



SAN DIEGO
HOUSING
COMMISSION

San Diego Housing Commission Section 3 Program Guide

Effective: July 1, 2022

San Diego Housing Commission
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Table of Contents

| | | |
|--------|--|----|
| 1 | Business Program..... | 7 |
| 1.1 | Overview & Applicability..... | 7 |
| 1.1.1 | What is Section 3?..... | 7 |
| 1.1.2 | What laws and regulations govern the Section 3 program?..... | 7 |
| 1.1.3 | What is considered low- and very-low income, and how is it calculated?..... | 7 |
| 1.1.4 | Who is a Section 3 Worker?..... | 7 |
| 1.1.5 | Who is a Targeted Section 3 Worker?..... | 7 |
| 1.1.6 | What is a Section 3 Business Concern?..... | 7 |
| 1.1.7 | Is a business in compliance if it meets the HUD Section 3 benchmarks?..... | 7 |
| 1.1.8 | What is a Section 3 covered contract or project?..... | 8 |
| 1.1.9 | What types of contracts/projects require Section 3 compliance?..... | 8 |
| 1.1.10 | Who addresses the Section 3 programmatic and policy issues?..... | 8 |
| 1.2 | Business Concern Certification..... | 8 |
| 1.2.1 | Who can become certified as a Section 3 Business Concern?..... | 8 |
| 1.2.2 | What is the meaning of “principal office”?..... | 8 |
| 1.2.3 | What are the benefits of becoming a certified Section 3 Business Concern?..... | 8 |
| 1.2.4 | Can suppliers of products or materials apply for certification?..... | 9 |
| 1.2.5 | How are applications reviewed and processed?..... | 9 |
| 1.2.6 | What documents need to be submitted to verify eligibility?..... | 9 |
| 1.2.7 | Do I have to be a U.S. Citizen to apply for certification?..... | 9 |
| 1.2.8 | What happens if SDHC receives an incomplete application?..... | 9 |
| 1.2.9 | How long is the certification process?..... | 9 |
| 1.2.10 | How long is certification valid?..... | 9 |
| 1.2.11 | What happens if the information that I submitted in the application is no longer valid? ... | 9 |
| 1.2.12 | Is there a fee to apply for certification?..... | 10 |
| 1.2.13 | Is there a directory of certified Section 3 Business Concerns?..... | 10 |
| 1.2.14 | What if I want to become certified, but I do not want my business information shared outside of SDHC?..... | 10 |
| 1.2.15 | Is there reciprocity with other public housing authorities or agencies?..... | 10 |



| | | |
|--------|--|----|
| 1.2.16 | Where can I get an application? | 10 |
| 1.2.17 | I am a certified Section 3 Business Concern; how do I market my business? | 10 |
| 1.2.18 | Who can I contact if I have questions about the Section 3 application?..... | 10 |
| 1.2.19 | What happens if application to certify is declined?..... | 10 |
| 1.2.20 | Is there an appeal process for applicants who are declined certification? | 11 |
| 1.2.21 | Under what circumstances can a certified Section 3 Business Concern be decertified? ... | 11 |
| 1.2.22 | What is the decertification process? | 11 |
| 1.2.23 | Is there an appeal process for revoked certifications? | 11 |
| 1.3 | Business Concern Recertification..... | 11 |
| 1.3.1 | What is the recertification process? | 11 |
| 1.4 | Doing Business with the SDHC | 11 |
| 1.4.1 | Where can I learn about doing business with SDHC? | 11 |
| 1.4.2 | How can I receive notifications of contracting opportunities?..... | 12 |
| 1.4.3 | What types of services are solicited and how much is spent annually?..... | 12 |
| 1.4.4 | How does SDHC solicit bids for services?..... | 12 |
| 1.5 | Requirements for Bidders/Proposers | 12 |
| 1.5.1 | What are the Section 3 requirements for bidders/proposers? | 12 |
| 1.5.2 | What is the definition of “labor hours”?..... | 12 |
| 1.5.3 | What is the definition of “professional services”? | 12 |
| 1.5.4 | How do I know if a project is Section 3 covered? | 12 |
| 1.5.5 | What are the Section 3 contract provisions?..... | 13 |
| 1.5.6 | What is the Section 3 and Equal Opportunity Contracting Project Utilization Plan? | 13 |
| 1.5.7 | How can I demonstrate Section 3 compliance in my bid/proposal? | 13 |
| 1.5.8 | What are examples of supporting documentation that verify outreach to Section 3 Business Concerns? | 13 |
| 1.5.9 | What happens if I do not submit, upon request by SDHC, supporting documentation verifying outreach to Section 3 Business Concerns? | 13 |
| 1.5.10 | Do I have to comply with Section 3 requirements, if I do not plan to hire new employees and I do not plan to award contracts/subcontracts? | 13 |
| 1.5.11 | Do certified Section 3 Business Concerns have to comply with the Section 3 requirements?..... | 13 |



