



HOUSING

AUTHORITY OF THE
CITY OF SANTA BARBARA

808 Laguna Street / Santa Barbara
California / 93101

Tel (805) 965-1071
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TTY (866) 660-4288 (En)
TTY (866) 288-1311 (Sp)

June 7, 2022

SUBJECT: REQUEST FOR PROPOSALS FOR A DIVERSITY, EQUITY AND INCLUSION (DEI) CONSULTANT

Dear Interested Party:

The Housing Authority of the City of Santa Barbara (HACSB) requests proposals for a Diversity, Equity & Inclusion Consultant to support our organization in furthering principles of diversity, equity, and inclusion (DEI) as they relate to HACSB practices, policies, and program delivery.

Our organization recognizes the importance of considering DEI in the context of our work environment and internal policies and practices. The project will primarily focus on the workplace environment and should also entail professional training and educational programming. The DEI Consultant will help HACSB plan and implement policies, practices, programs, and organizational behaviors that foster authentic diversity, equity, and inclusion within our organization and as reflected in our client services. The goal of this effort is to position HACSB, both internally and externally, for greater engagement and impact with diverse cultures and communities. This includes helping to increase racial, ethnic, gender, sexual orientation, ability, and ideological diversity across our staff and board while enhancing systems of equity and a culture of inclusion within our organization. The project will be required to be completed within twelve months of the contract award date. Cost estimates are not to exceed \$20,000.

Qualified applicants are invited to submit detailed proposals that demonstrate their ability to provide the services further described herein. The selected provider will enter into a one-year contract with HACSB for the services proposed.

Proposals must be prepared in accordance with the attached instructions and will be evaluated by HACSB as specified in the *Evaluation of Proposals* portion of the Request for Proposals. Proposals are due no later than 5:00pm on August 1, 2022. Proposals may be submitted in PDF format via email to the undersigned at tcarter@hacs.org. Please contact me at (805) 897-1040 or tcarter@hacs.org should you have any questions in this regard.

Sincerely,

HOUSING AUTHORITY OF THE
CITY OF SANTA BARBARA

Tiffany Carter

Tiffany Carter
Human Resources Manager



HOUSING

A U T H O R I T Y O F T H E
C I T Y O F S A N T A B A R B A R A

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808 Laguna Street, Santa Barbara, CA 93101
(805) 965-1071
(805) 564-7041 (fax)

Request for Proposals

Diversity, Equity & Inclusion Consultant

**Proposals due no later than
5:00pm, August 1, 2022**



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REQUEST FOR PROPOSALS STATEMENT OF WORK

GENERAL INFORMATION

1.1. Introduction

About the Housing Authority of the City of Santa Barbara

The Housing Authority of the City of Santa Barbara (HACSB) is a local public agency that provides safe, decent, quality affordable housing and supportive services to eligible persons through a variety of housing programs funded by federal, state, local, and private resources. The primary task of HACSB is to create affordable rental housing for families with limited incomes, elderly persons, and persons with disabilities. HACSB owns and manages affordable housing developments throughout the City of Santa Barbara and administers rental subsidies by way of the Housing Choice Voucher program (Section 8) for persons renting in the private sector. Since 1969, HACSB has developed and/or secured nearly 4,000 units of affordable rental housing in the Santa Barbara area. Additional information about the Housing Authority of the City of Santa Barbara can be found on the organization's website: www.hacs.org.

Mission

The mission of HACSB is to create safe, affordable, and quality housing opportunities for families and individuals while promoting self-sufficiency and neighborhood revitalization.

Vision

HACSB envisions a community where families and individuals have access to affordable housing and pathways to self-sufficiency.

HACSB is committed to a high standard of diversity, equity and inclusion (DEI) in the workplace. The following statement is included in our *Manual of Policies and Procedures*:

Diversity, Equity and Inclusion

Working for HACSB means committing to fostering a diverse culture and an inclusive workplace.

A diverse workforce reflects our clients and residents and includes a broad range of backgrounds, thoughts, talents, and passions. Sometimes, differences can contribute to misunderstanding or conflict, but with mutual respect and appreciation, we can use our differences to our advantage, enriching our work environment and driving even greater innovation and performance. Embracing an environment of inclusion – one of involvement, respect, support, and connection – will help to ensure that we leverage our best ideas.



An employee's role is as follows:

- Integrate diversity, equity and inclusion into who you are and how you work. Respect and leverage our differences and varied voices to generate better ideas, solutions, and services for our clients.
- Create a workplace that is inclusive by actively working to remove barriers to collaboration and take steps to help the best ideas and solutions come to the forefront.
- Make all employment decisions—including hiring, firing, pay, promotion, and work assignments—based on the person's qualifications, performance, and ability to succeed.

1.2. Proposal Selection Schedule

The anticipated proposal selection schedule is as follows:

Activity	Date
RFP Released	June 12, 2022
Final date to submit questions and requests for additional information	July 15, 2022
Proposal Due	August 1, 2022
Selection of finalists, interviews, and presentations	August 2022
Contractor Selected	August 2022
Anticipated Contract Start Date	September 2022

1.3. Contact

Questions and requests for additional information must be submitted via email to Tiffany Carter, Human Resources Manager, at tcarter@hacsbs.org, or to Alice Villarreal Redit, Resident Programs Supervisor, at aredit@hacsbs.org, before 5:00pm on July 15, 2022.

