

12. CDBG CONTRACT NEGOTIATION MATTERS

In January 2012, the Board of Supervisors authorized the submittal of an application for a Community Development Block Grant (CDBG) to the Commonwealth of Virginia's Department of Housing and Community Development (DHCD) to assist with the cost of extending infrastructure that will serve the Enviva site. In response, the County has been notified of the intent of the Commonwealth to award CDBG funds for the Turner Tract project in the amount of \$700,000.00.

County staff, working in partnership with DHCD, has entered into a process referred to as CDBG Contract Negotiation, which ultimately leads to a performance contract with DHCD. In this contract negotiation phase, certain federal assurances must be undertaken as required by applicable section of the Code of Federal Regulations pertaining to the use of CDBG funds. While the process is referred to as a negotiation, these regulations are non-negotiable and are required for ongoing compliance with the terms of the grant. Attached for your consideration and approval, please find the following assurances attached:

1. Page 2 – Fair Housing Certification;
2. Page 3 – Local Business and Employment Plan;
3. Page 21 – Minority and Female Owned Business Notice;
4. Page 22 – Nondiscrimination Policy;
5. Page 23 – Section 504 Policy (nondiscrimination based on handicap);
6. Page 31 – Residential Anti-Displacement Plan

MOTION REQUIRED:

A motion is required to adopt all six certifications and assurances described hereinabove .

Certificate of Yearly Action to Affirmatively Further Fair Housing

**Fair Housing
Certification**

Compliance with Title VIII of the Civil Rights Act of
1968

Whereas, the Southampton County has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

Whereas, recipients of funding under the Act are required to take action to affirmatively further fair housing;

Therefore, the Southampton County agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

Signature of Authorized Official

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Local (Section 3) County Business and Employment Plan

1. The Board of Supervisors of Southampton County designates as its Section 3 Business and Employment Project Area the County of Southampton.
2. The Board of Supervisors of Southampton County, its contractors, and designated third parties shall in utilizing Community Development Block Grant (CDBG) funds utilize businesses and low-income residents of the Section 3 County in carrying out all activities, to the greatest extent feasible. The Grantee will request all contractors and subcontractors both construction and non-construction to verify their eligibility as a Section 3 Business. The Grantee will monitor for Section 3 compliance all contracts in excess of \$100,000 relative to new hires with a goal of 30% low income representation and subcontracting with a goal of 10% low income representation.
3. In awarding contracts for construction and non-construction the Southampton County, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the Section 3 County:
 - (a) The Board of Supervisors of Southampton County has identified the following contracts as necessary to complete the CDBG activities: contract for sanitary sewer force main.
 - (b) The Board of Supervisors of Southampton County shall identify through various and appropriate sources including:

Section 3 County Newspaper of General Circulation: Tidewater News

the Section 3 Business concerns within the Section 3 County which are likely to provide construction contracts and non-construction contracts for services which will be utilized in the activities funded through the CDBG.
 - (c) The identified Section 3 Business concerns shall be included on bid lists used to obtain bids, quotes or proposals for work which will utilize CDBG funds.
 - (d) To the greatest extent feasible the identified Section 3 Business concerns and any other project area business concerns shall be utilized in activities which are funded with CDBG assistance.
4. The Board of Supervisors of Southampton County and its covered contractors (those awarded a contract for \$100,000 or more) shall take the following steps to encourage the hiring of low-income persons residing in the Section 3 County:

- (a) The Board of Supervisors of Southampton County in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be used to conduct CDBG activities.
- (b) The Board of Supervisors of Southampton County shall advertise through the following sources:

Project Area Newspaper of General Circulation: The Tidewater News

the availability of such positions with the information on how to apply.

