

# City of Moore Section 3 Plan

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**ECONOMIC OPPORTUNITY FOR LOW AND VERY LOW INCOME PERSONS**

**Revised May 12, 2017**

## I. General Policy Statement

It is the policy of the City of Moore's Capital Planning and Resiliency Department to require its contractors to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, disability, veteran's or marital status, or economic status and to take affirmative measures to ensure that both job applicants and existing employees are given fair and equal treatment.

The Grants Manager, Capital Planning and Resiliency Department ("the Grants Manager") implements the Section 3 Policy through the awarding of contracts to contractors, vendors, and suppliers, to create employment and business opportunities for residents of the City of Moore.

The policy shall result in a reasonable level of success in the recruitment, employment, and utilization of eligible residents and persons and business by contractors working on contracts partially or wholly funded with the United States Department of Housing and Urban Development (HUD) monies.

## II. Purpose

Section 3 is a means to foster local economic development, neighborhood economic improvement, and individual self-sufficiency through housing and community development projects funded whole or in part by the Federal Department of Housing and Urban Development (HUD). The purpose of Section 3 of the HUD Act of 1968 (12 U.S.C. 1701u)(section3) as amended by the Housing and Community Development Act of 1992, *is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low- income persons.*

Section 3 is the legal basis for providing jobs for residents and awarding contracts to businesses in areas where a project involving construction, demolition, or rehabilitation receives HUD financial assistance from the Community Development Block Grant (CDBG) Program in excess of **\$200,000**. Contractors or subcontractors that receive contracts in excess of **\$100,000** for Section 3 covered projects/activities are required to comply with the Section 3 regulations in the same manner as direct recipients.

In the event Section 3 covered project expenditures generate economic opportunities (training, employment or contracts), these opportunities, to the greatest extent feasible, will be directed toward qualified Section 3 residents and Section 3 business concerns. The purpose of Section 3 preferences is to be results oriented by:

1. Encouraging business concerns that are not major sources of employment for low-income persons to increase their employment of these persons when economic opportunities arise from HUD financed construction related projects; and
2. Promoting the growth of "profit-making" enterprises owned by low-income persons that substantially employ low-income persons with Section 3 contract awards.

Title 24 CFR Part 135 - Economic Opportunities for Low- and Very Low-Income Persons, establishes the standards and procedures this Section 3 Plan is based upon, and is intended to ensure the objectives of Section 3 are met. The full regulation may be found at:

[http://www.access.gpo.gov/nara/cfr/waisidx\\_03/24cfr135\\_03.html](http://www.access.gpo.gov/nara/cfr/waisidx_03/24cfr135_03.html)

### III. Definitions

**Employment Opportunities** - With respect to Section 3 covered housing and community development assistance, this term means **all** employment opportunities arising in connection with this Section 3 covered project **including** management and administrative jobs.

**Full time** - A position that is temporary, seasonal, or permanent that would require at least 1,750 hours of employment on an annual basis;

**Low-Income** - Households (including single persons) whose income does not exceed 80% of the area median family income of the City of Moore. See [Section 3 Resident Income Limits](#)

**New Hires** - Means full-time employees for permanent, temporary or seasonal employment opportunities which are recruited by the contractor/subcontractor, including existing employees of new subcontractors hired during the term of the contract, which are expected to receive less than \$100,000 annually in Federal

funds.

**Geographic Area** – The City of Moore

**Responsible Bidder** - A bidder, who, at the minimum, is licensed, bonded, insured, capable and reliable.

**Section 3 Resident** - [1] a public housing resident; or [2] an individual who resides in the Geographic Area in which this Section 3 covered assistance is expended and who is a low-income person as defined herein.

**Section 3 Business Concern** - A business concern: [1] that is 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 of the Geographic Area;

**Section 3 Covered Contract** - A contract or subcontract (including a professional service contract such as for architectural or engineering services) of over \$100,000 awarded by the City of Moore to a contractor for work generated by the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project. This definition does not include contracts for the purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, that contract constitutes a Section 3 covered contract.

**Section 3 Covered Project** - A covered project means the construction, reconstruction, conversion or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public construction which includes infrastructure, buildings or improvements (regardless of ownership) assisted with Community Development Block Grant (CDBG) assistance.

**Service Area** - The geographical area in which the persons benefitting from this Section 3 covered project reside. Section 3 residents must reside within the City limits of Moore Oklahoma City Metro-Statistical Area (MSA) to be Section 3 resident employees. The Service Area shall not extend beyond the City of Moore unless Federal funds from other local governments are utilized to support the project, in which case the service area will include those local government areas.