1.4. Submission of Proposals

To facilitate evaluation, proposals must be sent to the following individual in pdf format via electronic mail, with the subject line titled “RFP DEI Consultant”:

Tiffany Carter, Human Resources Manager
Housing Authority of the City of Santa Barbara
Email: tcarter@hacsbs.org



Proposals must be received no later than **5:00pm on August 1, 2022**. Proposals should include a title page listing a contact person, mailing address, phone and email address, the submission date of the proposal, and agency federal tax I.D. number.

Proposals received later than the date and time specified above will not be considered.

2. PROJECT OVERVIEW AND SCOPE OF WORK

2.1 Project Overview

The Housing Authority of the City of Santa Barbara is seeking a consultant to advise leadership, management, and staff around advancing DEI policies at HACSB. The individual should have the ability to work alongside the Human Resources Manager, the Executive Director, and managers, supervisors and staff to guide us through the process of developing a strategic plan with specific actions and outcomes as to how we can best approach diversity, equity, and inclusion in our internal policies and practices as well as the operation and delivery of our housing and resident services and programs. It is the intent of HACSB to expand its commitment to diversity, equity, and inclusion, not only within our internal organization, but also in our engagement with external stakeholders and clients.

2.2 Scope of Work

The following scope of work represents the anticipated short and longer-term activities and deliverables by project phase. HACSB anticipates the project length to be up to one (1) year. HACSB may consider an alternative approach to the project if proposed by the applicant.

Short-Term- Phase 1: Activities & Deliverables

- Conduct an analysis and develop a baseline assessment report of HACSB's current organizational practices and level of DEI awareness and competency in order to fully appreciate the contribution of all staff and identify priorities to further strengthen DEI capacity to shape and execute HACSB operations.
- Provide insight and knowledge on DEI best practices in the field (with a particular focus on housing authorities or other public or governmental agencies).
- Develop recommendations on initial strategies for HACSB to achieve deliverables outlined in this scope of work.

Longer Term- Phase 2: Activities & Deliverables

- Support development of an organization-wide commitment and infrastructure to support and sustain HACSB's DEI strategy.
- Develop a training strategy to increase staff DEI competencies, skills and capacity that reflect HACSB's public statement and goals. The consultant will support implementation of the training strategies developed.



- Develop a DEI Plan that is aligned with HACSB's 5-Year Action Plan and Manual of Policies and Procedures and organizational values that will ensure barriers to inclusion continue to decrease, while internal awareness, knowledge, and skills continue to increase. The DEI Plan should include methods of long-term monitoring and evaluation that consider several areas, including but not limited to, internal staffing practices, policies and procedures, community partnership and engagement, and ongoing staff education. The consultant will support implementation of the strategies developed.

3. ELIGIBILITY AND DESIRED QUALIFICATIONS

3.1 Eligibility

Proposers (individual or firm) must meet the following minimum requirements:

- Minimum of three (3) years of experience in developing and executing organization-wide DEI assessment, planning and implementation efforts.

3.2 Desired Qualifications

The following qualifications are desired:

- Demonstrated experience in working with all levels of management.
- Preference for individual and firms who are based in Santa Barbara County.
- Demonstrated hands-on experience guiding non-profit and/or public or governmental agencies through the planning, implementation and successful completion of organization-wide DEI learning and transformation.

4. OVERVIEW OF APPLICATION ELEMENTS AND CRITERIA

Proposers should outline in detail how they will structure and manage a DEI program on behalf of HACSB. Organizations should describe in as much detail as possible the services that will be made available to HACSB and how their services and expertise will benefit the organization and promote stronger and more inclusive DEI practices and policies. The proposer shall describe in their proposal a plan for designing and implementing program activities and tracking progress and outcomes. The proposer is encouraged to present all qualifications and special skills that will demonstrate their ability to provide these types of services and work collaboratively with similar types of organizations, including but not limited to past experience in delivering such services.

Proposals will consist of the following parts, which will be subject to the number of scoring points listed for a total of 100:

4.1 Organizational (Proposer) Overview and Proposed Work Plan (30 points)

Organizational Overview:

Proposers should present the characteristics which they believe would persuade a reader that they can effectively assess, design and help to operationalize DEI services for HACSB. The organization's distinguishing characteristics, areas of strength, and similar project experience should be described here. Discuss the organization's philosophy and approach to providing DEI services for similar organizations and delineate prior experience in providing these services.

**Proposed Work Plan:**

The proposed work plan should describe the general approach, tools, and strategies that you would propose in carrying out the scope of work including staffing, work phases, and any requirements of HACSB. Describe how you would assess the DEI competence of our organization and staff at the beginning of the engagement and how improvement and learning would be assessed and measured throughout the project. Provide a timeline for engagement and describe how the project will be managed and scheduled, and potential ways to phase the work connected to this approach.

- Describe short-term activities and deliverables. How will current DEI competency be evaluated? How will initial strategies and recommendations be developed, to include DEI best practices in the field?
- Describe longer-term activities and deliverables. How will DEI strategies be operationalized? Describe training strategy for increasing DEI competencies, skills and capacities. Describe the process for development of a DEI Plan, and how implementation of the plan would be supported.

