This clause and the enclosed Special Provisions are part of the bid solicitation:

1. Bidders are advised that this is a federal project funded by the **Community Development Block Grant (CDBG)** and covered by **Davis-Bacon Act (DBA) and Section 3** (when assistance exceeds a threshold of $200,000). Bidders are also advised to carefully review all SUPPLEMENTAL CONDITIONS/SPECIAL PROVISIONS and contract requirements prior to bidding. The selected bidder and any of its subcontractors shall be responsible for complying with the **enclosed** Supplemental Conditions, Section 3 and Davis-Bacon Act requirements, which are incorporated herein by reference. Bidders are responsible for verifying all revisions to the entire document and are required to follow all requirements without exception.
   - **Be aware of any DBA requirements before bidding. DBA wages must be paid, and contractors and sub(s) should include prevailing wage calculations in any bid or proposal.**
2. The rates paid shall be not less than those contained in the enclosed Special Provisions regardless of any contractual relationship that may exist between the contractor and the workers hired to perform under the contract. For any classification of workers, the hourly rate paid must equal the sum of the base rate and the fringe benefit rates listed for that classification in the Davis-Bacon-Wage-Determination Schedule. **Paying below the wage rate and fringe benefit is not acceptable.**
3. **Pre-award:** Contractors are responsible for determining the appropriate staffing necessary to perform the contract work. **Contractors are also responsible for complying with the minimum wage and benefits requirements for each classification performing work on the contract. If** ***a classification considered necessary by the contractor for performance of the work is not listed on the applicable wage determination, the contractor must initiate a request for approval of an additional classification along with the proposed wage and benefit rates for that classification****, in accordance with the "****Conformance Process****" set forth at* ***29 C.F.R. § 5.5 (a)(1)(ii), without regard to skill.***
4. **Section 3** HUD Act of 1968: Economic opportunity shall, *to the greatest extent feasible*, be directed to low- and very low-income residents and businesses in that area. All Section 3 covered contracts, **more than $200,000,** are subject to the Section 3 Clause, verbatim found at 24 CFR Part 75. Contractors and subcontractors that perform any work under a Section 3 covered contract for any federal project are required to comply with the Section 3 regulations. Section 3 applies to an entire project, regardless of whether the project is fully or partially assisted under HUD program that provides housing and community development financial assistance.
   a) For any construction project that exceeds $200,000: Compliance Plan and Section 3 Forms included in the attached Special Provisions (pgs. 35-40) **must be completed by all potential bidders and included in each bid proposal. Failure to submit the Compliance Plan will render the bidder(s) non-responsive.**
5. Preference for Section 3 Business Concerns. Preference in the award of Section 3 for covered contracts that are awarded under a sealed bid process shall be provided as follows: 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 no responsive bid by a Section 3 business concern meets these requirements, the contract shall be awarded to the bidder responsible with the lowest responsive and responsible bid.
6. Selected contractor shall be required to provide **active status** for the following entities: SAM.gov registration, SUNBIZ.org and Florida DBPR (contractor's license) for the same business entity in compliance with State and Federal requirements prior to execution of Construction Contract.
7. Selected bidder shall provide to the Agency and Orange County Program Administrator a copy of all executed contracts with any sub-contractors, and tiered subcontractors all of which shall include Orange County Special Provisions requiring the respective sub-contractor or tiered sub to comply with the requirements of the Uniform Administrative Requirements and 2 CFR Part 200 Appendix II.
8. Selected bidder shall **not** enter into any Subcontract with any person or firm debarred from Government contracts pursuant to Executive Order 11246 and that it follows the requirements of 2 C.F.R. Part 180. Neither its principals, nor its subcontractors are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
9. **BABAA: Build America, Buy America Act (**2 CFR 184)as set forth in BABA to Federal awards for infrastructure projects: General Contractor, Subcontractors, tiered subcontractors must comply with Section 70914 of Public Law No. 117-58, §§ 70901, also known as the Infrastructure Investment and Jobs Act (IIJA), Public Law 117 58, which includes the Build America, Buy America Act ("BABAA"). BABAA requires that all iron, steel, manufactured products, and construction materials used in federally funded projects for infrastructure must be produced in the United States. Once you have made this change, please resend the RFP for final approval.