**Skilled Position** - A position requiring knowledge, experience, or license in a particular trade or craft;

**Subcontractor** - Any entity (other than a person who is an employee of the contractor) which has a contract with a contractor to undertake a portion of the contractor's obligation for the performance of work generated by the expenditure of Section 3 covered assistance, or arising in connection with a Section 3 covered project.

**Unskilled Position** - A position that is entry level and does not require any substantial experience or

knowledge beyond the high school level;

## Section 3 Resident Household Income Limits

City of Moore,  
Cleveland County

As of April 14, 2017

TABLE 1: 80% OF MEDIAN INCOME BY HOUSEHOLD SIZE								
	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
80% Median:	\$37,700	\$43,100	\$48,500	\$53,850	\$58,200	\$62,500	\$66,800	\$71,100

These figures are updated annually by HUD. Prior to utilizing the above figures, please contact the City of Moore Capital Planning and Resiliency Department to verify these are the most recent income limits issued by HUD

#### **IV. Resources**

In meeting these low-income resident employment requirements, contractors/subcontractors may wish to consider using the employment/job development services of the agencies listed below as well as other agencies and centers that serve the economically disadvantaged within the City of Moore

Human Service Centers: Cleveland-Moore

Oklahoma Employment Security Commission

Oklahoma City Housing Authority

Central Oklahoma Workforce Investment Board (COWIB)

Women Business Center

Small Business Development Center

Oklahoma Department of Commerce: Homeless Services

OK Dept. of Mental Health and Substance Abuse Services: Housing and Homeless Services

State of Oklahoma Education Department: McKinney-Vento Homeless Education Assistance Program

Moore Homeless Shelters and Services For The Needy

Oklahoma City Homeless Shelters & Services For The Needy

Positive Tomorrow: Services for Homeless Children and Families

Oklahoma State Building and Construction Trades Council

Low-income, homeless servicing agencies for children and families and career centers can review job descriptions for possible matches with prospective employees. The Housing Authorities can provide names of qualified Section 3 residents who are public housing tenants and homeless, respectively. The Small Business Development Center and Women Business Center are able to provide technical assistance to potential Section 3 businesses. The Oklahoma State Building and Construction Trades Council can potentially provide names of labor unions which have apprenticeship programs that hire unemployed and low-income persons.

Contractors will also be required, to the greatest extent feasible, to award subcontracts to business firms located in or owned in substantial part by residents of the project area. HUD has established a [Section 3 Business Registry](#) which may be able to provide names of potential Section 3 business concerns.

## V. Numerical Goals for Section 3 Residents and Section 3 Business Concerns

Contractors and subcontractors may demonstrate compliance with the "greatest extent feasible" requirement of Section 3 by meeting the numerical goals set forth herein for providing training or employment to Section 3 Residents and/or contracting opportunities to Section 3 Business Concerns. The goals are contained in Table 1:

TABLE 1: SECTION 3 NUMERICAL GOALS		
Type	Goal	Criteria
Section 3 Employment	30%	30% of new hires are Section 3 residents of the City of Moore
Section 3 Contracting Opportunities	10%	10% of the Contractors or Subcontractors meet the definition of a Section 3 Business Concern
Section 3 Contracting Opportunities (Professional Services)	3%	3% of the total amount of all other CDBG funded contracts including: Architectural; Engineering; Legal; Management and Administrative support

The numerical goals for hiring and contracting established (above) represent **minimum** numerical targets for a Section 3 covered contract (contractor or subcontractor) that exceeds **\$100,000** of HUD financial assistance. The numerical goals are not set-asides or quotas but instead establish a "safe harbor" for contractors and subcontractors on the matter of compliance with Section 3.

1. In the absence of evidence to the contrary, a contractor/subcontractor that meets the minimum numerical goals for **all** new hires and contracting opportunities will be considered to have met the Section 3 requirements

### Evaluating Compliance

In evaluating compliance under the City's Section 3 Plan, a contractor or subcontractor that has not met the numerical goals described above has the burden of demonstrating why it was not feasible to meet the numerical goals identified in the City's Section 3 Plan. Such justification may include statements regarding impediments encountered despite actions taken. The contractor or subcontractor should refer to [Attachment H](#) for a list of acceptable methods that when documented, demonstrate compliance with Section 3

The following are descriptions of each form of Section 3 activity; the applicable criteria which if met would

constitute a safe harbor; and the documentation necessary to support the Section 3 activity.