4.2 Fiscal Capability, Qualifications and Experience of the Applicant (25 points)

Proposers should describe the experience and success of their organization in complying with contractual and administrative requirements, including federal or state funding. Describe your firm's experience with non-profit, public, or governmental agencies, if any. Describe history and types of service provided, and the number of years providing successful organization-wide DEI assessment, planning and implementation efforts. Identify what makes you or your firm uniquely qualified for this work.

4.3 Budget/Pricing (25 points)

Proposers should provide a projected budget for the twelve (12) months and budget narrative showing the fiscal basis on which the organization would develop and provide DEI services. Provide a cost proposal for providing the scope of work. The cost proposal should include:

- List of key personnel and their hourly rates and a list of other reimbursable expenses to support the scope of work. Hourly rates should include overhead costs.
- Overall cost of proposed services including justification.

4.4 Supportive Information and Attachments (15 points)

Proposers should include three pieces of agency information with the proposal, such as brochures and promotional material or other information that supports the contents of their proposal. Proposers should also include a minimum of three Work References.

4.5 Insurance Requirements (5 points)

Interested parties shall provide proof of general liability, auto, professional liability/errors and omissions, and workers' compensation insurance with proposals. All liability insurances shall be for an amount not less than one million (\$1,000,000) per occurrence for bodily injury and property damage for each claimant and: the Housing Authority of the City of Santa Barbara; and



their Governing Boards, each member thereof, and every officer, official, employee, volunteer or agent must be named as "additional insured".

4.6 Section 3 Requirements (0 points)

Respondents who meet the Section 3 business categories must indicate in this proposal under which category they are qualified and are responsible for providing all documentation or other information which supports the respondent's declared category in order to be granted a preference, by completing the Estimated Project Workforce Plan and the Section 3 Eligibility Questionnaire. The successful bidder must comply with Section 3 of the Housing and Urban Development Act of 1968 (refer to Attachment B and attached documents for Section 3 of the Housing and Urban Development Act of 1968 requirements, preference for Section 3 businesses, evaluation instructions and documentation requirements). The successful bidder will be required to complete a Section 3 Strategic Plan and Estimated Project Work Force form.

5. EVALUATION OF PROPOSALS

An award will be made to the Contractor whose proposal is most responsive to the needs of HACSB as determined solely by HACSB. Evaluation criteria to be included in HACSB's assessment of proposals shall include the following:

SUMMARY OF APPLICATION ELEMENTS AND CRITERIA:

Description	Maximum Points (100 points total)
Organizational (Proposer) Overview and Proposed Work Plan <ul style="list-style-type: none">• Project Description and Approach• Service Provisions & Methods• Proposed Work Plan• Short-term Activities & Deliverables• Longer-term Activities & Deliverables• Outcomes/Evaluation Plan• Quality of written proposal• Completeness of proposal and responsiveness to RFP requirements	30
Fiscal Capability, Qualifications, and Experience of the Applicant <ul style="list-style-type: none">• Consultant's prior experience in developing organization-wide DEI assessments• Consultant's training, expertise, and professional credentials• Experience and success in complying with contracts	25
Budget/Pricing <ul style="list-style-type: none">• Budget Spreadsheet• Budget Narrative• Overall Cost/Reasonableness of Cost Proposal	25



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Supportive Information and Attachments <ul style="list-style-type: none">• Brochures and promotional material• Work References (minimum of 3)	15
Insurance Requirements/Certificates <ul style="list-style-type: none">• General Liability, Auto, Professional Liability/E&O• Workers' Compensation (if applicable)• All liability insurances shall name the Housing Authority of the City of Santa Barbara, their Governing Boards, each member thereof, and every officer, official, employee, volunteer or agent as "additional insured".	5
Section 3 Requirements <ul style="list-style-type: none">• Estimated Project Workforce Plan• Section 3 Eligibility Questionnaire	Y/N

Proposals will be evaluated by HACSB based upon the above stated criteria. HACSB has the right to accept or deny any or all proposals. Further, HACSB has the right to reduce the term of the contract and/or to enter into a contract with more than one provider.

Upon award and execution of a contract, all responses to the RFP will be available for public review through a public document request to HACSB.

Upon award and execution of a contract, Contractor will comply with HACSB's "Harassment Free Workplace and Equal Employment Opportunities" policies, provided as Attachment C.

Minority-Owned and Women-Owned Business Enterprises (MWBE)

HACSB strongly encourages minority-owned and women-owned businesses, as well as socially and economically disadvantaged business enterprises, and small businesses to respond to this RFP.

Attachments:

- A. HUD Form 5369-B - Instructions to Offerors Non-Construction*
- B. Section 3 Economic Opportunities for Low Income Individuals Bid Compliance Packet*
- C. Harassment Free Workplace and Equal Employment Opportunities*

Instructions to Offerors Non-Construction

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing



- 03291 -

Attachment A

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 informalities 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 acknowledgement 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:]

Section 3

Economic Opportunities for Low Income Individuals

Bid Compliance Packet

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**POLICY FOR THE AWARD OF CONTRACTS
IN ACCORDANCE WITH SECTION 3 MANDATES**

**HOUSING AUTHORITY
CITY OF SANTA BARBARA**

Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1992, requires that economic opportunities generated by HUD financial assistance for housing (including Public and Indian housing) and Community Development programs shall, to the greatest extent feasible, be given to low and very low-income persons, particularly those who are recipients of governmental assistance for housing, and to businesses that provide economic opportunities for those persons.

