

The Access Group

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March 23, 2021

To: City Council of St. Paul

The Access Group have worked with Councilmember Jane Prince to secure Section 3 compliance within the ACOP Program. We were pleased to hear of the Resolution: RES 20-1186 - Approving the Amendment to the A Community Outreach Program Agreement for Police Services for the Public Housing Agency.

Upon reviewing the proposed agreement, Contract No. 21-138, we are providing concerns and recommendations for changes to the FY 2022 ACOP Agreement:

Section 18. Section 3 Clause

B....(Clarification) - The language of the ACOP agreement reference and agree to comply with the Section 3 Interim Regulations 24 CFR Part 135 which were replaced by HUD's Final Rule - [Enhancing and Streamlining the Implementation of Section 3 Requirements for Creating Economic Opportunities for Low- and Very Low-Income Persons and Eligible Businesses](#) 24 CFR Parts 5, 14, 75, 91, 92, 93, 135, 266, 570, 574, 576, 578, 905, 964, 983, and 1000 – adopted as of November 30, 2020. Legal consideration should be given to whether this agreement would be binding without reference or acknowledgement to the final rule.

(Add)....The Police Department is certified with the City of St. Paul and the St. Paul Public Housing Authority as a Section 3 Business Concern based on its certification of hiring Section 3 workers and subcontracting to Section 3 business concerns.

D...(Add to existing) - The Police Department agrees to provide public notice of all section 3 subcontracting opportunities.

E... (Add to existing) - The Police Department certify that its record of Section 3 compliance prior to this agreement have failed to meet the Section 3 requirements.

and/or

In light of its € certification, the Police Department acknowledge its obligation based on expenditure of federal funds and further certify that it will undertake steps in the nearest future to correct the noncompliance during this period by directing additional subcontracting, training and/or hiring to the intended beneficiaries.

We believe that these concerns and recommendations are consistent with the Section 3 statute 12 U.S.C. 1701u and will assist the parties with compliance with the federal statute and regulations.

If your Office require additional information, please feel free to contact Fredrick Newell @ 651) 403-2266 or via e-mail – fmrrsbs@msn.com.

Respectfully,

Fredrick Newell

TAG