% of that bid, or \$40,000.
At least \$1 million, but less than \$2 million	4% of that bid, or \$60,000.
At least \$2 million, but less than \$4 million	3% of that bid, or \$80,000.
At least \$4 million, but less than \$7 million	2% of that bid, or \$105,000.
\$7 million or more	1 1/2% of the lowest responsive bid, with no dollar limit.

- (ii) If no responsive bid by a section 3 business concern meets the requirements of paragraph (2)(i) of this section, the contract shall be awarded to a responsible bidder with the lowest responsive bid.

### Section 3 Resident Certification

Your current/prospective employer, which appears below, intends to contract with Trumbull County through the competitive bidding process for a project funded through the federal Ohio Community Development Block Grant (CDBG) Program and therefore special consideration is given to employers that can prove they are a Section 3 Business Concern, employ Section 3 Residents or state they shall sub-contract with Section 3 Business Concerns. Proof of meeting the Section 3 requirements must be submitted with the bid package in order to receive preferential treatment as defined in Trumbull County's Section 3 Procurement Procedures.

A Section 3 Business Concern is a business 51% or more owned by Section 3 Residents OR 30% of employees hired within the last 3 years are Section 3 Residents OR 25% of subcontracts are committed to Section 3 Business Concerns.

A Section 3 Resident is defined as current Public Housing Resident or Section 8 Participant, a Participant in a HUD Youth Build Program, or a low-income person whose family income does not exceed 80% of the county's median income. See table below.

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**Name of Employer:**

**Address:**

**Name of Employee:**

**Last Four Digits of Social Security #:**

**Civil Rights/Ethnicity Data:**

**Check All That Apply:**

Male \_\_\_\_\_ Female \_\_\_\_\_ Female Head of Household \_\_\_\_\_ Disabled \_\_\_\_\_

**Check One (1) of the Following:**

White \_\_\_\_\_

Black/African American \_\_\_\_\_

American Indian/Alaska Native \_\_\_\_\_

Native Hawaiian/Other Pacific Islander \_\_\_\_\_

American Indian/Alaska Native & White \_\_\_\_\_

American Indian/Alaska Native & Black/African American \_\_\_\_\_

Asian \_\_\_\_\_

Asian & White \_\_\_\_\_

Black/African American & White \_\_\_\_\_

Other Multi-Racial \_\_\_\_\_ (Specify)

**Check Yes or No**

Are you of Hispanic Origin? Yes \_\_\_\_\_ No \_\_\_\_\_

**Job Title and Description:**

Date Employed \_\_\_\_\_ Full Time \_\_\_\_\_ Part Time \_\_\_\_\_

**Total Annual Gross Household Income**

I  
INCOME LIMIT RANGES\*\*

II  
INCOME RANGES OF  
HOUSEHOLDS (total gross  
annual income of all persons)  
Check the line below that  
corresponds to your household's  
income range:

- a.       0 -   31,050
- b.   31,051 -   35,450
- c.   35,451 -   39,900
- d.   39,901 -   44,300
- e.   44,301 -   47,850
- f.   47,851 -   51,400
- g.   51,401 -   54,950
- h.   54,951 -   58,500
- i.   58,501 - \_\_\_\_\_

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Total number of household members \_\_\_\_\_(include yourself, spouse, children, etc.)

**Attach Proof of Income**

If you are a Public Housing Resident, a Section 8 Participant or a Participant in a HUD Youth Build Program Check Here \_\_\_\_\_and attach proof of residency and/or participation in the programs mentioned above.

**Employee Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**For Local CDBG Administrator Use Only\***

LMI Qualified Y\_\_\_\_\_ N\_\_\_\_\_

\*If the Employer chooses to qualify for Section 3 Status by income qualification of its employees they must return the completed form for each employee so that the CDBG Administrator can complete the verification process. Forms should be submitted for verification no later than 3 days prior to the bid opening in order to include the proper documentation with the bid package. Reminder that at a minimum at least 30% of the Employers Total Workforce must qualify as a Section 3 Resident.