In accordance with 24 CFR Part 135 of this Act, it is the policy of the Housing Authority of the City of Santa Barbara (herein referred to as "the Housing Authority") to provide to the greatest extent feasible, opportunities for job training and employment to lower income residents in connection with projects within the City of Santa Barbara. In an effort to demonstrate active solicitation of Section 3 participation, it is the policy of the Housing Authority to require each bidder to submit answers to the following questions, in order to help the Housing Authority determine Section 3 eligibility.

Section III ("Examples of Procurement Procedures That Provide for Preference for Section 3 Business Concerns") of 24 CFR Part 135 instructs that 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:

X = lesser of:

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: 9% of that bid, or \$21,000

At least \$300,000, but less than \$400,000: 6% of that bid, or \$25,000.

At least \$400,000, but less than \$500,000: 5 % of that bid, or \$40,000

At least \$500,000, but less than \$600,000: 4 % of that bid, or \$60,000

At least \$1 million, but less than \$2 million 3% of that bid, or \$90,000

At least \$2 million, but less than \$4 million 2% of that bid, or \$105,000

At least \$4 million, but less than \$7 million 2% of that bid, or \$105,000

\$7 million or more 1 ½ % 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.

(iii) Professional Services: Procurement under the competitive proposals method (Request for Proposals "RFP") where the Section 3 covered contract is to be awarded based on factors other than price, an RFP shall be issued with a rating system for the assignment of points to evaluate the merits of each proposal.

Section 3 Clause

- 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 or 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 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

Housing Authority of the City of Santa Barbara

Contractor efforts in achieving to the “Greatest Extent Feasible” Section 3 Compliance

Preference for Section 3 residents in training and employment opportunities:

Contractors and subcontractors shall direct their efforts to provide, to the greatest extent feasible, training and employment opportunities generated from the expenditure of Section 3 covered assistance to Section 3 residents in the following order of priority:

1. Residents of the housing development or developments for which the Section 3 covered assistance is expended
2. Residents of other housing developments managed by the HA that is expending the Section 3 covered housing assistance
3. Participants in HUD Youth-build programs being carried out in the metropolitan area (or nonmetropolitan county) in which the Section 3 covered assistance is expended
4. Low income Santa Barbara Residents that meet the income eligibility guideline for low or very low total family income per the table below:

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
Below:	Below:	Below:	Below:	Below:	Below:	Below:	Below:
\$78,350	\$89,550	\$100,750	\$111,900	\$120,900	\$129,850	\$138,800	\$147,750

A Section 3 business concern is defined as:

1. 51 percent or more owned by Section 3 residents; or
2. Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents; or
3. Provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications of a Section 3 business concern.

Here is one example of how Section 3 is supposed to work:

Let's say the Housing Authority wants to build a playground and a new child care center. The Housing Authority wants to find an outside company (called a "contractor") to do all the work. The contractor will need to hire 10 new people in order to complete the work. Section 3 says that 30% of all new hires have to be Section 3 residents. In this case, the contractor would have to hire **three Section 3 residents in order to comply with Section 3**. The other **seven** people can be anyone else they want to do the work. This is just one example.

Contractor Strategic Plan in achieving Section 3 Compliance:

All contractors selected for the contract award shall be required to submit a Section 3 Strategic Plan. The Section 3 Strategic Plan shall be on their firm's letterhead and explain the efforts they intend to make to comply with Section 3. For example, efforts may include conducting outreach for prospective workers at Housing Authority complexes and contacting local employment agencies to recruit workers that meet the low or very low income status requirements. Additionally, selected contractors shall be required to complete an Estimated Project Work Force Form (refer to Page 4 of this packet).

ESTIMATED PROJECT WORK FORCE

PROJECT NAME: _____ COMPANY NAME: _____

Category/List Specific Job Title	Number of positions needed	Total number of staff currently on payroll	Number of *HACSB Section 3 resident	Number of *Low Income Residents of the City of Santa Barbara	Number of new positions to be filled	Hiring goal number for *HACSB Section 3 Residents	Hiring goal number for *Low Income Section 3 Residents of the City of Santa Barbara

* HACSB = Housing Authority city of Santa Barbara

* Low Income Section 3 Resident = Low Income Santa Barbara Residents that meet income eligibility guidelines as listed on page 3

**THE HOUSING AUTHORITY CITY OF SANTA BARBARA
SECTION 3 ELIGIBILITY QUESTIONNAIRE**

The Department of Housing and Urban Development, Federal Register Part VI, 24 CFR part 135 and Subtitle A et. al Economic Opportunities for Low and Very Low Income Persons, Interim and Final Rules, directs Public Housing Authorities to award contracts to Section 3 business concerns in the following order of priority:

Category 1 Business:

- (i) Business concerns that are 51% or more owned by residents of the housing development or developments for which the Section 3 covered assistance is expended OR whose full-time, permanent work force includes 30% of these persons as employees.