| | | |
|--------|---|----|
| 1.5.12 | What happens if I do not submit a Section 3 and Equal Opportunity Contracting Project Utilization Plan? | 14 |
| 1.5.13 | Who is required to submit the Section 3 and Equal Opportunity Contracting Project Utilization Plan? | 14 |
| 1.5.14 | What is the Approved Plan Approach, and why is it important? | 14 |
| 1.5.15 | Under which circumstances may waivers be granted under the Approved Plan Approach? | 14 |
| 1.5.16 | Where can I obtain the Section 3 and Equal Opportunity Contracting Project Utilization Plan? | 14 |
| 1.5.17 | Must the Section 3 Workers and Section 3 Business Concerns that I plan to hire be certified as such? | 15 |
| 1.5.18 | How do I identify certified Section 3 Workers? | 15 |
| 1.5.19 | How do I identify certified Section 3 Business Concerns? | 15 |
| 1.5.20 | Is there an order of preference in providing employment opportunities to Section 3 Workers? | 15 |
| 1.6 | Requirements for Awardees | 15 |
| 1.6.1 | Are there reporting requirements? | 15 |
| 1.6.2 | What is the Section 3 Workers List and why is it only applicable to prevailing wage contracts? | 15 |
| 1.7 | Filing Complaints | 16 |
| 1.7.1 | Who can file a complaint? | 16 |
| 1.7.2 | To whom should complaints be submitted? | 16 |
| 1.7.3 | Where can I get form HUD 958? | 16 |
| 1.7.4 | What happens during an investigation? | 16 |
| 1.7.5 | Can complainants appeal the initial decision made in a Section 3 complaint? | 16 |
| 2 | Worker Program | 16 |
| 2.1 | Overview & Applicability | 16 |
| 2.1.1 | What is Section 3? | 16 |
| 2.1.2 | What laws and regulations govern the Section 3 program? | 17 |
| 2.1.3 | Who is a Section 3 Worker? | 17 |
| 2.1.4 | Who is a Targeted Section 3 Worker? | 17 |
| 2.1.5 | What is considered low- and very low-income, and how is income calculated? | 17 |



| | | |
|--------|---|----|
| 2.1.6 | What types of training are available to certified Section 3 Workers?..... | 17 |
| 2.1.7 | Who addresses Section 3 programmatic and policy issues? | 17 |
| 2.2 | Worker Certification | 17 |
| 2.2.1 | Who can become certified as a Section 3 Worker?..... | 17 |
| 2.2.2 | What are the benefits of becoming a certified Section 3 Worker? | 18 |
| 2.2.3 | How are applications reviewed and processed? | 18 |
| 2.2.4 | What documents need to be submitted to verify eligibility? | 18 |
| 2.2.5 | Do I have to be a U.S. Citizen to apply for certification? | 18 |
| 2.2.6 | What happens if SDHC receives an incomplete application? | 18 |
| 2.2.7 | How long is the certification process? | 18 |
| 2.2.8 | How long is certification valid? | 18 |
| 2.2.9 | What happens if the information that I submitted in the application is no longer valid? . | 18 |
| 2.2.10 | Is there a fee to apply for certification? | 18 |
| 2.2.11 | Is there reciprocity with other public housing authorities or agencies? | 18 |
| 2.2.12 | Where can I get an application? | 19 |
| 2.2.13 | Who can I contact if I have questions about the application?..... | 19 |
| 2.2.14 | What happens if application to certify is declined?..... | 19 |
| 2.2.15 | Is there an appeal process for applicants who are declined certification? | 19 |
| 2.2.16 | What is a Section 3 eligibility review?..... | 19 |
| 2.2.17 | Under what circumstances can a certified Section 3 Worker be decertified? | 19 |
| 2.2.18 | What is the decertification process? | 19 |
| 2.2.19 | Is there an appeal process for revoked certifications?..... | 19 |
| 2.3 | Worker Recertification..... | 20 |
| 2.3.1 | What is the recertification process? | 20 |
| 2.4 | Filing Complaints..... | 20 |
| 2.4.1 | Who can file a complaint? | 20 |
| 2.4.2 | To whom should complaints be submitted?..... | 20 |
| 2.4.3 | Where can I get form HUD 958? | 20 |
| 2.4.4 | Is there a time limit for filing a Section 3 complaint? | 20 |
| 2.4.5 | What happens during an investigation? | 20 |