- (c) The Board of Supervisors of Southampton County, its covered contractors, and subcontractors shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquires and applications.
 - (d) To the greatest extent feasible, the Board of Supervisors of Southampton County, its covered contractors, and subcontractors shall hire low-income project area residents (Section 3 Residents) in filling training and employment positions necessary for implementing activities funded by CDBG activities.
5. In order to document compliance with the above affirmative actions and Section 3 of the *Housing and Community Development Act of 1974, as amended*, the Board of Supervisors of Southampton County shall keep, and obtain from its covered contractors and subcontractors, *Registers of Contractors, Subcontractors and Suppliers* and *Registers of Assigned Employees* for all activities funded by the Block Grant. Such listings shall be completed and shall be verified by site visits and employee interviews, crosschecking of payroll reports and invoices, and through audits if necessary.
 6. The Board of Supervisors of Southampton County, its covered contractors, and subcontractors shall designate a Section 3 Coordinator to ensure compliance with this regulation. The Section 3 Coordinator for the project shall be Mr. Michael W. Johnson throughout the course of this active CDBG agreement.
 7. The Board of Supervisors of Southampton County, its covered contractors, and subcontractors shall create and maintain a Section 3 Directory of all Section 3 Business concerns within the geographic area that perform the work needed to complete this community development agreement.
 8. The Board of Supervisors of Southampton County shall report annually to DHCD on the numerical goals and dollar amounts awarded to Section 3 Residents and Section 3 Business concerns using HUD form 60002.

LOCAL (SECTION 3) COUNTY BUSINESS AND EMPLOYMENT NOTICE

*[Instructions: Publish as a **display advertisement** in the **county paper's non - legal section.**]*

Southampton County is preparing to carry out Turner Tract Sanitary Sewer Improvement through the use of Virginia Community Development Block Grant funds. In the implementation of this project the following job types may be available:

(Insert List of Job Classifications to be used during project here)

In carrying out this project Southampton County, its covered contractors and subcontractors will, to the greatest extent feasible, utilize low income persons who permanently reside within Southampton County for employment and/or training positions.

All job openings will be listed with the local office of the Virginia Employment Commission. Persons qualified for the jobs listed should register at the following location:

(Insert Name and Address of local VEC Office or Other Location if appropriate)

Additionally, the following contracts will/may be solicited:

Insert list of construction, non-construction, and service contracts to be procured during the project.

Insert list of construction subcontracts, major, specific equipment and general types of materials to be used during the project.

(Insert Locality's name) will, to the greatest extent feasible, use businesses located in and majority owned by or with a 30% personnel representation of low-income persons residing in *(Insert the Section 3 County's name here)*.

Any person residing or firm located in the above named localities may request to participate in procurement opportunities associated with this project by contacting the Section 3 Coordinator within ten (10) days of this notice:

Name of Designated Official
Address
Grantee's Phone Numbers
Virginia Relay: 711
Grantee's Fax Number

Written requests should include the name, address, service and phone number.

All above-referenced procurements will be made on a competitive basis. The names of businesses who respond to this notice will be included on procurement lists for this project for Section 3 covered contractors seeking to meet the requirements. Names of job seekers will also be given to covered contractors.

- H. 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.
- I. To list on Table A information related to subcontracts to be awarded.
- J. 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 representative of (Name of Contractor/Subcontractor) , we the undersigned have read and fully agree to this Section 3 Plan of Action, and become a party to the full implementation of this program.

Signature

Title

Date

Signature

Title

Date

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4.E ESTIMATED PROJECT WORKFORCE BREAKDOWN

TABLE B**ESTIMATED PROJECT WORKFORCE BREAKDOWN**

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
JOB CATEGORY	TOTAL ESTIMATED POSITIONS	NO. POSITIONS CURRENTLY OCCUPIED BY PERMANENT EMPLOYEES	NO. POSITIONS NOT CURRENTLY OCCUPIED	NO. POSITIONS TO BE FILLED WITH LIPAR*
OFFICERS/SUPERVISORS				
PROFESSIONALS				
TECHNICIANS				
HOUSING SALES/RENTAL/MGMT.				
OFFICE CLERICAL				
SERVICE WORKERS				
OTHERS				

TRADE:

JOURNEYMEN				
APPRENTICES				
MAXIMUM NO. TRAINEES				
OTHERS				

TRADE:

JOURNEYMEN				
APPRENTICES				
MAXIMUM NO. TRAINEES				
OTHERS				

*Lower Income Project Area Residents, Individuals residing within the City/County of _____ whose family income does not exceed 80% of the median income.

