



Request for Proposals Environmental Review Services 24 CFR Part 58 Capital Fund, Operations & Repositioning

Overview

An environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it complies with the National Environmental Policy Act (NEPA) and related laws and authorities. All HUD-assisted projects are required to undergo an environmental review to evaluate environmental impacts. The analysis includes both how the project can affect the environment and how the environment can affect the project, site, and end users.

Part 50 and Part 58

The first step in the environmental review process is determining whether the HUD assistance falls under a Part 50 or Part 58 environmental review. This is usually specified in the Notice of Funding Availability, program regulations, or legislation. Part 58 and Part 50 are the sections of HUD regulations that implement that National Environmental Policy Act (NEPA). Part 50 applies to programs where HUD performs the environmental reviews, and Part 58 applies to programs that allow a responsible entity to perform the environmental reviews.

Environmental Analysis (Part 58)

Part 58 reviews may be subject to the requirements of 24 CFR 58.6, 24 CFR 58.5, environmental assessment factors, and the analysis under the National Environmental Policy Act.

Consulting Services

The Wayne Metropolitan Housing Authority (“WMHA”) is requesting proposals from firms to provide consulting services related to 24 CFR Part 58, HUD Environmental Review Regulations. The selected consultant (“Consultant”) will review WMHA provided Project Description, including any proposed scope of work and associated HUD funding, and determine the appropriate level of environmental review. The Consultant will conduct the environmental review and submit two copies of the completed review for execution by the Certifying Officers. The Consultant will also have experience submitting the Environmental Review in HEROs.

Background and Project Description

WMHA owns and operates 224 units of public housing scattered sites located throughout Wayne County. Attachment 1 is a list of all units and addresses. Attachment 2 is a list of proposed projects to be completed.

We are exploring option to convert our Public Housing to Section 8 Project-Based Vouchers via HUD’s Section 18 Disposition program or Section 8 Tenant-Based Vouchers via HUD’s Section 22 in the future. We do not anticipate any repairs or rehabilitation that will be needed as part of the conversion.

All projects converting from Section 9 public housing subsidy to Section 8 subsidy must meet the requirements of the National Environmental Policy Act and 24 CFR Part 58, HUD Environmental Review Regulations prior to receiving HUD approval to use grant funds. The project will fall into one of three categories:

- [Categorically Excluded from NEPA, not subject to the related laws and authorities at 58.5 \(CENST\)](#)
 - 24 CFR 58.6 lists the following requirements for compliance:
 - Airport clear zones
 - Coastal barrier resources
 - Flood insurance
- [Categorically Excluded from NEPA, but subject to the related laws and authorities at 58.5 \(CEST\)](#)
 - 24 CFR 58.5 includes the following additional laws and authorities for compliance:
 - Air quality
 - Coastal zone management
 - Endangered species
 - Environmental justice
 - Explosive and flammable facilities
 - Farmlands protection
 - Floodplain management
 - Historic preservation
 - Noise abatement and control
 - Site contamination
 - Sole source aquifers

- [Environmental Assessment per 24 CFR 58.36](#)
 - Environmental assessments require an additional set of components for analysis, including environmental assessment factors and the NEPA analysis.

WMHA anticipates the level of review to be CEST with the potential to convert to EXEMPT.

Environmental Reviews will be undertaken by the Consultant selected under this request for proposal (RFP).

Scope of Services

The selected Consultant shall:

1. Review the Project Descriptions and contact WMHA to garner additional information as necessary to determine the appropriate level of environmental review and required timeframe for completion of the environmental review.
2. Provide WMHA with the determination of the level of environmental review, the projected start date, completion date, understanding of the project, scope of work, and fee schedule for each of the funded projects.
 - The lowest possible initial level of review for a public housing conversion is CEST. Projects at this level of review are categorically excluded from the National Environmental Policy Act (“NEPA”) but must comply with the related environmental laws and authorities listed in 24 CFR 50.4, 58.5, and 58.6, including the National Historic Preservation Act, Executive Orders 11990 and 11988 on Floodplain Management and Wetland Protection, and HUD’s toxics and contamination standards. A Phase 1 Environmental Site Assessment (or Transaction Screen – see Section 8.2, below) is required to be submitted for all CEST Reviews.
 - The Phase 1 or Transaction Screen must address Radon, Lead-Based Paint, and Asbestos.
3. The Consultant will initiate all necessary consultations and studies to complete the environmental review as described in the HUD Environmental Review Regulations. The scope of this RFP covers only the items necessary to complete that review. Separate studies (Phase I, Radon, Asbestos, Lead-Based Paint, geotechnical, biotic, archaeological, noise, traffic, etc.) that are required and known during the scoping stage shall be supplied to the Consultant by WMHA or, if not already obtained, included as an additional cost item in the Consultant's original fee schedule. Additional studies and consultations required that arise after the scoping stage may be included; only if the Consultant has notified WMHA of the need for the additional services, along with the cost, prior to initiating those services.