Yes	No	Q-1: Is at least 51% of your business owned by residents of the housing development or developments for which the Section 3 covered assistance is expended?
Yes	No	Q-2: Is your full-time, permanent work force composed of a minimum of 30% of those persons as employees?

Category 2 Business:

- (ii) Business concerns that are 51% or more owned by residents of other housing developments or developments managed by the Housing Authority that is expending the Section 3 covered assistance, OR whose full-time permanent work force includes 30% of these persons as employees.

Yes	No	Q-3: Is at least 51 % of your business owned by residents of other housing developments or developments managed by the Housing Authority that is expending the Section 3 covered assistance?
Yes	No	Q-4: Is Your full-time permanent work force composed of at least 30% of these persons as employees?

Category 3 Business:

- (iii) HUD Youthbuild programs being carried out in the metropolitan area (or non-metropolitan county) in which the Section 3 covered assistance is expended.

Yes	No	Q-5: Does your business currently participate in a HUD Youthbuild program (a program which receives assistance under subtitle D of Title IV of the National Affordable Housing Act as amended by the Housing and Community Development Act of 1992 (42 U.S.C. 12899), and provides disadvantaged youth with opportunities for employment, education, leadership development, and training in the construction or rehabilitation of housing for homeless individuals and members of low-and very low income families) now being carried out in the metropolitan area (or non- metropolitan county) in which the Section 3 covered assistance is expended?
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Category 4 Business:

- (iv) Business concerns that are 51% or more owned by Section 3 residents that reside in the metropolitan area or non-metropolitan county in which the section 3 covered assistance is expended, and who is a low income resident or whose permanent, full-time workforce includes no less than 30% of these residents or that subcontract in excess of 25% of the total amount of subcontracts to business concerns that meet Section 3.

Yes	No	Q-6: Is at least 51% of your business owned by Section 3 residents (low or very low income persons from the metropolitan area or non-metropolitan county who are not public housing residents of the Housing Authority expending section 3 funding)?
Yes	No	Q-7: Is your permanent, full time workforce made up of a minimum of 30% Section 3 residents?
Yes	No	Q-8: Are a minimum of 25% percent of your subcontracts awarded to Business Concerns identified as Category 1 or 2 Businesses?

I, _____ having read and answered all questions contained above, do hereby
(Name)

certify that to the best of my knowledge the information provided as it pertains to _____
(Name of Business)

is accurate and true.

Signature: _____ Date: _____

Title: _____

CONFIDENTIAL

THE HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA

SECTION 3 – RESIDENT/EMPLOYEE/APPLICANT ELIGIBILITY CERTIFICATION

The Housing Authority of the City of Santa Barbara, in accordance with Section 3 of the Housing and Urban Development Act of 1968, requires its contractors and sub-contractors (including professional service contracts) to direct their efforts toward providing training and employment opportunities to low and very low-income persons, and particular those who are recipients of government housing assistance. Therefore, HUD directs the Housing Authority of the City of Santa Barbara to give preference to contractors who can demonstrate a reasonable level of success in the recruitment, employment, and utilization of Housing Authority Residents and other low and very low-income persons.

In order for the Housing Authority to make this determination, your employer is required to verify that these goals have been implemented in hiring practices. If you live in a property owned by the Housing Authority of the City of Santa Barbara, (HACSB) are a Section 8 Participant of HACSB, or live in the metropolitan area or non-metropolitan county in which the Section 3 covered assistance is expended, and are considered a low or very low-income individual, AND wish to assist your employer in documenting compliance with the goals of Section 3; we ask that you provide the following information: **YOUR RESPONSE IS VOLUNTARY. IF YOU DO NOT WISH TO SUBMIT THIS INFORMATION, YOUR TERMS OF EMPLOYMENT WILL NOT BE AFFECTED.**

Because the following questions are personal in nature, your answers will be treated with strict confidentiality. Thank you for your assistance.

Name of Employer

Name: First

Street Address

	Public Housing Resident
	Section 8 Participant
	Low-Income Santa Barbara Resident

*To qualify as a Low Income Resident, your **TOTAL FAMILY INCOME** must not exceed the following amounts per household listed on the table below.

2. If you have indicated that you are a Low Income City Resident, please indicate which category your TOTAL HOUSEHOLD INCOME falls into:

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
Below:	Below:	Below:	Below:	Below:	Below:	Below:	Below:
\$78,350	\$89,550	\$100,750	\$111,900	\$120,900	\$129,850	\$138,800	\$147,750

I certify that the statements made on this sheet are true, complete and correct to the best of my knowledge and belief, and made in good faith.

Name: _____ Signature: _____ Date: _____

PROTEST PROCEDURE:

The Housing Authority of the City of Santa Barbara desires to offer to concerned parties, a procedure whereby complaints alleging non-compliance with the Section 3 Statute can receive a prompt and equitable hearing and resolution. Protests surrounding the Housing Authority Section 3 program may be submitted in writing to the following person hereby designated as the Section 3 Coordinator.

