

City of Moore Section 3 Plan

**EMPLOYMENT AND TRAINING OPPORTUNITIES FOR LOW AND VERY LOW
INCOME PERSONS**

Revised September 1, 2021

I. General Policy Statement

Section 3 is a provision of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) that is regulated by the provisions of 24 CFR 75. Section 3 regulations 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.

II. Purpose

This plan outlines how the City of Moore and its subrecipients, contractors and subcontractors will comply with HUD's Section 3 requirements in implementing the City of Moore's Community Development Block Grant (CDBG) and Community Development Block Grant Disaster Recovery (CDBG-DR) programs. The City of Moore will, to the greatest extent feasible, ensure that employment and other economic opportunities are directed to low- and very low-income persons (Section 3 workers and Targeted Section 3 workers) and to eligible businesses (Section 3 Business Concerns) and requires the same of its contractors/subcontractors. The City of Moore may amend its Section 3 Policies and Procedures document as necessary to ensure continued compliance with HUD's requirements and/or to reflect updated Section 3 guidance and outreach strategies.

III. Definitions

The terms *HUD*, *Public housing*, and *Public Housing Agency (PHA)* are defined in 24 CFR part 5.

The following definitions also apply to 24 CFR Part 75 HUD's Economic Opportunities for Low-and Very Low-Income Persons:

1937 Act means the United States Housing Act of 1937, 42 U.S.C. 1437 et seq. activities related to Public Housing

Contractor means any entity entering into a contract with:

- (1) A recipient to perform work in connection with the expenditure of public housing financial assistance or for work in connection with a Section 3 project; or
- (2) A subrecipient for work in connection with a Section 3 project.

Labor hours means the number of paid hours worked by persons on a Section 3 project or by persons employed with funds that include public housing financial assistance.

Low-income person means a person as defined in Section 3(b)(2) of the 1937 Act, at or below 80% AMI. Note that Section 3 worker eligibility uses individual income rather than family/household income.

Material supply contracts means contracts for the purchase of products and materials, including, but not limited to, lumber, drywall, wiring, concrete, pipes, toilets, sinks, carpets, and office supplies.

Professional services means non-construction services that require an advanced degree or professional licensing,

including, but not limited to, contracts for legal services, financial consulting, accounting services, environmental assessment, architectural services, and civil engineering services.

Public housing financial assistance means assistance as defined in 24 CFR Part 75.3(a)(1).

Public housing project is defined in 24 CFR 905.108.

Recipient means any entity that receives directly from HUD public housing financial assistance or housing and community development assistance that funds Section 3 projects, including, but not limited to, any State, local government, instrumentality, PHA, or other public agency, public or private nonprofit organization.

Section 3 means Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

Section 3 business concern means:

- (1) A business concern meeting at least one of the following criteria, documented within the last six-month period:
 - (i) It is at least 51 percent owned and controlled by low- or very low-income persons;
 - (ii) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
 - (iii) It is a business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.
- (2) The status of a Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owner(s) or employees.
- (3) Nothing in this part shall be construed to require the contracting or subcontracting of a Section 3 business concern. Section 3 business concerns are not exempt from meeting the specifications of the contract.

Section 3 Coordinator is person tasked with overseeing all Section 3 responsibilities for the CD office.

Section 3 project means a project defined in 24 CFR Part 75.3(a)(2).

Section 3 worker means:

- (1) Any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:
 - (i) The worker's income for the previous or annualized calendar year is below the income limit established by HUD.
 - (ii) The worker is employed by a Section 3 business concern.
 - (iii) The worker is a YouthBuild participant.
- (2) The status of a Section 3 worker shall not be negatively affected by a prior arrest or conviction.
- (3) Nothing in this part shall be construed to require the employment of someone who meets this definition of a Section 3 worker. Section 3 workers are not exempt from meeting the qualifications of the position to be filled.

Section 8-assisted housing refers to housing receiving project-based rental assistance or tenant-based assistance under Section 8 of the 1937 Act.

Service area or the neighborhood of the project means an area within one mile of the Section 3 project or, if fewer than 5,000 people live within one mile of a Section 3 project, within a circle centered on the Section 3 project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.