### **Employment or Training**

For employment the numerical goals apply to all new hires generated from the Section 3 covered assistance for a project. Efforts to employ Section 3 residents should, to the greatest extent feasible, be made at all job levels (entry level and skilled positions) for those residents who are qualified (i.e., persons who are able to successfully complete the work required of the position).

To meet these criteria, the contractor/subcontractor will maintain in their Section 3 file:

1. A New Employee Form (VDR-05B) for each new hire made by the contractor;
2. A New Hire Weekly Summary (VDR 05-C) for each week of the contract; and
3. A New Employee Form (VDR-05B) for each new hire made by the subcontractor who will receive more than \$100,000 in Federal funds;
4. Any statements regarding impediments encountered despite actions taken.

For training the contractor or subcontractor either provides directly, contracts with a third party, or requires completion of an existing training or training program targeted at increasing the Section 3 residents' capacity or skills to be employed by the contractor/subcontractor. To meet these criteria, the contractor/subcontractor will maintain in their Section 3 file:

1. A Section 3 New Employee Form (VDR-05B) for each potential new employee who attended the training; and
2. A course outline and a sign-in sheet for internally conducted or contracted training; or
3. A course certificate, license or other form of certification for a required training or training program; and
4. Any statements regarding impediments encountered despite actions taken.

### **Contracting**

The City may establish a preference in the award of Section 3 covered contracts that are awarded under a sealed bid, a Request for Qualifications (RFQ), a Request for Proposals (RFP), or any other competitive bid process. The City may provide a scoring preference, a value preference, or a percentage of contract preference. Section 3 preferences may be provided as threshold evaluative criteria, an added point's criterion, or a scored criterion at the City's discretion. Each solicitation of bids will establish the Section 3 criteria for the solicitation.

The preferences for scoring for Section 3 business are:

- Section 3 businesses providing economic opportunities for Section 3 residents in the service area or neighborhood in which project is located
- Applicants selected to carry out HUD Youthbuild programs
- Other Section 3 businesses

The preferences for scoring for Section 3 employment or training are:

- Residents of the service area or neighborhood in which the covered project is located (category 1 residents) – the service area is the City of Moore
- Participants in HUD Youthbuild programs (category 2 residents)
- Other Section 3 residents

Numerical goals apply to all contracting and subcontracting needs generated from the Section 3 covered assistance for a project. The numerical goals provided in Table 1 apply to each contractor or subcontractor who receives more than \$100,000 in Federal funds. The contractor or subcontractor can demonstrate compliance with the requirements of this part by documenting awards to Section 3 business concerns which meet or exceed the numerical goal. To meet these criteria, the contractor/subcontractor will maintain in their Section 3 file:

1. Documentation of the efforts to locate and recruit potential Section 3 contractors (see [IV. Resources](#));
2. The Contractor or Subcontractor will obtain from each subcontractor prior to the first weekly reporting period a Business Certification Questionnaire (VDR 05-E);
3. The Contractor or Subcontractor will complete a Developer – Contractor – Subcontractor Breakdown (VDR 05-F) and submit to the City at the first weekly reporting period;
4. If a Contractor or Subcontractor is a Section 3 Business, the Contractor or Subcontractor will submit a Section 3 Business Certification for 30% or more Full-time Permanent Employees: Employee Income Self Certification Form (VDR 05-G) for each employee;
5. If a Contractor or Subcontractor is a Section 3 Business, the Contractor or Subcontractor will submit a Section 3 Business Certification Summary (VDR 05-H)
6. During the course of the contract, each time a new subcontractor is hired, the Contractor or Subcontractor will obtain a Business Certification Questionnaire (VDR 05-E) from the new

subcontractor.

7. The Contractor or Subcontractor will complete a revised Developer – Contractor – Subcontractor Breakdown (VDR 05-F) and submit to the City at the next weekly reporting period;
8. If a new Subcontractor or Contractor is a Section 3 Business, an employee form (VDR 05-G) for each employee;
9. If a new Subcontractor or Contractor is a Section 3 Business, A Certification Summary (VDR 05-H) for each employee
10. Any statements regarding impediments encountered despite actions taken.

The written records of Section 3 covered project contractors and subcontractors will be reviewed by the City as a means of determining whether or not the contractor or subcontractor has met the City's goals.

