

Attachment E

**REQUIREMENTS AND CONTRACT PROVISIONS
FOR FEDERALLY FUNDED PROJECTS**

The projects (listed below) to be constructed in accordance with the City of Kenosha bid and contract documents are subject to the following federal requirements. Nothing in this document shall be construed to prohibit the Owner from requiring additional assurances, guarantees, indemnities, or other contractual requirements from any other party to this agreement.

I. FOR CONSTRUCTION PROJECTS LOCATED AT:

1. _____
2. _____
3. _____
4. _____

II. ASSURANCES FOR COMPLIANCE WITH THE FOLLOWING FEDERAL LAWS AND REGULATIONS:

1. **NON-DISCRIMINATION IN EMPLOYMENT (for contracts above \$10,000)**
2. **CONTRACTOR OR SUBCONTRACTOR DEBARMENT (for contracts above \$10,000)**
3. **OUTREACH IN CONTRACTING WITH MINORITY BUSINESSES (MBEs) and WOMEN OWNED BUSINESS ENTERPRISES (WBEs)**
4. **“SECTION 3” COMPLIANCE IN THE PROVISION OF TRAINING, EMPLOYMENT AND BUSINESS OPPORTUNITIES**

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ASSURANCES FOR COMPLIANCE WITH THE FOLLOWING FEDERAL LAWS AND REGULATIONS

The contractor is required to comply with the Federal laws and regulations in regard to non-discrimination in employment, Section 3 Requirements and contractor and subcontractor debarment:

1. Non-discrimination in Employment:

The contractor is required to comply with Executive Order 11246 of September 24, 1965 entitled "Equal Employment Opportunity" as amended by Executive Order 11375 of October 13, 1967.

The contract for the work under this proposal will obligate the prime contractor and its subcontractors not to discriminate in employment practices.

The contractor shall not maintain or provide for his/her employees the facilities, which are segregated on a basis of race, creed, color, or national origin, whether such facilities are segregated by directive or on a de facto basis.

The contractor must, if requested, submit a compliance report concerning their employment practices and policies in order to maintain his/her eligibility to receive the award of the contract.

2. Debarment:

Under Executive Order 12549, an individual or organization debarred from participation in Federal assistance or benefit programs may not receive any assistance award under a Federal program, or a sub-agreement thereunder for \$25,000 or more.

Therefore, the bidder as an individual or as an organization, presently debarred, suspended, proposed for debarment, will be declared ineligible to participate in bidding the proposed contract as a prospective recipient of financial assistance from the City of Kenosha.

The contractor shall not enter into any sub-contract with any individual, firm or organization debarred from Federal Government contracts pursuant to Executive Order 11246.

3. Outreach in Contracting with Minority Business Enterprises (MBEs) and Woman Owned Business Enterprises (WBEs):

A. The contractor will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible as required at 24 CFR Part 85.36(e).

B. Affirmative steps shall include:

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- i. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- ii. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- iii. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;
- iv. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
- v. Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
- vi. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps (i) through (v) as listed above.

4. **“Section 3” Compliance in the Provision of Training, Employment and Business Opportunities:**

The contractor is required to comply with the provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701 u.

The purpose of Section 3 is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, “to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low-and very low-income persons, particularly those recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons”.

Within seven (7) days of the bid opening, the apparent low bidder shall sign the form as given in Attachment 1, Assurances for Compliance with Federal Laws and Regulations pertaining to non-discrimination in employment, and Contractor Debarment, Outreach in Contracting with Minority Business Enterprises (MBEs) and Women Owned Business Enterprises (WBEs) and Section 3 Compliance in the Provision of Training, Employment and Business Opportunities.

ASSURANCES FOR COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS

The contractor is required to comply with the following Federal laws and regulations:

1. Non-discrimination in Employment in accordance with Executive Order 11246 of September 24, 1965 entitled "Equal Employment Opportunity" as amended by Executive Order 11375 of October 13, 1967. (For contracts above \$10,000)
2. Debarment of contractors or subcontractors in accordance with the Executive Order 12549 and Executive Order 11246 (for contracts above \$10,000).
3. OUTREACH IN CONTRACTING WITH MINORITY BUSINESSES (MBEs) and WOMEN OWNED BUSINESS ENTERPRISES (WBEs).
4. "SECTION 3" COMPLIANCE IN THE PROVISION OF TRAINING, EMPLOYMENT AND BUSINESS OPPORTUNITIES

I do solemnly declare and affirm that I am obligated to comply with the above Federal laws and regulations. It is understood that non-compliance with any one of the above Federal laws and regulations will be the sufficient reason to cause termination of the contract.