Section 106 review shall be conducted by the Consultant and included in the scope of work for each project. The Consultant will make a minimum of one site visit to examine and photo-document the location and surrounding environments and shall

make additional visits as warranted.

4. WMHA will publish all required public notices if needed. The Consultant will provide the publication's text to WMHA staff. The Consultant will also provide WMHA with the text of all correspondence with other regulatory agencies required (SHPO, COE, ACHP, etc.) and then package and mail/ship or submit online to the information to the appropriate agency.
5. The Consultant will compile all necessary information in the format specified by HUD for that level of environmental review and provide WMHA with one copy for execution by the Certifying Officer. The final environmental review record will include all necessary source documentation presented in an orderly, easily understandable manner.

It is preferable for the Consultant to submit the Part 58 Environmental Review via HEROs and assign the review to the Certifying Officer.

6. The Consultant will assist WMHA in response to any public comments or questions received from HUD or any other federal or state regulatory agencies pertaining to the environmental review process.

The Consultant will be solely responsible for all costs incurred during the environmental review process, including, but not limited to, travel time and costs, food, lodging, postage, shipping, reproductions, and subcontracts.

Submission Requirements

Responses to this RFP shall include, but need not be limited to, the following:

Cover Letter and Introduction

A letter of introduction, which includes the name, address, telephone number, and email address of the contact person(s) authorized to represent your firm. This letter should be signed by an officer of the firm authorized to bind the firm to all commitments made in the response.

Qualifications and Experience

Provide descriptions of your firm's role, experience, and capability in providing specific NEPA compliance services to other HUD-funded clients in the past two years. Briefly describe your firm's general business capabilities and your ability to meet the required timelines.

References

Provide a list of three clients, including the organization name, contact person, telephone number, and address as well as brief descriptions of the scope of work.

Approach

Describe your firm's approach to completing the scope of work.

Staffing

Provide a list of staff members who will work on this contract, including principals and staff-level personnel, along with the qualifications of each.

Pricing

Please provide a **detailed** pricing sheet that outlines all costs associated with the scope of work as determined by the Project Description.

Section 3 and WMBE

The Consultant must provide documentation regarding any claimed status as a Section 3 business or Women-Owned or Minority-Owned Business Enterprise – if applicable.

Insurance

The selected Consultant will be required to provide a certificate of insurance certifying that they have insurance coverage that will cover their employees while on CMHA's property and will protect CMHA from liability for the actions of their employees.

HUD Forms

- HUD 5369-B
- HUD 2992 Certification Regarding Debarment and Suspension
- Section 3 Business Certification

Authorization

The response must be signed by an individual authorized to bind the firm and shall contain a statement to the effect that the response is valid for at least 90 days.

Due Date

Electronic responses must be received by WMHA, no later than **2:00 p.m., August 26, 2024**. The due date is subject to change. If the due date is changed, all known recipients of the original RFP will be notified of the new date.

Questions/Answers

All questions must be submitted in writing no later than **August 21, 2024**. If any questions are received, all questions will be answered via email by **August 21, 2024**. WMHA will not provide verbal responses to any inquiries made by prospective respondents.