## VI. Complaint Procedure

A complaint may be filed alleging a violation of Section 3 requirements by Section 3 residents and/or Section 3 business concerns. Complaints are investigated by HUD and where appropriate, voluntary resolutions are sought. Those grievances that are not resolved voluntarily can result in an administrative hearing.

A complaint must be written and include:

- Name and address of grievant
- Name and address of contractor/subcontractor
- Description of acts or omission
- Corrective action sought

Complaints should be filed with the City of Moore and, if warranted, may be appealed to the Area Office of HUD (Forth Worth Area) and HUD in Washington, D.C., at the addresses below.

### Capital Planning and Resiliency

#### City of Moore

301 N. Broadway

Moore, Cleveland 73160

((405) 793-4571; FAX (405) 793-4573

**HUD-Fort Worth Regional Office**

**U.S. Dept. of Housing and Urban Development**

801 Cherry Street, Unit #45, Ste. 2500

Fort Worth, TX 76102

(817) 978-5947

**HUD Washington**

**Assistant Secretary, Fair Housing and Equal Opportunity**

**Office of Economic Opportunity**

Room 5100, Dept. of HUD

451 Seventh St., S.W.

Washington, D.C. 20410-2000 (202/708-1112)

**Attachment E - Section 3 Compliance Bidder's Certification**

Name of Company: \_\_\_\_\_

Address: \_\_\_\_\_

Project Title: \_\_\_\_\_

This is to certify that I have read and understand the Section 3 resident employment and Section 3 resident business utilization requirements that apply to the above cited project, said requirements being known as the Section 3 Clause found in 24 CFR 135 and that neither the project nor the company are under any contractual restrictions or other disabilities which would prevent the company from complying with said requirements.

Signature of Company Officer: \_\_\_\_\_

Title of Officer: \_\_\_\_\_ Date: \_\_\_\_\_

## Attachment H - Section 3 Compliance – Acceptable Methods

Following are acceptable methods that, when documented, demonstrate compliance with Section 3:

1. Consulting with State and local agencies administering training programs funded through JTPA or JOBS, probation and parole agencies, unemployment compensation programs, community organizations and other officials or organizations to assist with recruiting Section 3 Residents for a contractor's or subcontractor's training and employment positions.
2. Advertising the jobs to be filled through the local media.
3. Employing a job coordinator, or contracting with a business concern that is licensed in the field of job placement (preferably a Section 3 Business Concern) that will undertake efforts to match eligible and qualified Section 3 Residents with the training and employment positions that the contractor intends to fill.
4. Establishing training programs, which are consistent with the requirements of the Department of Labor, for public housing residents and other Section 3 Residents in the building trades
5. Advertising the training and employment positions by distributing flyers (which identify the positions to be filled, the qualifications required, and where to obtain additional information about the application process) to housing developments where there are Section 3 Residents.
6. Entering into "first source" hiring agreements with organizations representing Section 3 Residents.
7. Contacting resident councils, resident management corporations, or other resident organizations in the housing developments where there are Section 3 Residents, to request the assistance of those organizations in notifying residents of the training and employment positions to be filled.
8. Sponsoring a job informational meeting to be conducted at a location in the housing developments where there are Section 3 Residents or in the neighborhood or service area of the Section 3 covered project.
9. Arranging assistance in conducting job interviews and completing job applications for residents of the housing developments where there are Section 3 Residents and in the neighborhood or service area in which a Section 3 project is located.
10. Arranging for a location in the housing developments where there are Section 3 Residents, or the neighborhood or service area of the project, where job applications may be delivered and collected or where job interviews can be conducted.
11. Where there are more qualified Section 3 Residents than there are positions to be filled, maintaining a file of eligible qualified Section 3 Residents for future employment positions.
12. Undertaking such continued job training efforts as may be necessary to ensure the continued employment of Section 3 Residents previously hired for employment opportunities.

## Attachment H

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Efforts to Award Contracts to Section 3 Business Concerns that Demonstrate Compliance with the “greatest extent feasible” requirement of Section 3