Signature of Prime Contractor

Date

Print Name and Title

CONTRACTOR
Section 3 Plan

_____ (Company Name) agrees to implement the following affirmative action steps directed at increasing the utilization of lowest income residents and businesses located within the City of Kenosha.

- 11. To ascertain from the City of Kenosha Department of City Development 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.
- 2
- 32. To attempt to recruit from within Kenosha County and the project area, 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. A list of Equal Employment Opportunity recruitment contacts and Minority Business Enterprise (MBE) and Women's Business Enter (WBE) recruitment contacts is provided in Attachment 3.
- 4
- 53. To maintain a list of all lower income 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.
- 6
- 74. To insert this Section 3 plan in all bid documents, and to require all bidders and subcontracts to submit a Section 3 affirmative action plan that includes utilization goals and the specific steps planned to accomplish these goals.
- 8
- 95. To insure that subcontracts (typically let on a negotiated rather than bid basis in areas other than Section 3 covered project areas), also are let on a negotiated basis, where feasible, when let in a Section 3 covered project area.
- 10
- 116. To formally contact unions, subcontractors and trade associations to secure their cooperation for this program.
- 12
- 137. To insure that all appropriated project area business concerns are notified of pending subcontractual opportunities.
- 14
- 158. To maintain records, including copies of correspondence, memoranda, etc., that document all above affirmative action steps have been taken.
- 16
- 179. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of the Section 3 plan.

Signed and Dated:

18

19

20 _____

21 Company's Assigned Equal Opportunity Officer

_____ Date

Equal Employment Opportunity
Recruitment Contact List

Listed below are Equal Employment Opportunity recruitment contacts to be notified about job openings and inviting them to refer qualified applicants for the job opening(s):

Gateway Technical College

Stacia Thompson, Director
Business & Workforce Development
SC Johnson iMET - integrated Manufacturing and
Engineering Technology Center
3520 30th Avenue
Sturtevant, WI 53177
Telephone: (262) 898.7500
FAX: (262)898.7501
Email: thompsons@kUSD.edu
Website: www.gtc.edu/business-and-workforce-solutions

Kenosha County JOBS Center

8600 Sheridan Road
Phone: (262) 697-47500
FAX: (262) 697-4717

United Migrant Opportunity Service (UMOS)

Employment Training Specialist
1330 52nd Street
Kenosha, WI 53140
Telephone: (262) 657.2160
FAX: (262) 657-2161

Urban League – Racine/Kenosha

1418-68th Street
Kenosha, WI 53143
Telephone: (262) 652-2111
FAX: (262) 652-7044

Shalom Center

1713-62nd Street
Kenosha, WI 53143
Telephone: (262) 658-1713
FAX: (262) 657-6914
Email: info@shalomcenter.org
Website: www.shalomcenter.org

MBE / WBE / Section 3 Business Contact Resources

Listed below are Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE)

recruitment contacts to be notified about potential business and subcontracting opportunities in connection with federally funded projects:

Wisconsin Department of Administration

State Supplier Diversity Program
PO Box 7970
Madison, WI 53707-7970
Telephone: 608.267.9550
Email: DOABDMBD@wisconsin.gov
Website: <https://wisdp.wi.gov/Home.aspx>

Wisconsin Women's Business Initiative Corp.

Kenosha Office
Kenosha Area Chamber of Commerce
600-52nd Street, Suite 130
Kenosha, WI 53140
Telephone: (262) 925.2850
FAX: (262) 925.2855
Website: www.wwbic.com

Kenosha Area Business Alliance

5500 6th Avenue, Suite 200
Kenosha, WI 53140
Telephone: 262.605.1100
Telephone: (262)
Fax: 262.605.1111
Email: info@kaba.org
Website: www.kaba.org

Gateway Technical College

Stacia Thompson, Director
Business & Workforce Development
SC Johnson iMET - integrated Manufacturing and
Engineering Technology Center
2320 Renaissance Blvd.
Sturtevant, WI 53177
Telephone: 262.898.7500
Fax: 262.898.7501
Email: thompsons@gtc.edu
Website: www.gtc.edu/business-and-workforce-solutions