Section 3 Coordinator
HOUSING AUTHORITY OF THE
CITY OF SANTA BARBARA
808 Laguna Street
Santa Barbara, CA 93101
(805) 965-1071

All complaints of non-compliance with the Section 3 Statute shall conform to the following requirements:

Complaints shall be filed in writing, and shall contain the name, address, and phone number of the person filing the complaint, and a brief description of the alleged violation of the regulations.

Complaints shall be filed within thirty (30) calendar days after the complainant becomes aware of the alleged violation.

An investigation as may be appropriate will follow the filing of a complaint. The investigation will be conducted by the Housing Authority Section 3 Coordinator. The rules contemplate information, but thorough investigations, affording all interested persons and their representatives, if any, and to submit testimony and/or evidence as may be available and relevant to the complaint.

Written documentation as to the validity of the complaint and a description of the findings or resolution, if any, will be issued by the Section 3 Coordinator no later than thirty (30) days after the filing of a complaint.

In cases where concerned parties wish to have its complaint considered outside of the Housing Authority, a complaint may be filed with the Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington D.C., 20410. A complaint must be received not later than 180 days from the date of the action or omission upon which the complaints are based, unless the time for filing is extended by the Assistant Secretary for good cause shown.

2.2. HARASSMENT FREE WORKPLACE

Effective Date: 10/4/06

Revision Date: 6/6/18

Policy Statement

HACSB is committed to providing a professional and respectful work environment that is free of harassment of any kind. HACSB employees are expected to pursue their responsibilities guided by a strong commitment to basic ethical principles, professional codes of conduct, and our policy prohibiting harassment. HACSB strictly prohibits sexual harassment (which includes harassment based on gender, pregnancy, childbirth or related medical condition including breast feeding), as well as harassment based on other factors such as race, color, religion (including dress or grooming practices), national origin, ancestry, age, mental or physical disability, medical condition (for example, cancer or genetic characteristics), marital status, sexual orientation, gender identification or expression, transgender or transitioning status, military and veteran status, status as a victim of domestic violence, sexual assault or stalking, status as a victim of a crime or any other basis prohibited by federal, state or local law, ordinance or regulation. All such harassment is unlawful and those found to have violated this policy may be held personally liable for their actions.

HACSB strongly disapproves of and will not tolerate harassment against employees or clients by its employees, representatives or contractors. HACSB will also not tolerate any harassment or bullying of, or by, non-employees with whom HACSB has a business, service or professional relationship or any outside persons in contact with our employees or contractors. HACSB will take action as it deems reasonably necessary to prevent, correct, and discipline behavior which violates this policy.

Scope

This policy applies to all HACSB employees, volunteers, unpaid and paid interns, commissioners, current or potential clients, residents, and employer agents such as temporary workers, consultants, independent contractors, and vendors. Each one of these individuals has the responsibility to maintain a work place free of harassment and of any form of offensive conduct. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and HACSB business related social events.

Definitions of Harassment

Sexual harassment: Sexual harassment is illegal sex discrimination and includes any *unwelcome* sexual advances, requests for sexual favors, and other verbal, physical or visual conduct of a sexual nature which meets any one of the following criteria:

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, whether or not the term or condition results in direct economic consequences; or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the employee or the individual whether or not the term or condition results in direct economic consequences; or
- The conduct has the purpose or effect, intentionally or unintentionally, of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment. Such conduct need not be directed at a particular employee.

Sexual harassment may also occur where third parties are denied benefits or opportunities because of the existence of a sexual relationship or the existence of a hostile, intimidating or offensive environment.

- Sexual harassing conduct need not be motivated by sexual desire.

Sexual harassment may include a range of subtle to blatant behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include but are not limited to:

- Unwanted sexual advances or request for sexual favors
- Continuing to express personal interest in an individual after being informed the interest is unwelcome
- Instances where submission to or rejection of forms of sexual conduct is used as the basis of an employment decision or as a condition of employment
- Sexual jokes, language and innuendo
- Physical conduct such as leering, obscene gestures, unwanted touching, blocking normal movement, or assault
- Comments, e-mails, letters or other communication which is suggestive or contains sexual implications
- Display or circulation in the workplace of sexually suggestive objects, symbols or pictures

Unlawful Harassment: Harassment on the basis of any other protected characteristic is also strictly prohibited. Unlawful harassment includes verbal, physical and visual conduct (both subtle and overt) which ridicules, demeans or shows hostility toward another individual because of the individual's gender, race, color, religion, national origin, ancestry, age, mental or physical disability, medical condition (i.e., cancer or genetic characteristics), marital status, sexual orientation, gender identity or expression or transgender status, or veteran status and that has the purpose or effect of substantially interfering with a person's work performance or creating a hostile or offensive work environment. Protected classes of individuals include those perceived to have the characteristics of the protected class, or who are associated with someone with those characteristics.

Prohibited unlawful harassment includes, but is not limited to the following unacceptable types of behaviors:

- Verbal conduct such as epithets or slurs, derogatory jokes or comments, offensive stereotypes, use of obscene language or profanity
- Threatening, intimidating, or hostile acts
- Display or circulation of written or graphic material that is derogatory or shows hostility or aversion toward an individual or group

All such behavior is unacceptable and will not be tolerated. It is no defense to a claim of harassment that the alleged harasser did not intend to harass. In determining whether a harassing work environment has been created, the standard to be applied is the victim's perspective, as long as that perspective is reasonable for a similarly situated person in the victim's circumstances.