Subcontractor means any entity that has a contract with a contractor to undertake a portion of the contractor's obligation to perform work in connection with the expenditure of public housing financial assistance or for a Section 3 project.

Subrecipient has the meaning provided in the applicable program regulations or in 2 CFR 200.93.

Targeted Section 3 worker has the meanings provided in 24 CFR Part 75.11, 75.21, or 75.29, and does not exclude an individual that has a prior arrest or conviction.

Very low-income person means the definition for this term set forth in section 3(b)(2) of the 1937 Act (at or below 50% AMI).

YouthBuild programs refers to YouthBuild programs receiving assistance under the Workforce Innovation and Opportunity Act (29 U.S.C. 3226).

Section 3 Resident Individual Income Limits

City of Moore, Oklahoma City, OK Metro Area as of April 2021

80% Income limit \$41,000.00

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. Applicability

For housing and community development financial assistance, this plan applies to housing rehabilitation, housing construction, and other public construction projects that exceed \$200,000 or more of housing and community development financial assistance from one or more HUD programs. Applicability is determined at the project level. This plan also applies to projects that include multiple funding sources. Multiple funding source projects include projects that include public housing financial assistance, housing and community development financial assistance for single or multiple recipients, and the Lead Hazard Control and Healthy Homes Program.

Section 3 requirements **do not** apply to: 1) Material Supply Contracts - § 75.3(b), 2) Indian and Tribal Preferences - § 75.3(c), and 3) Other HUD assistance and other Federal assistance not subject to Section 3 §75.3 (d). However, for financial assistance that is not subject to Section 3, recipients are encouraged to consider ways to support the purpose of Section 3.

V. Section 3 Coordinator

The City of Moore's Section 3 Coordinator serves as the central point of contact for Section 3 compliance for the City of Moore and its subrecipients, contractors and subcontractors supporting the program. Subrecipients, contractors, subcontractors and others are encouraged to reach out to The City of Moore's Section 3 Coordinator with questions regarding Section 3 compliance:

Ryan Coggins
Compliance Specialist
rcoggins@cityofmoore.com

VI. Employment, Training, and Contracting Goals

Safe Harbor Compliance

The City of Moore will be considered to have complied with the Section 3 requirements and met safe harbor, if they certify that they followed the required prioritization of effort and met or exceeded the Section 3 benchmarks, absent evidence of the contrary.

Prior to the beginning of work, contractors and subcontractors will be required to certify that they will follow the required prioritization of effort for Section 3 workers, Targeted Section 3 workers, and Section 3 business concerns as outlined in the section titled “Certification of Prioritization of Effort for Employment, Training, and Contracting”.

If the contractor and/or subcontractor does not meet the safe harbor requirements, they must provide evidence that they have made qualitative efforts to assist low and very low-income persons with employment and training opportunities.

Safe Harbor Benchmarks

The City of Moore has established employment and training goals that subrecipients, contractors, and subcontractors should meet in order to comply with Section 3 requirements outlined in 24 CFR Part 75.19. The safe harbor benchmark goals are as follows:

1) Twenty-five (25) percent or more of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers;

Section 3 Labor Hours/Total Labor Hours = 25%

And

2) Five (5) percent or more of the total number of labor hours worked by all workers on a Section 3 project are Targeted Section 3 workers, as defined at 24 CFR Part 75.21.

Targeted Section 3 Labor Hours/Total Labor Hours = 5%

HUD establishes and updates Section 3 benchmarks for Section 3 workers and/or Targeted Section 3 workers through a document published in the Federal Register, not less frequently than once every 3 years. Given that the Section 3 benchmarks are subject to change every three years or sooner, the City of Moore will review and update the Section 3 Plan every three years, as needed.

It is the responsibility of contractors to implement efforts to achieve Section 3 compliance. Any contractor that does not meet the Section 3 benchmarks must demonstrate why meeting the benchmarks were not feasible. All contractors submitting bids or proposals to the [recipient/grantee] are required to certify that they will comply with the requirements of Section 3.

Certification of Prioritization of Effort for Employment, Training, and Contracting

Employment and Training

Under the City of Moore's Section 3 Program, contractors and subcontractors should make best efforts to provide employment and training opportunities to Section 3 workers in the priority order. Provide employment and training opportunities to Section 3 workers within the Oklahoma City metropolitan area in which the project is located in the priority order listed below:

- 1) Section 3 workers residing within the service area or the neighborhood of the project, and
- 2) Participants in YouthBuild programs.

Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization of effort requirements prior to the beginning work and after work is completed.

Contracting

Under the City of Moore's Section 3 Program, contractors and subcontractors must make their best efforts to award contracts and subcontracts to business concerns that provide economic opportunities to Section 3 workers in the following order or priority:

- 1) Business concerns that provide economic opportunities to Section 3 workers residing within the Oklahoma City metropolitan area in which assistance is located in the following order of priority (*where feasible*):
 - a) Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the service area or the neighborhood of the project; and
 - b) YouthBuild programs.

Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization of effort requirements prior to the beginning work and after work is completed.

VII. Section 3 Eligibility and Certifications

Individuals and businesses that meet Section 3 criteria may seek Section 3 preference from The City of Moore or its contractors/subcontractors for training, employment, or contracting opportunities generated by housing and community development financial assistance. To qualify as a Section 3 worker, Targeted Section 3 worker or a Section 3 business concern, each must self-certify that they meet the applicable criteria.

Businesses who misrepresent themselves as Section 3 business concerns and report false information to the City of Moore may have their contracts terminated as default and be barred from ongoing and future considerations for contracting opportunities.

Section 3 Worker & Targeted Section 3 Worker Certification

A Section 3 worker seeking certification shall submit self-certification documentation to the recipient, contractor or subcontractor, that the person is a Section 3 worker or Targeted Section 3 worker as defined in 24 CFR Part 75. For the purposes of Section 3 worker eligibility, the City of Moore will use individual income rather than family/household income to determine eligibility. The income limits will be determined annually using the guidelines published at

https://www.huduser.gov/portal/datasets/il/il2021/select_Geography.odn.

Persons seeking the Section 3 worker preference shall demonstrate that it meets one or more of the following criteria currently or when hired within the past five years, as documented:

- 1) A low or very low-income resident (the worker's income for the previous or annualized calendar year is below the income limit established by HUD); or
- 2) Employed by a Section 3 business concern; or
- 3) A YouthBuild participant.

Persons seeking the Targeted Section 3 worker preference shall demonstrate that it meets one or more of the following criteria:

- 1) Employed by a Section 3 business concern or
- 2) Currently meets or when hired met at least one of the following categories as documented within the past five years:
 - a) Living within the service area or the neighborhood of the project, as defined in 24 CFR Part 75.5; or
 - b) A YouthBuild participant.

Section 3 workers and Targeted Section 3 workers who are seeking preference in training and employment must submit the Section 3 Worker and Targeted Section 3 Worker Certification Form. The certification procedure will consist of the following:

- 1) Each worker on a CDBG or CDBG-DR funded project will complete the Section 3 Worker and the Targeted Section 3 Worker Self-Certification form and submit to the contractor/subcontractor.
- 2) The prime contractor will submit completed self-certification forms to the City.
- 3) The City will review and identify Section 3 and Targeted Section 3 workers.
- 4) The City will track labor hours for Section 3 and Targeted Section 3 workers.

Section 3 Business Concern Certification

The City of Moore should encourage contractors and subcontractors to make best efforts to award contracts and subcontracts to Section 3 business concerns.

Businesses that believe they meet the Section 3 Business requirements can self-register in the HUD Business registry, here: <http://www.hud.gov/Sec3Biz>. Businesses may seek Section 3 Business Concern preference by demonstrating that it meets one or more of the following criteria:

- 1) At least 51 percent of the business is owned and controlled by low- or very low-income persons; or
- 2) At least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing; or
- 3) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers.

Businesses that seek Section 3 preference shall certify, or demonstrate to the City of Moore, contractors or subcontractors, that they meet the definitions provided above. Businesses may demonstrate eligibility by submitting the Section 3 Business Concern Certification Form, located in Appendix A.

Section 3 Business Concern Certification Forms must be submitted at the time of bid/proposal. If the City of Moore previously approved the business concern to be Section 3 certified, then the certification can be submitted along with the bid, as long as the form is submitted within the prescribed expiration date. The Section 3 Business Concern Certification Form will expire after six months. Establishing a six month certification of eligibility period allows the City of Moore the ability to assess contractor performance to ensure the business is striving to meet the required goals.