| | | |
|------------|---|----|
| 2.4.6 | Can complainants appeal the initial decision made in a Section 3 complaint? | 20 |
| Exhibit 1: | HUD Income Limits | 21 |
| Exhibit 2: | Section 3 Business Concern Certification Form | 22 |
| Exhibit 3: | Section 3 Certification of Compliance | 28 |
| Exhibit 4: | Section 3 and Equal Opportunity Contracting Project Utilization Plan | 33 |
| Exhibit 5: | Section 3 Workers List..... | 39 |
| Exhibit 6: | Section 3 Quarterly Labor Hours Report..... | 41 |
| Exhibit 7: | Section 3 Worker Certification Forms..... | 44 |
| Exhibit 8: | Examples of Efforts to Award Contracting Opportunities | 51 |



1 Business Program

1.1 Overview & Applicability

1.1.1 What is Section 3?

Section 3 is a federally mandated program of the U.S. Department of Housing and Urban Development (HUD). Under Section 3 of the HUD Act of 1968, economic opportunities, most importantly employment, generated by certain HUD financial assistance shall be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing or residents of the community in which federal assistance is spent.

1.1.2 What laws and regulations govern the Section 3 program?

Section 3 was established by the HUD Act of 1968 (12 U.S.C. 1701u) (Section 3). It is implemented by Part 75 of Title 24 of the Code of Federal Regulations (24CFR75).

1.1.3 What is considered low- and very-low income, and how is it calculated?

The terms low-income and very low-income mean families (including single persons) whose incomes do not exceed 80 percent or 50 percent, respectively, of the area median income (AMI), as determined by HUD, with adjustments based on family size. Income calculations are based on the individual's annual income for the preceding calendar year. See Exhibit 1 for HUD Income Limits, or contact the San Diego Housing Commission (SDHC) Section 3 Unit to obtain the current income limits.

1.1.4 Who is a Section 3 Worker?

A Section 3 Worker is a County of San Diego resident who is a low- or very low-income person according to HUD Income Limits; employed by a Section 3 Business Concern; or a YouthBuild participant.

1.1.5 Who is a Targeted Section 3 Worker?

A Targeted Section 3 Worker is a Section 3 Worker who resides in public housing, HUD Section 8 assisted housing, or within one mile of the Section 3 covered project; an employee of a Section 3 Business Concern; or a YouthBuild participant.

1.1.6 What is a Section 3 Business Concern?

A Section 3 Business Concern means a business concern that meets one of the following criteria:

- At least 51 percent owned by a County of San Diego resident who is a low- or very low-income person according to HUD Income Limits; or
- At least 75 percent of the labor hours performed for the business over the prior three-month period were performed by Section 3 Workers.

1.1.7 Is a business in compliance if it meets the HUD Section 3 benchmarks?

Yes. Contractors and subcontractors comply with Section 3 by committing to the following Section 3 benchmarks:

- At least 25 percent of total labor hours for the business are performed by Section 3 Workers; and
- At least 5 percent of total labor hours for the business are performed by Targeted Section 3 Workers.



1.1.8 What is a Section 3 covered contract or project?

A Section 3 covered contract is any contract or subcontract (including professional service contracts) for work generated by the expenditure of Section 3 covered assistance.

A Section 3 covered project is any project funded by HUD housing and community development financial assistance involving the construction or rehabilitation of housing (including reduction of lead-based paint hazards), or other public construction such as street repair, sewage line repair or installation, updates to building facades, etc.

1.1.9 What types of contracts/projects require Section 3 compliance?

Section 3 requirements apply when the contract/project is funded with certain HUD financial assistance, and based upon the specific HUD financial assistance, the scope of work and the contract/project dollar amount meet the criteria. Requirements apply to service contracts.

1.1.10 Who addresses the Section 3 programmatic and policy issues?

The San Diego Housing Commission (SDHC) Program Manager addresses Section 3 programmatic and policy-related issues.