1. In determining responsibility of potential subcontractors, consider their record of Section 3 compliance as evidenced by past actions and their current plans for the pending subcontract.
2. Contacting business assistance agencies, minority contractors' associations and community organizations to inform them of contracting opportunities and request their assistance in identifying Section 3 businesses which may solicit bids or proposals for contracts for work in connection with Section 3 covered assistance.
3. Providing written notice to all known Section 3 Business Concerns of the contracting opportunities. This notice should be in sufficient time to allow the Section 3 Business Concerns to respond to the bid invitations or request for proposals.
4. Following up with Section 3 Business Concerns that have expressed interest in the contracting opportunities by contacting them to provide additional information on the contracting opportunities.
5. Coordinating pre-bid meetings at which Section 3 Business Concerns could be informed of upcoming contracting and subcontracting opportunities.
6. Advising Section 3 Business Concerns as to where they may seek assistance to overcome limitations such as inability to obtain bonding, lines of credit, financing, or insurance.
7. Arranging solicitations, times for presentations of subcontract bids, quantities, specifications, and delivery schedules in ways to facilitate the participation of Section 3 Business Concerns.
8. Where appropriate, breaking out subcontract work items into economically feasible units to facilitate participation by Section 3 Business Concerns.
9. Advertising subcontracting opportunities through trade association papers and newsletters, and through other local media, such as newspapers of general circulation.
10. Developing a list of eligible Section 3 Business Concerns.

### Providing Other Economic Opportunities

Contractors and subcontractors are encouraged to undertake efforts to provide to low-income persons economic opportunities other than training, employment, and contract awards, in connection with Section 3 covered assistance.

Other Training and Employment Related Opportunities: These include, but need not be limited to, use of trainee positions to fill vacancies; and hiring Section 3 Resident in part-time positions.

Other Business Related Economic Opportunities include, but are not limited to, the formation of Section 3 joint ventures, financial support for affiliating with franchise development, use of labor only contracts for building trades, purchase of supplies and materials from Housing Authority resident- owned businesses or Public Housing Authority resident-owned businesses.

## SECTION 3 PLAN

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### VDR 05 SECTION 3: Contractor Package

#### SECTION 3 BROCHURE

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/section3/section3brochure](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/section3/section3brochure)

## SECTION 3 PLAN

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### VDR 05-A Instructions: New Hire Weekly Summary

The US Department of Housing & Urban Development (“HUD”) requires the City of Moore (“the City”) to collect information on every person hired in connection with Section 3 projects to insure the City’s’ compliance with Federal regulations.

As part of the City’s’ Section 3 Procedures your firm is required to report the number of employees hired in connection with a Section 3 Project who are Section 3 Eligible. Complete this form by entering the names and addresses of all new hires and by indicating whether they are Section 3 Eligible. Section 3 Eligible Employees are those who reside in the City of Moore and whose total household income is less than 80% of the Area Median Income.

The table below may be used as a guide to employees to determine whether their household income is above or below 80% AMI.

This form must be completed by all firms working on a Section 3 project even if the firm is not a “Section 3 Business.”

#### **INSTRUCTIONS FOR EMPLOYERS:**

1. Enter the name and address of every new employee hired in connection with the Section 3 Project on Form VDR 05-C.  
(Add additional rows if necessary).
2. Determine whether each new hire is Section 3 eligible by referring to the Section 3 New Hire Form for each individual hired
  - a. The new hire is not Section 3 eligible if the new hire lives outside the corporate limits of the City of Moore
  - b. The new hire is not Section 3 eligible if the new hires’ household income is greater than:

# SECTION 3 PLAN

<b>TABLE 1: 80% OF MEDIAN INCOME BY HOUSEHOLD SIZE</b>								
	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
80% Median:	\$37,700	\$43,100	\$48,500	\$53,850	\$58,200	\$62,500	\$66,800	\$71,100

**INSTRUCTIONS FOR EMPLOYERS:**

1. Complete the Section 3 New Hire Report
2. Indicate whether each new hire is Section 3 Eligible by checking the appropriate box next to their name and address on Section 3 New Hire Report (next page).
3. Indicate the Job Category using the following codes:

Professionals	P
Technicians	TE
Office and Clerical	OC
Sales	S
Trades	TR
Labor	L
Service Workers	SW
Other	Other

4. An authorized representative of the firm must certify the accuracy and completeness of the information provided by signing where indicated below.

## SECTION 3 PLAN

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5. Developers and contractors are responsible for collecting the Section 3 New Hire Report from all applicable contractors and sub-contractors performing on Section 3 covered project. Completed forms must be submitted with each week. A summary report must be submitted at the end of each calendar year for the calendar year, or before the final draw if less than a calendar year
  
6. Submit completed form and provide supporting documentation at the Draw request.

# SECTION 3 PLAN

## VDR 05-B Section 3 New Employee Form

### Self-Certification

The US Department of Housing & Urban Development (“HUD”) requires the City of Moore to collect information on every person hired by Contractors completing construction contracts for the City to insure the City’s compliance with Federal regulations. Your response is voluntary, confidential, and has no effect on your employment.