Assisting Contractors with Achieving Section 3 Goals

In an effort to assist contractors with meeting or exceeding the Section 3 goals, the City of Moore will do the following:

- 1) Share Section 3 Plan with contractors and subcontractors and explain policies and procedures
- 2) Invite contractors wishing to submit a bid/offer/proposal to attend pre-bid meeting
- 3) Review Section 3 benchmarks and prioritization of effort with contractors and subcontractors to ensure that the goals are understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to meet Section 3 benchmark goals by utilizing existing qualified workforce and by considering qualified eligible Section 3 workers and Targeted Section 3 workers (per the prioritization of effort outlined in Section #3) before any other person, when hiring additional employees is needed to complete proposed work to be performed with CDBG/CDBG-DR programs.
- 4) Inform contractors about the HUD Section 3 Opportunity Portal <https://hudapps.hud.gov/OpportunityPortal/>
- 5) Require contractors to notify Section 3 Coordinator of their interests regarding employment of Section 3 workers prior to hiring.
- 6) Encourage local business to register on the HUD Business Registry and direct contractors to the HUD Section 3 Business Registry <https://www.hud.gov/section3businessregistry>.
- 7) Leverage the City of Moore's communication outlets (social media, website, etc.) to effectively communicate employment and contracting opportunities that arise.
- 8) Require contractors to submit a list of core employees (including administrative, clerical, planning and other positions pertinent to the construction trades) at the time of contract award.

VIII. Section 3 Outreach

Outreach Efforts for Employment and Training

In order to educate and inform workers and contractors, The City of Moore's Section 3 Coordinator will be prepared to provide training and technical assistance on a regular basis per program guidelines. When training opportunities are available, contractors and subcontractors should, to the greatest extent feasible:

- 1) Notify the Section 3 Coordinator when training opportunities are available
- 2) Provide information/handouts about Section 3 training opportunities to potential Section 3 workers and Targeted Section 3 workers
- 3) Conduct an annual training for Section 3 workers and Section 3 businesses

Contractors and subcontractors should employ several active strategies to notify Section 3 workers and Targeted Section 3 workers of Section 3 job opportunities, including:

- 1) Clearly indicating Section 3 eligibility on all job postings with the following statement: “This job is a Section 3 eligible job opportunity. We encourage applications from individuals that are low income and/or live in Public Housing and/or receive a Section 8 voucher”;
- 2) Including the Section 3 Worker and Targeted Section 3 Worker Self-Certification Form in all job postings
- 3) Working with the Section 3 Coordinator to connect Section 3 worker and Targeted Section 3 workers in the City of Moore database with opportunities and/or utilize the Section 3 Opportunity Portal to find qualified candidates
- 4) Establishing a current list of Section 3 eligible applicants
- 5) Contacting local community organizations and provide them with job postings for Section 3 eligible applicants; and
- 6) Coordinating a programmatic ad campaign, which results in widespread job posting across diverse ad networks including:
 - a) Advertising job opportunities via social media, including LinkedIn and Facebook;
 - b) Advertising job opportunities via flyer distributions and mass mailings and posting ad in common areas of housing developments and all public housing management offices
 - c) Contacting resident councils, resident management corporations, and neighborhood community organizations to request their assistance in notifying residents of available training and employment opportunities

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

Oklahoma Housing and Finance Agency

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.

Outreach Efforts for Contracting

When contracting opportunities arise in connection with the CDBG/CDBG-DR programs, the City of Moore will employ the following strategies to notify Section 3 Business Concerns of Section 3 contracting opportunities, including but not limited to:

- 1) Adding Section 3 language to all RFPs, procurement documents, bid offerings and contracts.
- 2) Coordinating mandatory pre-bid meetings, when necessary, to inform Section 3 Business Concerns of upcoming contracting opportunities. The Section 3 Coordinator will participate in these meetings to explain and answer questions related to Section 3 policy.
- 3) Advertising contracting opportunities in local community papers and notices that provide general information about the work to be contracted and where to obtain additional information.
- 4) Providing written notice of contracting opportunities to all known Section 3 Business Concerns. The written notice will be provided in sufficient time to enable business concerns the opportunity to respond to bid invitations.
- 5) Coordinating with the prime contractor to publicize contracting opportunities for small businesses.
- 6) Connecting Section 3 business concerns with resources to support business development to assist in obtaining contracting opportunities (e.g., bonding and insurance assistance, etc.). Contractors will also be encouraged to collaborate with the City of Moore as subcontract opportunities arise in an effort to notify eligible Section