Company

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SECTION 3 BUSINESS CERTIFICATION

COUNTY OF _____
 ADDRESS _____
 PHONE NUMBER _____

CERTIFICATION FOR BUSINESS CONCERNS SEEKING NOTIFICATION OF SECTION 3 CONTRACTING (SERVICES AND CONSTRUCTION) OPPORTUNITIES AND DEMONSTRATION OF CAPABILITY

Name of Business _____

Address of Business _____

Phone # _____ Email Address _____

DUNS Number _____ EIN # _____ or SS # (s) _____

Type of Business: Corporation Partnership
 Sole Proprietorship Joint Venture

County Business License Registration # _____

Please attach other documents verifying location of business in _____ County; the residence of owners (51% minimum) in _____ County; and LMI status of primary owners.

For business owners who live in _____ County:

- Copy of resident lease, or
 Copy of property ownership/occupancy documentation, and
 Complete and sign certification of owner's household income on reverse of this form.

For business entity as applicable:

- Copy of Articles of Incorporation Partnership Agreement
 List of owners/stockholders and % ownership of each
 Organization chart with names and titles Additional documentation

Businesses located in _____ County may also qualify for Section 3 designation if at least 30 percent of their workforce currently lives in _____ County and have household incomes under 80% of the County median income by household size.

- List of all current full-time employees
 List of employees who live in _____ County

Attach HOUSEHOLD Income Certifications –signed– from current full-time employees who are County Residents....see Income Certification form for Employees attached.

Evidence of ability to perform successfully under the terms and conditions of the proposed contract:

- Current financial statement
- Statement of commitment to comply with public policy*
- List of owner equipment
- List of all contracts for the past two years

Authorizing Name and Signature

(Corporate Seal)

Attested by: _____

SECTION 3 NEW EMPLOYEE TRACKING FORM

CONTRACTOR'S/SUBCONTRACTOR'S NEW EMPLOYEE INFORMATION FORM

One *New Employee Information Form* is completed by the employer for each new employee hired for work on this project during the construction phase of the project.

This is a required form and should accompany the first payroll on which the name of the newly hired employee appears. _____

1. Name of Grant Recipient _____
2. CDBG Contract Number _____
3. Name of Employer _____
4. Name of New Employee _____
5. Street Address or P.O. Box # _____
6. City and Zip Code _____
7. Date of Hire of New Employee _____

8. Methods of attempting to recruit local persons of low and moderate income include: display advertisement in a local newspaper, public bulletin board, consideration of all applications received, U.S. employment service (i.e. local VEC office), a sign at the project site, and the posting of a notice at the project site. On the line below, list the method(s) used:

9. Does the employee live within the corporate limits (boundaries) of the Section 3 area listed on line 1? Yes No

****The Resident Employment Data sheet must accompany this form.**

Signature of Employer or Employer Representative

Date

If the answer to 9 is "Yes" and if the household income is below the income category based on the number of persons residing in the household, and based on current Section 8 income limits, the employee is a Section 3 employee.

10. Is the above listed employee a Section 3 employee? Yes No

Signature of CDBG Grant Manager

Date

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SECTION 3
RESIDENT EMPLOYMENT DATA

RESIDENT EMPLOYMENT DATA

THE COUNTY/CITY OF

ELIGIBILITY FOR PREFERENCE

Eligibility for Preference

A Section 3 resident seeking the preference in training and/or employment provided by this part shall self-certify, or submit evidence to the recipient contractor or subcontractor, if requested, that the person is a Section 3 resident, as defined in Section 135.5.

