# FORM 1 – SECTION 3 ASSESSMENT AND CERTIFICATIONS

This form is required for ALL projects and must be submitted with bid or application for funding. Instructions to complete this form are included at the end of the form.

Project Information

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| --- |
| Project Name: Provide the name of the project if applicable or indicate the nature of the construction. |
| Project Location or Address(es): Provide the location(s) of construction sites. |

Developer/Contactor Information:

|  |  |
| --- | --- |
| Name of Firm: | Address: |
| Authorized Representative: Identify point of contact for Section 3 | Title: |
| Phone: | Email: |

1. Check all that apply to your business:
   * Your business is at least 51% owned and controlled by low- or very low-income persons
   * Over 75% of the labor hours performed for your business over the past three-month period were performed by Section 3 workers
   * Your business is at least 51% owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing
   * None of the above
2. Will you be hiring new employees or providing new training opportunities because of this contract?  Yes  No
3. Will you be using subcontractors to complete this project?  Yes  No
4. Is your bid/contract amount greater than $200,000?  Yes  No

The Section 3 threshold is triggered if total HUD program funding assistance to the project exceeds $200,000 and the project meets the definition of a Section 3 covered project. A project is determined to be a Section 3 covered project on the basis of total HUD assistance to the project rather than a contract award basis. There may be more than one contract awarded to a project, and there may be more than one project on a contract.

If response to item 4 above is **YES**, Section 3 requirements will be enforced on this project. Failure to comply may result in the suspension of funding. Please complete the certifications below and submit FORMS 1-4 with your bid or application for funding.

If **NO**, and the total amount of HUD financial assistance to the project does not exceed $200,000, Section 3 participation is strongly encouraged but not required. Please attempt to meet the Section 3 goals to the greatest extent feasible. You must still complete the certifications below as applicable and return FORMS 1 and 2 with your bid or application for funding.

# FORM 1 - SECTION 3 ASSESSMENT AND CERTIFICATIONS

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| --- | --- | --- | --- | --- |
| **Certifications** | | **YES** | **NO** | **N/A** |
| All Projects: | By completing and signing this form, I agree to comply with all applicable requirements of  the Section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 75) |  |  |  |
| I understand that I must complete and submit FORMS 1 and 2 and submit them with my bid I understand that the Section 3 threshold requirements apply regardless of my bid amount, if the total project amount includes over $200,000 in HUD assistance. |  |  |  |
| Projects over  $200K: | I have included/will include the Section 3 Clause (FORM 5) in all subcontracts for which Section 3 compliance is required. |  |  |  |
| I understand that I am required to submit quarterly and final Section 3 reports (FORM 6),  associated forms as applicable (FORMS 2, 3 and 4) and supporting documentation. |  |  |  |
| I agree that my company has made and will continue to make efforts “to the greatest extent feasible” to comply with Section 3 as required by HUD. |  |  |  |
| I understand the minimum numerical goals for Section 3 participation, and I have completed FORMS 1 through 4 and attached them to my bid. |  |  |  |

*I declare that all statements contained in this form and any accompanying documents are true and correct, and made with full knowledge that all statements given are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or revocation of funding or other penalties as prescribed under 18 U.S. Code § 1001.*

Authorized Representative Signature Date

**Instructions are provided below to assist with completing Form 1 - Section 3 Assessment and Certifications.**

Requirement: This form is required for ALL construction related projects and must be submitted with bid or application for funding.

**Definitions**

**YouthBuild**: Community-based apprenticeship program administered by the U.S. Department of Labor that provides job training and educational opportunities for at-risk youth ages 16-24 who have previously dropped out of high school.

**Section 3 projects** are housing rehabilitation, housing construction, and other public construction projects assisted under U.S. Housing and Urban Development (HUD) programs that provide housing and community development financial assistance when the total amount of assistance to the project exceeds $200,000 of housing and community development financial assistance. HUD allocates CDBG-DR and CDBG-MIT funds to HCD.

Per 24 CFR 75.3(a)(2)(i), the project is defined as the site or sites together with any building(s) and improvements located on the site(s) that are under common ownership, management, and financing.

Project definition applicability for HCD Programs:

* Owner Occupied Rehabilitation and Reconstruction Program (OOR): Each home to be rehabilitated or reconstructed is the separate project site.
* Multifamily Housing Program (MHP): The site or scattered sites under common ownership, management, and financing.
* Infrastructure Projects: The site or sites together within the jurisdiction of a general unit of local government that are under common ownership, management, and financing.

**Project Information**

Project Name

* Provide the name of the project if applicable and/or indicate the nature of the construction.
* HCD programs that include construction activities examples are below:
* Owner Occupied Rehab (OOR)
* Multifamily Housing Program (MHP)
* Workforce Development (Only applicable if construction of public facilities is included.)

Project Location or Address(es)

* Provide the location or addresses for the site of construction. For example, an OOR subcontractor will identify the addresses for homes being reconstructed for the OOR program. You may attach a list of project addresses to this form.

**Contractor Information**

* Complete this section in its entirety to provide response to general contractor information:
  + Name of Firm
  + Address
  + Authorized Representative: Point of contact for Section 3 compliance.
  + Title: Title for Section 3 POC
  + Phone
  + Email

**Questions 1-4**

1. Determine if your Business meets the criteria of a Section 3 Business Concern. Please check all that apply to your business for any criteria that can documented within the last six-month period. Check none of the above if your business does not meet any of the criteria for a Section 3 Business Concern.

* Your business is at least 51 percent owned and controlled by low- or very low-income persons.
* Over 75 percent of the labor hours performed for your business over the past three-month period were performed by Section 3 workers (see definition below).
* Your business is at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

1. Will you be hiring new employees or providing new training opportunities because of this contract? Yes/No
   * Potential employees will be documented on Form 3 – List of Permanent Employees. This form is submitted with the bid packet.
2. Will you be using subcontractors to complete this project? Yes/No
   * If your firm will utilize subcontractors, it is encouraged to directly solicit Section 3 Business Concerns (see criteria above for Section 3 Business Concerns).
   * Subcontractor information will be documented on Form 2 – Subcontractor Information
3. Is your bid/contract amount greater than $200,000?

A contract amount less than $200,000 does not necessarily mean that Section 3 requirements are not triggered. The basis for Section 3 compliance is determined on a project basis rather than a contract basis.

**Certifications**

Developer or Contractor agrees to the following certifications:

* By completing and signing this form, I agree to comply with all applicable requirements of the Section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 75).
* I understand that I must complete and submit Forms 1 and 2 and submit them with my bid, regardless of my bid amount. I understand that the Section 3 threshold requirements for apply regardless of my bid amount, if the total amount for a construction project includes over $200,000 in HUD assistance.
* I have included/will include the Section 3 Clause (Form 5) in all subcontracts for which Section 3 compliance is required.
* I understand that I am required to submit quarterly and final Section 3 reports (Form 6), associated forms as applicable (Forms 2, 3, and 4) and supporting documentation.
* I agree that my company has made and will continue to make efforts “to the greatest extent feasible” to comply with Section 3 as required by HUD.
* I understand the minimum numerical goals for Section 3 participation, and I have completed Forms 1-4 and attached them to by bid.