Workplace Bullying: Bullying in the workplace will also not be tolerated. Bullying is defined as repeated intentional and malicious behaviors, abusive conduct and negative comments by an employee. It may also include work interference, gratuitous sabotage or undermining of a person's work performance. Concerns of bullying may be reported in the same manner as unlawful harassment.

Training and Prevention

HACSB will take all reasonable steps to prevent harassment and bullying from occurring and to ensure that employees are familiar with this policy. As part of its commitment towards the prevention

of harassment, HACSB will provide harassment training at least every two years for its employees and any other individuals deemed appropriate by the Executive Director/CEO, and requires that all employees participate in such training. Harassment training for supervisory employees shall also include training on how to prevent harassment and “abusive conduct” and how to respond to harassment complaints. In an effort to prevent harassment by independent contractors, HACSB will incorporate its policy against harassment as a non-discrimination provision in all contracts.

Complaint Resolution Procedures

HACSB considers incidents of harassment to be serious misconduct. HACSB strongly encourages the reporting of all perceived incidents of unlawful harassment regardless of the position of the offender. Any employee who becomes aware of a harassment complaint or harassing conduct has a duty to report that information. An individual who believes that he or she has been unlawfully harassed or who witnesses unlawful harassment should immediately report the facts of the incident and the names of the individuals involved to either his or her immediate Supervisor or Department Head, the Executive Director/CEO, or Human Resources. Human Resources will be charged with investigating claims of harassment. Supervisors or Managers who receive complaints are expected to immediately notify Human Resources. Employees are encouraged, although not required, to make complaints in writing.

HACSB encourages prompt reporting of complaints and concerns as they are most effectively addressed and resolved at the earliest stage possible. Resolution procedures will be implemented with discretion and sensitivity, giving careful attention to the rights of all parties to due process. Once HACSB becomes aware of conduct that may violate this policy, a prompt, thorough, and fair investigation of the reported behavior or situation will be conducted by a qualified person. The employer will maintain confidentiality to the extent possible. All employees must fully cooperate with the investigation process. Human Resources is responsible for investigating complaints of alleged harassment. If the complaint concerns alleged conduct by someone in Human Resources, the Executive Director/CEO shall be responsible for investigating the complaint.

Complaints and subsequent investigations shall be documented. Upon completion of the investigation, Human Resources or the Executive Director/CEO will make a determination on the merits of the report. If warranted, prompt and appropriate disciplinary and/or corrective action will be taken to ensure that any inappropriate conduct will not reoccur. Any HACSB employee found to be guilty of harassing or inappropriate conduct will be subject to discipline, up to and including termination of employment, depending upon the circumstances. With regard to acts of harassment by non-employees, appropriate corrective action will be taken, up to and including termination of contract. The individual submitting the complaint will be informed of the outcome of the investigation and corrective action taken, if any. HACSB will also take appropriate corrective action to remedy any adverse employment conditions resulting from harassment. If either the complainant or the alleged harasser is not satisfied with the disposition (including discipline) of the harassment complaint, the individual may grieve the action pursuant to the grievance procedures outlined in the Grievance section of this Manual (refer to Section 2.11 Grievances).

HACSB takes complaints very seriously. HACSB and the law strictly prohibit retaliation against any individual who reports harassment or participates in an investigation of such reports. Complaints of retaliation may be reported in the same manner as complaints of harassment. Any act of retaliation will subject the offender to appropriate disciplinary action up to and including termination of employment.

In addition to notifying HACSB about harassment or retaliation complaints, an individual may also file a complaint with the California Department of Fair Employment and Housing (DFEH) and the Federal Equal Employment Opportunity Commission (EEOC) who investigate and prosecute

complaints of unlawful harassment. The contact information may be found in the government listing of the local telephone directory.

2.3. EQUAL EMPLOYMENT OPPORTUNITY

Effective Date: 4/19/06

Revision Date: 6/6/18

Policy Statement

HACSB is committed to the principles of equal employment opportunity and makes employment decisions based upon job-related requirements including merit, ability and qualifications. HACSB strictly prohibits and will not tolerate discrimination against anyone on the basis of sex, race, color, religion (including dress or grooming practices), national origin, ancestry, age, pregnancy, breast feeding, physical or mental disability, medical condition or genetic characteristic, marital status, sexual orientation, gender identification or expression, transgender or transitioning status, military and veteran status, status as a victim of domestic violence, sexual assault or stalking, status as a victim of a crime, requesting or utilizing paid sick leave or any other reason prohibited law. HACSB recognizes and values the diversity of each employee, applicant and client. HACSB expects that all relationships amongst persons engaged in work for HACSB will be professional and free of bias or prejudice. It is the intention of HACSB to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy. The Executive Director/CEO shall have overall responsibility for the implementation of HACSB's Equal Employment Opportunity policy and is designated as HACSB's Section 504/ADA Coordinator.