Self-Certification for Resident Seeking Section 3 Preference in Training and/or Employment

I, _____, am a legal resident of the _____
_____ and meet the income eligibility guidelines for a low-income person as published in Section 3: Income Limits.

My permanent address is: _____

WARNING: Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government.

Signature

Print Name

Date

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SECTION 3 INCOME LIMITS

SECTION 3 INCOME LIMITS

All residents of public housing developments of the _____ Housing Authority qualify as Section 3 residents. Additionally, individuals residing in the _____ City of _____ who meet the income limits set forth below, can also qualify for Section 3 status.

Your signature below will serve as self-certification of your total household income based on your family size. Please circle the family size, review the corresponding income level and indicate whether your household income is above or below the center column figure for your household size. Feel free to ask for assistance if you do not understand these instructions.

A picture identification card and proof of current residency is required.

Eligibility Guideline

Number in Household	INCOME LEVEL		
	ABOVE	BELOW	
1 individual			
2 individuals			
3 individuals			
4 individuals			
5 individuals			
6 individuals			
7 individuals			
8 individuals			

WARNING: Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government.

Signature

Print Name

Date

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Minority and Female Owned Business Notice

*[Instructions: Publish as a **legal notice** in a **regional paper** with a multi-county circulation of 15,000 or greater.]*

Southampton County is preparing to carry out Turner Tract Improvements: Sanitary Sewer Force Main Work through the use of Virginia Community Improvement Grant Funds. In the implementation of this project the following kinds of contracts will be issued and procurements made:

- a Sanitary Sewer Force Main Construction*
- b. General Specifications: Approximately 17,325 LF of sanitary sewer force main of 6in diameter and appurtenances thereto*

Southampton County is soliciting the participation of minority and female owned businesses, contractors and suppliers in carrying out this project. Such businesses may be included on appropriate bid and procurement lists by submitting a written request within ten (10) days of this notice. Requests should state the name, address, product or service, and how the firm qualifies as a minority or female owned business concern.

Such requests should be addressed to:

Michael W. Johnson
County Administrator
PO Box 400
Courtland Virginia, 23837
Telephone: 757-653-3015
Virginia Relay: 711
Fax: 757-653-0227

All above referenced procurements will be made on a competitive basis.

Non-Discrimination Policy

The County of Southampton or any employee thereof will not discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex, or national origin. Administrative and Personnel officials will take affirmative action to insure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

Duly adopted at the regular meeting of the _____ on _____, 20____.

Signature of Authorized Official

Section 504 Policy

The U. S. Department of Housing and Urban Development (HUD) has adopted policies and procedures to assure nondiscrimination based on handicap in programs and activities receiving Federal financial assistance. These requirements, contained in 24 CFR Part 8, implement Section 504 of the *Rehabilitation Act of 1973* as amended. All local government recipients of CDBG Grant funds awarded by the DHCD must take certain actions to insure compliance with these requirements. These actions include:

1. **Non-discrimination Notices:** All local government grant recipients must take appropriate steps to notify participants, beneficiaries, applicants, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining agreements that it does not discriminate on the basis of handicap.

Methods of notification include publication of advertisements in newspapers, posting of notices, and distribution of memoranda or other written materials.

If a local government publishes or uses recruitment materials or publications containing general information that is made available to participants, beneficiaries, applicants, or employees, the policy of nondiscrimination based on handicap must be included.

The local government must ensure that members of the population eligible to be served or likely to be affected who have visual or hearing impairments are provided with the information necessary to understand and participate in the program. Means for ensuring participation include qualified sign language and oral interpreters, readers, or the use of taped and Braille materials.