## Proof of Income

**Gross income of ALL household members age 18 and over, including overtime, before deductions for income taxes, employees' social security taxes, insurance premiums, bonds, etc.**

**Types of Proof of Income include but are not limited to:**

- Pay Stubs-most current for 1 month, consecutive dates, for each employed person
- Income Tax Return-most recent year for household
- Social Security Statements for each person receiving social security
- Disability Income Statements for persons receiving disability payments
- Unemployment Award Letter for persons receiving unemployment income
- Workman's Compensation (WC) Award Letter for persons receiving WC payments
- Statement from Medicare/SSI for persons receiving same
- Annual Pension Statement or copy of monthly check
- Self-employed must submit most recent 1040 Tax Return and a Schedule C
- Investment Income Statements
- Child Support/Alimony Payment Documentation (receipt of not payment of)
- Bank Statements
- If separated, must include copy of separation agreement or spouse's income will count towards household income
- Proof of enrollment for students age 18 and over

### **How can businesses find Section 3 residents to work for them?**

Businesses can recruit Section 3 residents in public housing developments and in the neighborhoods where the HUD assistance is being spent. Effective ways of informing residents about available training and job opportunities are:

- Contacting resident organizations, local community development and employment agencies
- Distributing flyers
- Posting signs
- Placing ads in local newspapers

### **Are recipients, contractors, and subcontractors required to provide long-term employment opportunities, not simply seasonal or temporary employment?**

Recipients are required, to the greatest extent feasible, to provide all types of employment opportunities to low and very low-income persons, including permanent employment and long-term jobs.

Recipients and contractors are encouraged to have Section 3 residents make up at least 30 percent of their permanent, full-time staff.

A Section 3 resident who has been employed for 3 years may no longer be counted towards meeting the 30 percent requirement. This encourages recipients to continue hiring Section 3 residents when employment opportunities are available.

**Section 3 Business Certification** - to be completed by the business claiming Section 3 business status

For all businesses reported as being Section 3 businesses, documentation of their status must be retained in the project files. The Board of Trumbull County Commissioners considers this form adequate documentation of Section 3 status. Trumbull County reserves the right to request additional documentation at any time. Failure to produce requested documentation can result in disqualification of certification.

Rehabilitation, new housing construction, housing demolition, and public facilities projects funded with more than \$10,000 in HUD funds are "Section 3 covered projects". This form is a tool to determine and document the Section 3 business status. Documentation of the status of Section 3 Businesses should be retained in the project files.

**Business being certified**

Company: \_\_\_\_\_

Address: \_\_\_\_\_

**Project information**

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

**Section 3 determination**

- Is your business owned (51% or more) by individuals whose household incomes are NO GREATER THAN 80% of Area Median Income (AMI)?

Please reference [https://development.ohio.gov/cs/cs\\_cdbg.htm](https://development.ohio.gov/cs/cs_cdbg.htm) to determine if owner(s) income is less than 80% of the current area median income. ( ) Yes ( ) No (Click on Data and then on PY2016 Ohio Income Limits).

- Do 30% (or more) of your full time, permanent employees have household incomes that are NO GREATER THAN 80% of Area Median Income (AMI), or within three years of the date of first employment with the business concern were Section 3 residents? ( ) Yes ( ) No
- Will you subcontract more than 25% of this contract with a qualified business that is either 51% owned by Section 3 residents or 30% or more of its employees are Section 3 residents? ( ) Yes ( ) No

If any of the questions above are marked "yes", the business qualifies as a Section 3 business.

**I declare and affirm under penalty of prosecution for perjury that the statements made herein are true and accurate to the best of my knowledge. I understand that falsifying information and incomplete statements may be cause to disqualify this certification.**

\_\_\_\_\_  
**Signature of Business Owner or Authorized Representative**

\_\_\_\_\_  
Date

**Notary Public Jurist: City/County of \_\_\_\_\_ in the State of Ohio**

The foregoing instrument was subscribed and sworn before me this

\_\_\_\_\_ day of \_\_\_\_\_, 201\_\_ by: \_\_\_\_\_ (Notary Please Print Name)

