

# PUBLIC NOTICE

## GARNER HOUSING REHABILITATION PROGRAM NOTICE TO RESIDENTIAL CONTRACTORS

NOTICE IS HEREBY GIVEN:

Sealed bids will be received on contracts for the rehabilitation of 2 single family homes in the City of Garner. This work is being financed by a CDBG grant from the State of Iowa and by the City of Garner. Bids are being solicited by invitation and through this published notice. Contractors that would like to be on the invite list should contact Myrtle Nelson at the North Iowa Area Council of Governments (NIACOG) office at 641-423-0491. A contractors' pre-bid tour of the 2 homes will be held on Tuesday, March 16, 2021 starting at 8:45 a.m. at the City Hall in Garner (135 W 5th Street). NIACOG's Housing Rehabilitation Specialist will be on hand at the pre-bid tour to answer questions relating to the proposed work on the homes. Instructions to bidders and the bid documents will be available. Sealed bids for the 2 rehabilitation projects will be due at the City Clerk's office at City Hall by 9:00 a.m. on Thursday, March 25, 2021 and will be opened at that time. If you are unable to attend the pre-bid tour on March 16th, you may contact NIACOG to obtain copies of the bid documents and project specifications.

This contracting/bid opportunity is subject to HUD Section 3 requirements (24 CFR Part 135.38) as follows:

A). The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B). The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

C). The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions,

the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D). The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

E). The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

F). Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

G). With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

Section 3 businesses are encouraged to bid on this project. A Section 3 business is a business 51% or more owned by Section 3 Residents, or one in which at least 30% of its full-time employees are Section 3 residents, or commits to award at least 25% of subcontracts to Section 3 businesses. A section 3 resident is a public housing resident or someone with an annual household income that is below 80% of the median family income level in the location where the Section 3 covered assistance is expended. Businesses that believe they meet the Section 3 criteria are encouraged to register as a Section 3 Business through HUD's website: <https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness>

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