2. **504 Coordinator:** Only local government grant recipients that employ fifteen or more persons must designate at least one person to coordinate compliance. All notification regarding nondiscrimination shall identify the coordinator by name and title. It is recommended that this person not be the Grants Administrator.
3. **Effective Program Outreach and Communication:** All local government grant recipients must take appropriate steps to ensure effective communication with applicants, beneficiaries, and members of the public. Telecommunication devices for deaf persons (TDDS) or equally effective communication systems shall be used for telephone communications with applicants and beneficiaries. The Virginia Relay Service may also be utilized at no charge. For more information about this service, call Virginia Relay Customer Care at 800-552-9717 (voice/TTY) or e-mail Frontdsk@vddhh.virginia.gov. Or, visit their web site at www.varelay.org.

All published notices related to the CDBG program must include a TDD number.

4. Grievance Procedures: Only local government grant recipients that employ fifteen or more persons must adopt grievance procedures that incorporate appropriate standards for due process and provide for the prompt and equitable resolution of complaints.
5. Conduct a Self-Evaluation: All local government grant recipients must conduct a self-evaluation to evaluate current policies and practices to determine whether in whole or in part they meet Section 504 requirements regarding nondiscrimination. Individuals with disabilities, organizations representing such individuals or other interested persons should be consulted as part of the self-evaluation process. Modifications to existing policies and practices and corrective actions to remedy any discrimination found may be necessary. Areas to be evaluated include:

Completion of the Site Accessibility Checklist for 504 Requirements. This review for physical accessibility need only be done on those buildings used for CDBG program activities, including the location of public meetings and where applications for benefits will be taken;

Development of a narrative that reviews the following areas:

- Identification of 504 Coordinator;
- Program outreach and communication, including the need to list the TDD number on all notices and advertisements required by DHCD;
- Eligibility and admission criteria and practice;
- Employment practices, including EEO and 504 grievance procedures; and
- Complaint and appeals procedures.

Local governments are not necessarily required to make each facility accessible to individuals with handicaps, and need not take any action which can be demonstrated to impose an undue financial and administrative burden.

Methods of achieving program accessibility may include the following actions:

Locate programs or services in accessible facilities;

Assign aides to assist beneficiaries;

Conduct home visits;

Add or redesign equipment or furnishings;

Change management policies or procedures;

Acquire or build new facilities; and

Selectively alter existing facilities.

The written self-evaluation must be kept on file for three (3) years following completion and made available for review by the members of public, DHCD, and/or HUD.

The locality must also document any actions taken to correct past or current discrimination based on handicap.

Resource Material on Accessible/Adaptable Housing and Facilities

Adaptable Housing: Marketable Accessible Housing For Everyone

U.S. Department of Housing and Urban Development (1987)

Uniform Federal Accessibility Standards (UFAS)

U.S. Architectural and Transportation Barriers Compliance Board (1984)

American National Standard for Buildings and Facilities – Providing Accessibility and Usability for Physically Handicapped People

American National Standards Institute, Inc. (1986)

Handicapped Requirements Handbook

Federal Programs Advisory Service (1987)

PUBLIC NOTICE SAMPLE

*[Instructions: Publish as a **display advertisement** in the **local paper.**]*

PUBLIC NOTICE

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HANDICAPPED REGULATIONS

This notice is published pursuant to the requirements of 24 CFR Part 8, Nondiscrimination Based on Handicap in Federally Assisted Programs and Activities of the Department of Housing and Urban Development, as published in the Federal Register on June 2, 1988. 24 CFR Part 8 prohibits discrimination against qualified individuals because of their handicapped status.

(Grantee's Name) advises the public, employees, and job applicants that it does not discriminate on the basis of handicapped status in admission or treatment or employment in, its programs and activities.

(Grantee's Name) has designated the following as the contact to coordinate efforts to comply with this requirement.