\_\_\_\_\_  
Notary Signature

This commission expires: \_\_\_\_\_ Notary Registration Number: \_\_\_\_\_



## 2016 HUD Income Limits

County	MSA or HMFA (HUD Metro FMR) Area (if indicated)	2016 Median Income	Income Category	Household Size							
				(for >8, add 8% of the 4-person limit to the 8-person limit for each additional person)							
				1	2	3	4	5	6	7	8
Trumbull County	Youngstown-Warren-Boardman, OH HUD Metro FMR Area	\$53,900	Low-Income (80%)	\$31,050	\$35,450	\$39,900	\$44,300	\$47,850	\$51,400	\$54,950	\$58,500
			Very Low-Income (50%)	\$19,400	\$22,200	\$24,950	\$27,700	\$29,950	\$32,150	\$34,350	\$36,600
			Extremely Low-Income (30%)	\$11,880	\$16,020	\$20,160	\$24,300	\$28,440	\$32,150	\$34,350	\$36,600
Tuscarawas County	Tuscarawas County, OH	\$52,300	Low-Income (80%)	\$31,050	\$35,450	\$39,900	\$44,300	\$47,850	\$51,400	\$54,950	\$58,500
			Very Low-Income (50%)	\$19,400	\$22,200	\$24,950	\$27,700	\$29,950	\$32,150	\$34,350	\$36,600
			Extremely Low-Income (30%)	\$11,880	\$16,020	\$20,160	\$24,300	\$28,440	\$32,150	\$34,350	\$36,600
Union County	Union County, OH HUD Metro FMR Area	\$81,800	Low-Income (80%)	\$45,850	\$52,400	\$58,950	\$65,450	\$70,700	\$75,950	\$81,200	\$86,400
			Very Low-Income (50%)	\$28,650	\$32,750	\$36,850	\$40,900	\$44,200	\$47,450	\$50,750	\$54,000
			Extremely Low-Income (30%)	\$17,200	\$19,650	\$22,100	\$24,550	\$28,440	\$32,580	\$36,730	\$40,890
Van Wert County	Van Wert County, OH	\$58,900	Low-Income (80%)	\$33,000	\$37,700	\$42,400	\$47,100	\$50,900	\$54,650	\$58,450	\$62,200
			Very Low-Income (50%)	\$20,650	\$23,600	\$26,550	\$29,450	\$31,850	\$34,200	\$36,550	\$38,900
			Extremely Low-Income (30%)	\$12,400	\$16,020	\$20,160	\$24,300	\$28,440	\$32,580	\$36,550	\$38,900
Vinton County	Vinton County, OH	\$42,800	Low-Income (80%)	\$31,050	\$35,450	\$39,900	\$44,300	\$47,850	\$51,400	\$54,950	\$58,500
			Very Low-Income (50%)	\$19,400	\$22,200	\$24,950	\$27,700	\$29,950	\$32,150	\$34,350	\$36,600
			Extremely Low-Income (30%)	\$11,880	\$16,020	\$20,160	\$24,300	\$28,440	\$32,150	\$34,350	\$36,600
Warren County	Cincinnati, OH-KY-IN HUD Metro FMR Area	\$70,700	Low-Income (80%)	\$39,600	\$45,250	\$50,900	\$56,550	\$61,100	\$65,600	\$70,150	\$74,650
			Very Low-Income (50%)	\$24,750	\$28,300	\$31,850	\$35,350	\$38,200	\$41,050	\$43,850	\$46,700
			Extremely Low-Income (30%)	\$14,850	\$17,000	\$20,160	\$24,300	\$28,440	\$32,580	\$36,730	\$40,890
Washington County	Washington County, OH	\$57,000	Low-Income (80%)	\$31,450	\$35,950	\$40,450	\$44,900	\$48,500	\$52,100	\$55,700	\$59,300
			Very Low-Income (50%)	\$19,650	\$22,450	\$25,250	\$28,050	\$30,300	\$32,550	\$34,800	\$37,050
			Extremely Low-Income (30%)	\$11,880	\$16,020	\$20,160	\$24,300	\$28,440	\$32,550	\$34,800	\$37,050
Wayne County	Wayne County, OH	\$61,800	Low-Income (80%)	\$34,650	\$39,600	\$44,550	\$49,450	\$53,450	\$57,400	\$61,350	\$65,300
			Very Low-Income (50%)	\$21,650	\$24,750	\$27,850	\$30,900	\$33,400	\$35,850	\$38,350	\$40,800
			Extremely Low-Income (30%)	\$13,000	\$16,020	\$20,160	\$24,300	\$28,440	\$32,580	\$36,730	\$40,800
Williams County	Williams County, OH	\$53,700	Low-Income (80%)	\$31,050	\$35,450	\$39,900	\$44,300	\$47,850	\$51,400	\$54,950	\$58,500
			Very Low-Income (50%)	\$19,400	\$22,200	\$24,950	\$27,700	\$29,950	\$32,150	\$34,350	\$36,600
			Extremely Low-Income (30%)	\$11,880	\$16,020	\$20,160	\$24,300	\$28,440	\$32,150	\$34,350	\$36,600
Wood County	Toledo, OH MSA	\$61,000	Low-Income (80%)	\$34,200	\$39,050	\$43,950	\$48,800	\$52,750	\$56,650	\$60,550	\$64,450
			Very Low-Income (50%)	\$21,350	\$24,400	\$27,450	\$30,500	\$32,950	\$35,400	\$37,850	\$40,300
			Extremely Low-Income (30%)	\$12,850	\$16,020	\$20,160	\$24,300	\$28,440	\$32,580	\$36,730	\$40,300
Wyandot County	Wyandot County, OH	\$58,500	Low-Income (80%)	\$33,400	\$38,200	\$42,950	\$47,700	\$51,550	\$55,350	\$59,150	\$63,000
			Very Low-Income (50%)	\$20,900	\$23,850	\$26,850	\$29,800	\$32,200	\$34,600	\$37,000	\$39,350
			Extremely Low-Income (30%)	\$12,550	\$16,020	\$20,160	\$24,300	\$28,440	\$32,580	\$36,730	\$39,350

**CERTIFICATION OF BIDDER REGARDING  
SECTION 3 AND SEGREGATED FACILITIES**

\_\_\_\_\_  
Name of Prime Contractor

Project Name

Project Number

The undersigned hereby certifies that:

- (a) Section 3 provisions are included in the Contract;
- (b) A written Section 3 plan was prepared and submitted as part of the bid proceedings (if bid equals or exceeds \$10,000);
- (c) No segregated facilities will be maintained.