IX. Section 3 Provisions/Contract Language

The City of Moore will include standard Section 3 language in all of its contracts to ensure compliance with regulations in 24 CFR Part 75. The City of Moore will take appropriate actions upon finding that a contractor is in violation of 24 CFR Part 75 and does not knowingly contract with any contractor that has been found in violation of the Section 3 regulations. On a periodic basis the Section 3 Coordinator will audit contractors for compliance with the minimum Section 3 requirements outlined in the Section 3 Plan.

In addition, contractors and subrecipients are required to include language in all Section 3 covered contracts or

agreements for subcontractors to meet the requirements of 24 CFR Part 75.

For businesses, noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of the contract for default, and debarment or suspension from future HUD assisted contracts.

X. Reporting Requirements

Reporting if Section 3 Benchmarks are not met

If the City of Moore, contractors, or subrecipients has not met the Section 3 benchmarks, the City must report to HUD the qualitative measures taken by its contractors or subrecipients. Such qualitative efforts may include, but are not limited to the following:

- 1) Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.
- 2) Provided in training or apprenticeship opportunities.
- 3) Provided technical assistance to help Section 3 workers compete for jobs.
- 4) Provided or connected Section 3 workers with assistance in seeking employment including drafting resumes, preparing, for interviews, and finding job opportunities connecting residents to job placement services.
- 5) Held one or more job fairs
- 6) Provided or referred Section 3 workers to services supporting work readiness and retention (e.g. work readiness activities, interview clothing, test fees, transportation, child care).
- 7) Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
- 8) Assisted Section 3 workers to obtain financial literacy training and/or coaching.
- 9) Engaged in outreach efforts to identify and secure bids from Section 3 concerns.
- 10) Provided technical assistance to help Section 3 business concerns understand and bid on contacts.
- 11) Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.
- 12) Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
- 13) Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.
- 14) Outreach, engagement, or referrals with the state on-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.

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

- 1) A Section 3 Employee Certification Form for each potential employee who attended training
- 2) A course outline for internally conducted or contracted training
- 3) A course certificate, license, or other form of certification for a training program
- 4) Any statements regarding impediments encountered despite actions taken.

Project Completion Reporting

Once a project is completed, the Section 3 Coordinator will conduct a final review of the project's overall performance and compliance. Section 3 data will be submitted to HUD in IDIS or DRGR accordingly.

XI. Complaint Procedure

In an effort to resolve complaints generated due to non-compliance through an internal process, the City of Moore encourages submittal of such complaints to its Section 3 Coordinator as follows:

- 1) Complaints of non-compliance should be filed in writing and must contain the name of the complainant and brief description of the alleged violation of 24 CFR Part 75.
- 2) Complaints must be filed within thirty (30) calendar days after the complainant becomes aware of the alleged violation.
- 3) An investigation will be conducted if complaint is found to be valid. The City of Moore will conduct an informal, but thorough investigation affording all interested parties, if any, an opportunity to submit testimony and/or evidence pertinent to the complaint.
- 4) The City of Moore will provide written documentation detailing the findings of the investigation. The City will review the findings for accuracy and completeness before it is released to complainants. The findings will be made available no later than sixty (60) days after the filing of complaint. If complainants wish to have their concerns considered outside of the City a complaint may be filed with:

OKC HUD Field Office
301 NW 6th St #200
Oklahoma City, OK 73102

Attachment A: Section 3 Worker and Targeted Section 3 Worker Self-Certification

The purpose of HUD's Section 3 program is to provide employment, training and contracting opportunities to low-income individuals, particularly those who are recipients of government assistance for housing or other public assistance programs.

Instructions: Enter/select the appropriate information to confirm your Section 3 worker or Targeted Section 3 Worker status.