Questions should be submitted to:

Rodney Mitchell- 330-264-2727 Ext. 123

Email: rmitchell@waynemha.org

Timeline

RFP Issued	August 7, 2024
Questions in writing due	August 14, 2024
Responses to questions and addendum issued	August 16, 2024
Proposals due	August 22, 2024 by 2:00 pm
Proposal evaluation	August 26, 2024
Consultant notified of preliminary selection, pending Board of Commissioners approval	TBD

Instructions for Submission of Response

Please submit an electronic version to rmitchell@waynemha.org

Evaluation Criteria

Selection of the most qualified Consultant will determine the final contract award and be based upon:

Understanding of the scope of work as evidenced by the approach outlined.	10 points
Competence, technical ability, and related experience	20 points
Knowledge of NEPA and other federal environmental regulations	20 points
Estimated cost projections	20 points
Responsiveness to the Request for Qualifications	10 points
References	20 points
Total	100 points

Rules and Regulations

The issuance of this RFP does not constitute an agreement by WMHA that any contract will be entered into by WMHA. WMHA expressly reserves the right at any time to:

- a. Waive or correct any defect or informality in any response, submittal, or submittal procedure.
- b. Reject any or all responses.
- c. Re-issue this RFP or change the deadline dates.
- d. Modify all or any portion of the selection procedures, before the submission deadline, including deadlines for accepting responses, the specifications or requirements for any materials, equipment, or services to be provided under this RFP, or the requirements for contents or format of the responses.

All responses shall be deemed public records. If a respondent desires to claim portions of its response exempt from disclosure, it is incumbent upon the respondent to clearly identify

those portions with the word "Confidential" printed on the lower right-hand corner of the page. WMHA will consider a respondent's request for exemption from disclosure; however, WMHA will decide based upon applicable laws. Assertions by a respondent that the entire submittal or large portions are exempt from disclosure will not be honored. All responses to this RFP shall become the property of WMHA and will be retained or disposed of accordingly.

WMHA shall not be liable for any pre-contractual expenses incurred by any respondent. WMHA shall be held harmless and free from all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this RFP.

All data and information furnished by WMHA or referred to in this RFP are furnished for the respondent's convenience. WMHA does not guarantee that such data and information are accurate and assumes no responsibility whatsoever as to its accuracy or interpretation. Respondents shall satisfy themselves as to the accuracy or interpretation of all such information and data.

By submitting a response to this RFP, the respondent waives all rights to seek any legal remedies regarding any aspect of this RFP, WMHA's selection of a consultant, and WMHA's rejection of all responses.

WMHA also reserves the right to negotiate any price or provisions and accept any part, or all parts of any or all responses, whichever is in the best interest of WMHA.

WMHA may, during the evaluation process, request additional respondent information, which WMHA deems necessary to determine the respondent's ability to perform the required services. If such information is requested, the respondent shall be permitted three (3) working days to submit this information.

All respondents submit their statements to WMHA with the understanding that the final approval of any agreement is contingent upon and subject to review and final approval by the Board of Commissioners.

Non-liability of WMHA

WMHA shall not be liable for any pre-contractual expenses incurred by the respondent or selected Consultant or consultants. WMHA shall be held harmless and free from any and all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this RFP.

Attachments

- Unit Listing
- HUD 5369-B
- HUD 2992 Certification Regarding Debarment and Suspension
- Section 3 Business Certification

Instructions to Offerors Non-Construction



1. Preparation of Offers

(a) Offerors are expected to examine the statement of work, the proposed contract terms and conditions, and all instructions. Failure to do so will be at the offeror's risk.

(b) Each offeror shall furnish the information required by the solicitation. The offeror shall sign the offer and print or type its name on the cover sheet and each continuation sheet on which it makes an entry. Erasures or other changes must be initialed by the person signing the offer. Offers signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the HA.

(c) Offers for services other than those specified will not be considered.

2. Submission of Offers

(a) Offers and modifications thereof shall be submitted in sealed envelopes or packages (1) addressed to the office specified in the solicitation, and (2) showing the time specified for receipt, the solicitation number, and the name and address of the offeror.

(b) Telegraphic offers will not be considered unless authorized by the solicitation; however, offers may be modified by written or telegraphic notice.

(c) Facsimile offers, modifications or withdrawals will not be considered unless authorized by the solicitation.

3. Amendments to Solicitations

(a) If this solicitation is amended, then all terms and conditions which are not modified remain unchanged.

(b) Offerors shall acknowledge receipt of any amendments to this solicitation by

- (1) signing and returning the amendment;
- (2) identifying the amendment number and date in the space provided for this purpose on the form for submitting an offer,
- (3) letter or telegram, or
- (4) facsimile, if facsimile offers are authorized in the solicitation. The HA/HUD must receive the acknowledgment by the time specified for receipt of offers.