#### PART 1:

Name: _____
Home Address: _____ _____
Number of Individuals Living in Your Household Including Yourself: _____

#### PART 2:

Are you a resident of the City of Moore?

- YES – Continue to Part 3
- NO – Sign at the Bottom

#### PART 3:

1. See the eight boxes below. Find the box that best matches the number of members in your household in the last twelve months. If your **total household gross income** (from all members) in the last twelve months was **NO GREATER** than the dollar amount provided below for your household size, then check the box next to the number of members of your household, and sign and date the form at the bottom.
2. If your total household gross income in the last twelve months **WAS OVER** the dollar amount provided below for your household size, then put your initials here \_\_\_\_\_ and SKIP to the bottom of the page, and sign and date the form.

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Check Here If:	# of People in Household:	Gross Income Is No Greater Than:
<input type="checkbox"/>	1	\$37,700
<input type="checkbox"/>	2	\$43,100
<input type="checkbox"/>	3	\$48,500
<input type="checkbox"/>	4	\$53,850
<input type="checkbox"/>	5	\$58,200
<input type="checkbox"/>	6	\$62,500
<input type="checkbox"/>	7	\$66,800
<input type="checkbox"/>	8	\$71,100

I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief.

Signature	
Printed Name	
Date	

## VDR 05-C Section 3 New Hire Weekly Summary

The US Department of Housing & Urban Development (“HUD”) requires the City of Moore (“the City”) to collect information on every person hired in connection with Section 3 projects to insure the City’s compliance with Federal regulations.

<b>Week Start Date</b>		<b>Week End Date</b>	
<b>Work Order Number</b>			
<b>Project Address</b>			
<b>General Contractor Name</b>			
<b>Name of Firm Completing this Form</b>			
<b>The Firm Completing this Form is a: (Check One)</b>	General Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>	Professional Services Consultant <input type="checkbox"/>
<b>Did the Firm Hire Any Full or Part Time employees or Day laborers during the Week?</b>	Yes <input type="checkbox"/>		No <input type="checkbox"/>
If the answer is NO, the sign and date the form and submit.			
If the answer is YES, complete the New Hire Matrix below, sign, date, and submit.			

NEW HIRE MATRIX				
	Name of New Hire	Address	Section 3 Eligible?	Labor Category
			Enter: YES, NO, or <i>No Info Provided</i>	See Instructions
1.				
2.				

3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
<p>I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief. Further, I certify that the Firm conducted outreach in accordance with the City of Moore's Section 3 Plan and can provide documentation of said outreach.</p>				
<b>Signature</b>				
<b>Printed Name</b>				

	<b>Title</b>	
	<b>Date</b>	

## VDR 05-D Business Certification Instructions

The US Department of Housing & Urban Development (“HUD”) requires the City of Moore (the City’s) to collect information on every Developer, Contractor, Sub-Contractor, etc. that receives a contract in excess of \$100,000, to insure the City’s compliance with Section 3 of Federal regulations. Section 3, a provision of the U.S. Housing & Urban Development Act of 1968, as amended, requires recipients of HUD financial assistance (developers, owners, contractors, etc.) to provide training, employment and contracting opportunities to Section 3 residents and businesses, to the greatest extent feasible, consistent with existing Federal, State, and Local laws and regulations.

**The package consists of:**

- A. Section 3 Business Questionnaire**
- B. Section 3: Developer / Contractor / Sub-Contractor Breakdown**
- C. Attachment A – Sample Notice of Project Area**

<b>2017 Area Median Income Limits</b>	
<b>Number of People in Household:</b>	<b>Gross Income Is No Greater Than:</b>
1	\$37,700
2	\$43,100
3	\$48,500
4	\$53,850
5	\$58,200
6	\$62,500
7	\$66,800
8	\$71,100

## VDR 05-E Business Certification Questionnaire

All Developers, Contractors, Sub-Contractors and Professional Services Consultants involved in construction projects that utilize Federal funds are required to complete the following Business Certification Questionnaire. Any entity required to complete this form must require any sub-contractor performing work under the applicable contract to complete this form