Scope

Our equal employment opportunity (EEO) policy applies to all employees, volunteers and paid and unpaid interns as well as all areas of employment including but not limited to: recruitment and hiring, compensation and benefits, training and development, promotions and transfers, safety programs, employee discipline and termination. This commitment applies to all persons involved in operations at HACSB and prohibits unlawful discrimination by any employee at HACSB.

Complaint Resolution Procedure

HACSB considers discrimination to be serious misconduct. Any employee who feels that he or she has been discriminated against or who believes that he or she has witnessed discrimination, should immediately report this to his/her immediate Supervisor or Department Head, the Executive Director/CEO (Section 504/ADA Coordinator), or Human Resources. Managers or Supervisors who receive complaints are expected to immediately notify Human Resources. Employees are encouraged, although not required, to make complaints in writing.

Once HACSB becomes aware of conduct or unfair practices that may violate this policy, a prompt, thorough and fair investigation of the alleged discrimination will be conducted by Human Resources. If the complaint concerns alleged conduct by someone in Human Resources, the Executive Director/CEO shall be responsible for investigating the complaint.

Upon completion of the investigation, Human Resources or the Executive Director/CEO will make a determination on the merits of the report. If it is determined that a violation of this policy has occurred, prompt, effective disciplinary action and/or corrective action will be taken commensurate with the severity of the offense up to and including termination of employment. Appropriate action will also be taken to deter any future discrimination and remedy any adverse employment conditions

resulting from discrimination. The individual filing the complaint will be informed of the outcome of the investigation and of any corrective action taken, if any. If either party is not satisfied with the disposition of the complaint of discrimination, the individual may grieve the action pursuant to the grievance procedures outlined in the Grievance section of the Manual (refer to Section 2.11 Grievances).

Employees should feel free to raise concerns and make reports without fear of retaliation. HACSB will not tolerate any form of retaliation against an individual who files a complaint or participates in a discrimination investigation. Complaints of retaliation may be reported in the same manner as complaints of discrimination. Any act of retaliation will subject the offender to appropriate disciplinary action up to and including termination of employment.

An individual may also file discrimination or retaliation complaints with the California Department of Fair Employment and Housing (DFEH) and the Federal Equal Employment Opportunity Commission (EEOC). The contact information for those organizations may be found in the government listing of the local telephone directory.

Americans with Disabilities Act (ADA)/Reasonable Accommodation

HACSB's Section 504/ADA Coordinator is responsible for promoting and ensuring equal opportunity for individuals with disabilities in all HACSB programs, activities and services and overseeing HACSB's compliance with the ADA, Section 504 and HUD's implementing regulations (HACSB's Section 504 Plan and Housing Policies for each program should be consulted for further information regarding HACSB's Section 504 guidelines and procedures).

As part of our Equal Employment Opportunity commitment, HACSB will comply fully with all applicable provisions of the ADA, Section 504 of the Rehabilitation Act of 1973 and California Fair Employment and Housing Act (FEHA) to promote and ensure equal opportunity in employment for qualified persons with disabilities. A disability under ADA is a physical or mental impairment that substantially limits one or more major life activities. A disability under FEHA is a physical or mental impairment that limits one or more major life activities. For purposes of employment, a qualified individual with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job the individual holds or is seeking, and meets reasonable skill, education, and other requirements of the position. HACSB will provide reasonable accommodations for qualified individuals with known disabilities (physical or mental) to assist them in performing the essential functions of the job, unless the accommodation will impose an undue hardship on the company or create a direct health or safety threat. HACSB will also consider requests by employees for reasonable accommodation due to the employee's association with a person with disabilities in compliance with FEHA.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact Human Resources. Once the employee or applicant has indicated a need for an accommodation, Human Resources will initiate an interactive process to obtain input as to the job requirements, the type of accommodation(s) which may be necessary, and/or the specific functional limitations directly related to the need for accommodation. When appropriate, HACSB may request permission to obtain medical documentation to assist in understanding the nature of the individual's functional limitations. Once an accommodation is identified, Human Resources will submit the request to the Housing Authority's Section 504/ADA Coordinator for final review. The Section 504/ADA Coordinator or his/her designee will review the suggested accommodation for reasonableness and approve as appropriate. The Housing Authority strictly prohibits retaliation against an employee for requesting reasonable accommodations based on physical and/or mental disabilities. Complaints pertaining to the application of Section 504/ADA may be reported in the

same manner as described above. Managers, Supervisors or Human Resources shall notify the Section 504/ADA Coordinator of any Section 504/ADA complaints received.

Meaningful equal opportunity cannot be realized without the assistance of all employees and managers throughout HACSB. HACSB will not tolerate discrimination or retaliation against an individual for requesting a reasonable accommodation based on mental or physical disability. You are encouraged to address any questions or concerns you may have about our EEO Policy with Human Resources or the Section 504/ADA Coordinator.

Accommodation for Lactation

Upon advanced request, HACSB will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The employee may use her regular paid break periods for this purpose, or may use her paid leave banks (vacation or compensatory time) or unpaid leave (if the employee has exhausted all applicable accrued leave). HACSB will make reasonable efforts to provide the employee with the use of a room or other location (other than a toilet stall), in close proximity to the employee's work area, for privacy.