4. Explanation to Prospective Offerors

Any prospective offeror desiring an explanation or interpretation of the solicitation, statement of work, etc., must request it in writing soon enough to allow a reply to reach all prospective offerors before the submission of their offers. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective offeror concerning a solicitation will be furnished promptly to all other prospective offerors as an amendment of the solicitation, if that information is necessary in submitting offers or if the lack of it would be prejudicial to any other prospective offerors.

5. Responsibility of Prospective Contractor

(a) The HA shall award a contract only to a responsible prospective contractor who is able to perform successfully under the terms and conditions of the proposed contract. To be determined responsible, a prospective contractor must -

- (1) Have adequate financial resources to perform the contract, or the ability to obtain them;

- (2) Have a satisfactory performance record;
- (3) Have a satisfactory record of integrity and business ethics;
- (4) Have a satisfactory record of compliance with public policy (e.g., Equal Employment Opportunity); and
- (5) Not have been suspended, debarred, or otherwise determined to be ineligible for award of contracts by the Department of Housing and Urban Development or any other agency of the U.S. Government. Current lists of ineligible contractors are available for inspection at the HA/HUD.

(b) Before an offer is considered for award, the offeror may be requested by the HA to submit a statement or other documentation regarding any of the foregoing requirements. Failure by the offeror to provide such additional information may render the offeror ineligible for award.

6. Late Submissions, Modifications, and Withdrawal of Offers

(a) Any offer received at the place designated in the solicitation after the exact time specified for receipt will not be considered unless it is received before award is made and it -

- (1) Was sent by registered or certified mail not later than the fifth calendar day before the date specified for receipt of offers (e.g., an offer submitted in response to a solicitation requiring receipt of offers by the 20th of the month must have been mailed by the 15th);
- (2) Was sent by mail, or if authorized by the solicitation, was sent by telegram or via facsimile, and it is determined by the HA/ HUD that the late receipt was due solely to mishandling by the HA/ HUD after receipt at the HA;
- (3) Was sent by U.S. Postal Service Express Mail Next Day Service - Post Office to Addressee, not later than 5:00 p.m. at the place of mailing two working days prior to the date specified for receipt of proposals. The term "working days" excludes weekends and U.S. Federal holidays; or
- (4) Is the only offer received.

(b) Any modification of an offer, except a modification resulting from the HA's request for "best and final" offer (if this solicitation is a request for proposals), is subject to the same conditions as in subparagraphs (a)(1), (2), and (3) of this provision.

(c) A modification resulting from the HA's request for "best and final" offer received after the time and date specified in the request will not be considered unless received before award and the late receipt is due solely to mishandling by the HA after receipt at the HA.

(d) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent either by registered or certified mail is the U.S. or Canadian Postal Service postmark both on the envelope or wrapper and on the original receipt from the U.S. or Canadian Postal Service. Both postmarks must show a legible date or the offer, modification, or withdrawal shall be processed as if mailed late. "Postmark" means a printed, stamped, or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable without further action as having been supplied and affixed by employees of the U.S. or Canadian Postal Service on the date of mailing. Therefore, offerors should request the postal clerk to place a hand cancellation bull's-eye postmark on both the receipt and the envelope or wrapper.

(e) The only acceptable evidence to establish the time of receipt at the HA is the time/date stamp of HA on the offer wrapper or other documentary evidence of receipt maintained by the HA.

(f) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent by Express Mail Next Day Service-Post Office to Addressee is the date entered by the post office receiving clerk on the "Express Mail Next Day Service-Post Office to Addressee" label and the postmark on both the envelope or wrapper and on the original receipt from the U.S. Postal Service. "Postmark" has the same meaning as defined in paragraph (c) of this provision, excluding postmarks of the Canadian Postal Service. Therefore, offerors should request the postal clerk to place a legible hand cancellation bull's eye postmark on both the receipt and the envelope or wrapper.

(g) Notwithstanding paragraph (a) of this provision, a late modification of an otherwise successful offer that makes its terms more favorable to the HA will be considered at any time it is received and may be accepted.