Business Name			
Contact Name			
Business Address			
Phone		E-mail	
Work Order Number			
Project Address			
General Contractor Name			
The Firm Completing this Form is a: (Check One)	General Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>	Professional Services Consultant <input type="checkbox"/>
<b>Please answer each of the following questions</b>			
Is your business currently certified as a Section 3 Business by a housing authority?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Is your business (51% or more) owned by individuals whose household incomes are below 80% of Area Median Income (AMI)? See chart on Instructions page.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Is your business (51% or more) owned by residents of housing authority?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Do 30% (or more) of your full time, permanent employees have household incomes that are BELOW 80% of Area Median Income (AMI)? See chart on Instructions page.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Are 30% (or more) of your full-time, permanent employees residents of a local housing authority?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Will you sub-contract more than 25% of this contract with any business that has any of the characteristics noted in the preceding questions?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	

	<b>I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief.</b>	
	<b>Signature</b>	
	<b>Printed Name</b>	
	<b>Title</b>	
	<b>Date</b>	



## VDR 05-G: Section 3 Business Certification for 30% or more Full-time Permanent: Employee Income Self Certification Form

Employee Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Part 1:** Circle Employment Status: Full-time **OR** Part-time

**Part 2:** Circle the number of persons in your household. Then Circle the box (in the same row as the number of persons) that comes closest to your households' income in **2015**.

PERSONS	Income Range	Income Range	Income Range	Income Range	Income Range	Income Range
1	\$0 - \$12,600	\$12,601 - \$21,000	\$21,001 - \$33,600	\$33,601 - \$42,000	\$42,001 - \$50,400	Over \$50,400
2	\$0 - \$14,400	\$14,401 - \$24,000	\$24,001 - \$38,400	\$38,401 - \$48,000	\$48,001 - \$57,600	Over \$57,600
3	\$0 - \$16,200	\$16,201 - \$27,000	\$27,001 - \$43,200	\$43,201 - \$54,000	\$54,401 - \$64,800	Over \$64,800
4	\$0 - \$18,000	\$18,001 - \$30,000	\$30,001 - \$48,000	\$48,001 - \$60,000	\$60,001 - \$72,000	Over \$72,000
5	\$0 - \$19,450	\$19,451 - \$32,400	\$32,401 - \$51,850	\$51,851 - \$64,800	\$64,801 - \$77,761	Over \$77,761
6	\$0 - \$20,900	\$20,901 - \$34,800	\$34,801 - \$55,700	\$55,701 - \$65,600	\$65,601 - \$78,720	Over \$78,720
7	\$0 - \$22,350	\$22,351 - \$37,200	\$37,201 - \$59,550	\$59,551 - \$74,400	\$74,401 - \$89,280	Over \$89,280
8	\$0 - \$23,800	\$23,801 - \$39,600	\$39,601 - \$63,400	\$63,401 - \$79,200	\$79,201 - \$95,040	Over \$95,040

*I, the Employee certify the income and household size circled above is accurate and complete to the best of our knowledge.*

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

## VDR 05-H: Section 3 Business Certification for 30% or more Full-time Permanent Employee: Calculation

Section 3: Developer / Contractor / Sub-Contractor Breakdown As of March 28, 2016 Area Median Income Limits		NUMBER OF Section 3 EMPLOYEE by # of household by income	TOTAL NUMBER OF Full-time (FT) Permanent Employees	Do 30% (or more) of your full time, permanent employees have household incomes that are BELOW 80% of Area Median Income (AMI)?
<b>Number of People in Household:</b>	<b>Gross Income Is No Greater Than:</b>			Total # of Section 3 employee divided by  Total # of FT employee X100=  %  <b>YES</b>  <b>NO</b>
1	\$37,700			
2	\$43,100			
3	\$48,500			
4	\$53,850			
5	\$58,200			
6	\$62,500			
7	\$66,800			
8	\$71,100			
<b>TOTAL NUMBER of Section 3 Employees</b>				
	I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief.			
	<b>Contractor Name</b>			
	<b>Print Name</b>			
	<b>Title</b>			
	<b>Signature</b>			

	<b>Date</b>	

## Attachment A - Sample Notice of Project Area Resident Employment Commitments

### INSTRUCTIONS

This Section 3 Resident Employment Notice is a sample to be sent by all firms awarded a contract on this project to any labor organizations with which it has a collective bargaining agreement or other agreement or understanding. If awarded a contract, you will be required to submit a notice of this type and to post it in a prominent place available to your employees. This notice should be retyped on your company's letterhead.