Such inquiries should be addressed to:

Name of Designated Official

Address

Grantee's Phone Numbers

Virginia Relay 711

Grantee's Fax Number

_____ *a.m.* - _____ *p.m.*

SELF-EVALUATION SITE ACCESSIBILITY CHECKLIST

This checklist is intended to be used as a relatively quick and easy guide to determine a building's physical accessibility. Detailed specifications for each area can be found in the Uniform Federal Accessibility Standards (UFAS).

Comments should be made on all "No" answers, and should include alterations that can or will be made, any insurmountable obstacles to accessibility, or other relevant circumstance or considerations.

PARKING

YES

NO

Does the facility have designated parking spaces for disabled individuals?

Are spaces of adequate width (13 ft.)?

Are the spaces marked with the universal access symbol?

Are they near the building's entrance?

Comments: _____

BUILDING ENTRANCE

YES

NO

Is the main entryway wheelchair-accessible?

(Level entry or properly sloped ramp; 32" wide, non-revolving door)

If not, is there a reasonable alternative entry?

Is the entry relatively free of obstacles?

Comments: _____

MEETING ROOMS

YES

NO

Can all rooms to be used for meetings or meals be reached without using steps or escalators?

If elevator use is required, are the elevators accessible? (36" wide door, 54" deep x 68" wide car, wheelchair accessible controls, tactile buttons, auditory floor indicators)

If room changes are required between sessions, are pathways accessible? (36" wide hallways, free of obstacles)

Are doorways wide enough to accommodate a wheelchair? (32" wide)

Comments: _____

FACILITIES

YES

NO

Are restrooms wheelchair-accessible? (Adequate floor space for wheelchair; grab bars, paper products, lavatories at proper height; extended faucet handles)

Are paths to the restrooms accessible?

Are drinking fountains wheelchair accessible?

Can telephones be used from a wheelchair?

Comments: _____

Section 504 Grievance Procedure Sample

The following grievance procedure has been adapted from a sample grievance procedure developed by the U. S. Treasury, Office of Revenue Sharing based on material prepared by the U. S. Department of Health and Human Services, Office of Civil Rights, Regional Technical Assistance Staff. It is intended as a guide only, to be tailored by recipient governments to suit their own particular circumstances and in consideration of any applicable state or local laws. This sample grievance procedure once completed should satisfy the requirements of the Department of Housing and Urban Development's (HUD) Section 504 regulations (24 CFR Part 8.53(b)). Recipients should be reminded that existing grievance procedures may be used to meet the HUD requirements.

Grievance Procedure

The *(Grantee's Name)* has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) (24 CFR 8.53(b)) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual . . . shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . ."

Complaints should be addressed to: *(name, title, office, address, telephone number)*, who has been designated to coordinate Section 504 compliance efforts.

1. A complaint should be filed in writing or verbally contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within *(number of days)* after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by *(name of person)*. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53(b), the *(Grantee's Name)* need not process complaints from applicants for employment or from applicants for admission to housing.

4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by *(name of person)* and a copy forwarded to the complainant no later than *(number of days)* after its filing.
5. The Section 504 coordinator shall maintain the files and records of the *(Grantee's Name)* relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within *(number of days)* to *(officer or employee responsible for handling appeals)*.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the *(Grantee's Name)* complies with Section 504 and the HUD regulations.

Residential Anti-Displacement Plan

The County of Southampton will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income dwelling unit as a direct result of activities assisted with funds provided under the *Housing and Community Development Act of 1974*, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the County of Southampton will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate-income households in the jurisdiction.

The County of Southampton will provide relocation assistance to each low/moderate – income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the *Housing and Community Development Act of 1974*, as amended, or the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

The County of Southampton FY 13 project includes the following activities:

Turner Tract Improvements: Sanitary Sewer Force Main

The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for the use of existing right-of-way or easements to be purchased or the acquisition of tracts of land that do not contain housing. The County of Southampton will work with the grant management staff, engineers, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause any displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

Signature of Authorized Official

Date