(h) If this solicitation is a request for proposals, proposals may be withdrawn by written notice, or if authorized by this solicitation, by telegram (including mailgram) or facsimile machine transmission received at any time before award. Proposals may be withdrawn in person by a offeror or its authorized representative if the identity of the person requesting withdrawal is established and the person signs a receipt for the offer before award. If this solicitation is an invitation for bids, bids may be withdrawn at any time prior to bid opening.

7. Contract Award

(a) The HA will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the HA, cost or price and other factors, specified elsewhere in this solicitation, considered.

(b) The HA may

- (1) reject any or all offers if such action is in the HA's interest,
- (2) accept other than the lowest offer,
- (3) waive informaities and minor irregularities in offers received, and (4) award more than one contract for all or part of the requirements stated.

(c) If this solicitation is a request for proposals, the HA may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the offeror's best terms from a cost or price and technical standpoint.

(d) A written award or acceptance of offer mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer shall result in a binding contract without further action by either party. If this solicitation is a request for proposals, before the offer's specified expiration time, the HA may accept an offer, whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award. Negotiations conducted after receipt of an offer do not constitute a rejection or counteroffer by the HA.

(e) Neither financial data submitted with an offer, nor representations concerning facilities or financing, will form a part of the resulting contract.

8. Service of Protest

Any protest against the award of a contract pursuant to this solicitation shall be served on the HA by obtaining written and dated acknowledgment of receipt from the HA at the address shown on the cover of this solicitation. The determination of the HA with regard to such protest or to proceed to award notwithstanding such protest shall be final unless appealed by the protestor.

9. Offer Submission

Offers shall be submitted as follows and shall be enclosed in a sealed envelope and addressed to the office specified in the solicitation. The proposal shall show the hour and date specified in the solicitation for receipt, the solicitation number, and the name and address of the offeror, on the face of the envelope.

It is very important that the offer be properly identified on the face of the envelope as set forth above in order to insure that the date and time of receipt is stamped on the face of the offer envelope. Receiving procedures are: date and time stamp those envelopes identified as proposals and deliver them immediately to the appropriate contracting official, and only date stamp those envelopes which do not contain identification of the contents and deliver them to the appropriate procuring activity only through the routine mail delivery procedure.

[Describe bid or proposal preparation instructions here:]

Certification Regarding Debarment and Suspension

U.S. Department of Housing
and Urban Development

Certification A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief that its principals;

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency;

b. Have not within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;

c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Certification (A)

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded**, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of these regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines this eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph (6) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

Certification B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Certification (B)

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded**, as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of these regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph (5) of these instructions, if a participant in a lower covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies including suspension and/or debarment.

Applicant	Date
Signature of Authorized Certifying Official	Title

SECTION 3 BUSINESS SELF-CERTIFICATION

Optional, only to be submitted by those Businesses seeking to be Section 3 Certified.

Business Name: _____

Business Address: _____

City: _____ State: _____ Zip: _____ County: _____

Business Phone: _____ Fax Number: _____

Email Address: _____

Contractor's License: Class A B C N/A License Number: _____

Business License Number: _____ Federal ID Number: _____

Type of Business: _____

Types of Section 3 Business Enterprises

Please check "Yes" or "No". If you answer "Yes" to one or more of the following questions, you may designate your company as a Section 3 Business Enterprise.

1. Is fifty-one percent (51%) of your business owned by a Section 3 resident*; or

Yes No

2. Are at least thirty percent (30%) of your full time employees persons that are currently Section 3 residents*, or within three (3) years of the date of first employment with the business concern were Section 3 residents*; or

Yes No

3. Can you provide evidence, as required, of a commitment to subcontract in excess of twenty-five percent (25%) of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications in the above two paragraphs?

Yes No

Verification- The Company hereby agrees to provide, upon request, documents verifying the information provided on this form.

I declare and affirm, under penalty of law, that the statements made herein are true and accurate to the best of my knowledge. I understand that falsifying information and incomplete statements will disqualify certification status.

Signature of Business Owner or Authorized Representative

Date

*Section 3 resident is: 1) Resident of Public and Indian Housing; or 2) Resident of the Metropolitan Area or Non-Metropolitan County that meet the definition of Low and Very Low Income.