### S A M P L E

#### TO WHOM IT MAY CONCERN:

The (Name of Company) has entered into an agreement with the City of Moore for work to be performed at (Site of Work). This project is funded in part by the U.S. Department of Housing and Urban Development (HUD) and as such is subject to the terms of Section 3 of the Housing and Urban Development Act of 1968, 12 USC 1701 u. As a contractor or subcontractor on this project, and pursuant to the provisions of Section 3, the (Name of Company) is committed to utilizing residents of the Section 3 covered project area as employees and trainees to the greatest extent feasible. In addition, the (Name of Company) will utilize to the greatest extent feasible, business concerns located in or owned in substantial part by residents of the Section 3 covered project area.

It is the intention of the (Name of Company) to fulfill its obligations under Section 3.

[Signature of Authorized Company Representative]

## Attachment B - Apprenticeship Program Information

The Oklahoma State Building and Construction Trades Council conducts outreach programs which are designed to educate the public about construction career opportunities and apprenticeship. Their website is full of information regarding various union apprenticeship programs throughout the State of Oklahoma. Their website is <http://www.okbctc.org>.

The Oklahoma State Building and Construction Trades Council, represents 24 Craft Unions in the State.

<http://www.okbctc.org>

Oklahoma Building & Construction Trades Council  
5315 S. Shartel Ave.  
Oklahoma City, OK 73109  
(405) 650-5663

In addition, the following labor unions may also be a source for potential employees and many have apprenticeship programs.

**Bricklayer Local 5**

212 NE 27<sup>th</sup>  
Oklahoma City, OK  
(405) 528-5609

**Electrician Local 584**

1738 E. 7<sup>th</sup> Street  
Tulsa, OK  
(918) 497-9777

**Electrician Local 1141**

1700 SE 15<sup>th</sup> Street  
Oklahoma City, OK  
(405) 672-7600

**Heat & Frost Insulators Local 64**

4428 East Admiral Place  
Tulsa, OK  
(918) 834-1526

**Heat & Frost Insulators Local 94**

5350 S. Western Ave., Ste. 217  
Oklahoma City, OK  
(405) 632-6767

**Structural & Reinforcing Iron Worker Local 48**

2324 S. Douglas Ave.  
Oklahoma City, OK  
(405) 634-3924

**Operating Engineers 627**

12109 E. Skelly Drive  
Tulsa, OK  
(918) 437-0370

**Structural & Reinforcing Iron Worker Local 584**

1738 E. 7<sup>th</sup> Street  
Tulsa, OK  
(918) 497-9777

**Painter/Decorator Local 807**

1919 S. Santa Fe  
Oklahoma City, OK  
(866) 688-5658

**Plumber and Pipefitters Local 344**

5315 S. Shartel  
Oklahoma City, OK  
(405) 632-5629

**Plumbers and Pipefitters Local 430**

8602 East 46<sup>th</sup>  
Tulsa, OK  
(918) 622-4060

**Sheet Metal Worker 124**

3909 Willow Springs Ave.  
Oklahoma City, OK  
(405) 948-8800

**Sheet metal Worker 270**

1857 N. 105<sup>th</sup> East Ave.  
Tulsa, OK  
(918) 834-2808

**Sprinkler Fitter Local 669**

P.O. Box 2330  
Blanchard, OK  
(405) 381-4800

## Attachment C - Section 3 Contract Clause

(to be inserted into every subcontract for work)

- A. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and 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 requires that to the greatest extent feasible, opportunities for training and employment be given to lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.
- B. The parties to this contract will comply with the provisions of Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR Part 135 and all applicable rules and orders of the Department issued thereunder prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- C. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or worker's representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- D. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for or recipient of Federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR Part 135. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.
- E. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors, and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors, and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR Part 135.

**RESOLUTION --- (-)**

**RESOLUTION ADOPTING THE SECTION 3 PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

**WHEREAS**, the City of Moore's Section 3 Plan meets all current requirements of **Title 24 CFR Part 135- Economic Opportunities for Low and Very-Low Income Persons** required for the Community Planning and Development Programs funded by the U.S. Department of Housing and Urban Development;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Moore, Oklahoma, as follows:

The City Council has reviewed the Section 3 Plan and find it to be consistent with the overall objectives of Title 24 CFR Part 135.

**THE SECTION 3 PLAN IS ADOPTED**, this 15<sup>th</sup> Day of August, 2016, at a regularly scheduled meeting of the governing body, in compliance with the Open Meeting Act, 25 O.S. SS301-314 (2001).

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GLENN LEWIS, MAYOR

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BROOKS MITCHELL, CITY CLERK

Approved as to form and legality this 15<sup>th</sup> day of August, 2016.

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RANDY BRINK, CITY ATTORNEY