Name and Title of Signer (Print or Typed)

\_\_\_\_\_  
Signature

Date

**CERTIFICATION OF PROPOSED SUBCONTRACTOR REGARDING  
SECTION 3 AND SEGREGATED FACILITIES**

\_\_\_\_\_  
Name of Sub-Contractor

Project Name

Project Number

The undersigned hereby certifies that:

- (a) Section 3 provisions are included in the Contract;
- (b) A written Section 3 plan was prepared and submitted as part of the bid proceedings (if bid equals or exceeds \$10,000);
- (c) No segregated facilities will be maintained.

Name and Title of Signer (Print or Typed)

\_\_\_\_\_  
Signature

Date

**CONTRACTOR**  
Section 3 Plan Format

\_\_\_\_\_ agrees to implement the following specific affirmative action steps directed at increasing the utilization of lower income residents and businesses within the County of Trumbull.

- A. To ascertain from the locality's CDBG program official the exact boundaries of the Section 3 covered project area and where advantageous, seek the assistance of local officials in preparing and implementing the affirmative action plan.
- B. To attempt to recruit from within the County the necessary number of lower income residents through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area such as Service Employment and Redevelopment (SER), Opportunities Industrialization Center (OIC), Urban League, Concentrated Employment Program, Hometown Plan, or the U.S. Employment Service.
- C. To maintain a list of all lower income area residents who have applied either on their own or on referral from any source, and to employ such persons, if otherwise eligible and if a vacancy exists.
- \*D. To insert this Section 3 plan in all bid documents, and to require all bidders on subcontracts to submit a Section 3 affirmative action plan including utilization goals and the specific steps planned to accomplish these goals.
- \*E. To insure that subcontracts which are typically let on a negotiated rather than a bid basis in areas other than Section 3 covered project areas, are also let on a negotiated basis, whenever feasible, when let in Section 3 covered project area.
- F. To formally contact unions, subcontractors, and trade associations to secure their cooperation for this program.
- G. To insure that all appropriate project area business concerns are notified of pending subcontractual opportunities.
- H. To maintain records, including copies of correspondence, memoranda, etc., which document that all of the above affirmative actions steps have been taken.
- I. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of this Section 3 plan.

\*Loans, grants, contracts, and subsidies for less than \$10,000 will be exempt.

- J. To list on Table A, information related to proposed subcontracts.
- K. To list on Table B, all projected workforce needs for all phases of this project by occupation, trade, skill level, and number of positions.

As officers and representatives of

(Name of Contractor)

We the undersigned have read and fully agree to this Affirmative Action Plan, and become party to the full implementation of this program.

Signature

\_\_\_\_\_

Title

Date

Signature

\_\_\_\_\_

Title

Date



**TABLE B  
ESTIMATED PROJECT WORKFORCE BREAKDOWN**

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
JOB CATEGORY	TOTAL ESTIMATE POSITIONS	NUMBER POSITIONS CURRENTLY OCCUPIED BY PERMANENT EMPLOYEES	NUMBER POSITIONS NOT CURRENTLY OCCUPIED	NUMBER POSITIONS TO BE FILLED WITH L.I.P.A.R.*
OFFICERS/SUPERVISORS				
PROFESSIONALS				
TECHNICIANS				

HOUSING SALES/ RENTAL/MANAGEMENT				
OFFICE CLERICAL				
SERVICE WORKERS				
OTHERS				

TRADE:				
JOURNEYMEN				
HELPERS				
APPRENTICES				
MAXIMUM NUMBER TRAINEES				
OTHERS				

TRADE:				
JOURNEYMEN				



HELPERS				
APPRENTICES				
MAXIMUM NUMBER TRAINEES				
OTHERS				
TRADE:				
JOURNEYMEN				
HELPERS				
APPRENTICES				
MAXIMUM NUMBER TRAINEES				
OTHERS				
TOTAL				

\*Lower income project area residents (L.I.P.A.R.) are individuals residing within the City/Village of \_\_\_\_\_ whose family income does not exceed \_\_\_\_\_ % of the median income in the SHSA.

COMPANY