Employee Name: _____

Employer: _____

Employee Address: _____

Date Hired: _____

1. Are you a resident of public housing or a Housing Choice Voucher Holder (Section 8)? YES NO

2. Are you a resident of the City of Moore? YES NO

3. Are you participating in a YouthBuild Program? YES NO

4. In the field below, select the amount of **individual** income you believe you earn on an annual basis.

Less than \$10,000 \$10,001 - \$20,000 \$20,001 - \$30,000

\$30,001 - \$40,000 \$40,001 - \$50,000 \$50,001 - \$60,000

More than \$60,000

Employee Affirmation

I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief. I hereby certify, under penalty of law, that the following information is correct to the best of my knowledge.

Signature: _____ Date: _____

For City of Moore Use Only

Is the employee a Section 3 worker based upon their self-certification? YES NO

Is the employee a Targeted Section 3 worker based upon their self-certification? YES NO

Was this an applicant who was hired as a result of the Section 3 project? YES NO

If Yes, what is the name of the company? _____

What was the date of hire? _____

Section 3 Business Concern Certification for Contracting

Instructions: Enter the following information and select the criteria that applies to certify your business' Section 3 Business Concern status.

Business Information

Name of Business _____

Address of Business _____

Name of Business Owner _____

Phone Number of Business Owner _____

Email Address of Business Owner _____

Preferred Contact Information Same as above

Name of Preferred Contact _____

Phone Number of Preferred Contact _____

Type of Business (select from the following options): Corporation Partnership Sole Proprietorship Joint Venture**Select from ONE of the following three options below that applies:** At least 51 percent of the business is owned and controlled by low- or very low-income persons (Refer to income guidelines on page 2). At least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing. Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers (Refer to definition on page 2).**Business Concern Affirmation**

I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief. I understand that businesses who misrepresent themselves as Section 3 business concerns and report false information to [insert name of recipient/grantee] may have their contracts terminated as default and be barred from ongoing and future considerations for contracting opportunities. I hereby certify, under penalty of law, that the following information is correct to the best of my knowledge.

Print Name: _____

Signature: _____ Date: _____

*Certification expires within six months of the date of signature. Information regarding Section 3 Business Concerns can be found at 24 CFR 75.5

The City of Moore Section 3 Income Limits

Eligibility Guidelines

The worker's income must be at or below the amount provided below for an individual (household of 1) regardless of actual household size.

Individual Income Limits

FY 2021 Income Limit Area	Income Limits Category	FY 2021 Individual Income Limits
City of Moore, OK	Extremely Low Income Limits (30%)	\$15,400 annually
	Very Low Income Limits (50%)	\$25,650 annually
	Low Income Limits (80%)	\$41,000 annually

Income Limits are updated every April at

<https://www.huduser.gov/portal/datasets/il/il2021/2021summary.odn>

Section 3 Worker Definition:

- A low or very low-income resident (the worker's income for the previous or annualized calendar year is below the income limit established by HUD); or
- Employed by a Section 3 business concern; or
- A YouthBuild participant.

City of Moore Use Only

Is the business a Section 3 business concern based upon their certification? YES NO

Attachment B - 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 75 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 D - 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 27th
Oklahoma City, OK
(405) 528-5609

Electrician Local 584

1738 E. 7th Street
Tulsa, OK
(918) 497-9777

Electrician Local 1141

1700 SE 15th 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. 7th 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 46th
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. 105th East Ave.
Tulsa, OK
(918) 834-2808

Sprinkler Fitter Local 669

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

Attachment E - 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 persons and business concerns that provide economic opportunities to low income persons, particularly those who are recipients of government assistance for housing or residents of the community in which the Federal assistance is spent.
- 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 75 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 and any subcontractors are required to meet the prioritization requirements of 24 CFR 75.19. To the greatest extent feasible, employment and training opportunities arising in connection with this project are provided to Section 3 workers within the metropolitan area. Where feasible priority for opportunities and training should be given to Section 3 workers residing within the service area of the project site and participants in YouthBuild programs. To the greatest extent feasible, contractors shall ensure contracts for work awarded in connection to this project are provided to business concerns that provide economic opportunities to Section 3 workers residing in the metropolitan area. Where feasible, priority should be given to Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the service area of the project and has Youth Build programs.
- 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 75. 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 75 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.

SECTION 3 PLAN

E. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 75, 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 75.