1.2 Business Concern Certification

1.2.1 Who can become certified as a Section 3 Business Concern?

SDHC certifies business concerns whose principal offices are located in the County of San Diego and meet one of the following criteria:

- At least 51 percent owned by a County of San Diego resident who is a low- or very low-income person according to HUD Income Limits; or
- At least 75 percent of the labor hours performed for the business over the prior three-month period were performed by Section 3 Workers.

1.2.2 What is the meaning of “principal office”?

Principal office is the location where the greatest number of employees at any one location perform their work. Exception: Businesses whose primary industry is service or construction, the calculation of the number of employees excludes those employees who perform the majority of their work at job-site locations to fulfill specific contract obligations.

Example: A construction company has two offices—one in Los Angeles, the other in San Diego. Ten employees work at the Los Angeles location performing management and clerical functions. In San Diego, there is a manager, secretary and 28 construction workers performing work on a specific contract. In this example, the principal office is located in Los Angeles because there are ten employees compared to two employees (after excluding the 28 construction workers) in San Diego.

1.2.3 What are the benefits of becoming a certified Section 3 Business Concern?

- Placement on a Section 3 Business Concern registry, which is promoted to and utilized by SDHC’s development partners, contractors and/or subcontractors who have contracting opportunities on Section 3 covered contracts;
- Notification of business development workshops, conferences and networking opportunities; and



- Referrals to public agencies that have Section 3 covered contracting opportunities.

1.2.4 Can suppliers of products or materials apply for certification?

Any business concern that meets the eligibility criteria can apply for certification. However, Section 3 does not apply to contracts for the purchase of products or materials that do not require any labor. For example, a contract for office or janitorial supplies would not be covered by Section 3. However, a contract to replace windows that includes the removal of existing windows and the installation of new windows would be covered.

1.2.5 How are applications reviewed and processed?

Applicants self-certify as Section 3 Business Concerns by completing and submitting the Section 3 Business Concern Certification Form (Exhibit 2). Applicants, who primarily perform in an industry that is subject to prevailing wage laws and whose eligibility for certification as a Section 3 Business Concern is based on at least 75 percent of labor hours performed by Section 3 Workers, are to provide the names of their Section 3 Workers. Forms are reviewed by the Program Analyst. Certified Section 3 Business Concerns will receive an electronic copy of their certification letters.

1.2.6 What documents need to be submitted to verify eligibility?

Under SDHC's self-certification process, applicants complete and submit the Section 3 Business Concern Certification Form. Applicants, who primarily perform in an industry that is subject to prevailing wage laws and whose eligibility for certification as a Section 3 Business Concern is based on at least 75 percent of labor hours performed by Section 3 Workers, are to provide the names of their Section 3 Workers. SDHC may at any time conduct an eligibility review and request that self-certified Section 3 Business Concerns provide documentation to verify eligibility.

1.2.7 Do I have to be a U.S. Citizen to apply for certification?

In order to apply for certification, applicants must be a U.S. Citizen or noncitizen that has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a).

1.2.8 What happens if SDHC receives an incomplete application?

The applicant will be notified of the deficiency. The applicant will have 15 calendar days to address the deficiency. If the deficiency is not addressed within the time frame, the application will be considered to have been withdrawn and no further processing will occur.

1.2.9 How long is the certification process?

When all requested documents have been received, SDHC normally processes applications within 15 business days.

1.2.10 How long is certification valid?

Certification as a Section 3 Business Concern is valid for 3 years.

1.2.11 What happens if the information that I submitted in the application is no longer valid?

Notify the SDHC Section 3 Unit in writing of any material change within 30 days of when the change occurred. Depending upon the nature of the change in information, the Section 3 Certification may be denied or revoked.



1.2.12 Is there a fee to apply for certification?

No fees are charged to the applicant to become a certified Section 3 Business Concern.

1.2.13 Is there a directory of certified Section 3 Business Concerns?

Certified Section 3 Business Concerns are listed in a public registry. The registry is used by SDHC Section 3 Unit, developers, contractors and subcontractors on Section 3 covered contracts/projects, and HUD-funded public agencies or partners who are seeking certified Section 3 Business Concerns. For the registry, go to <https://www.sdhc.org/doing-business-with-us/section-3/>

1.2.14 What if I want to become certified, but I do not want my business information shared outside of SDHC?

Applicants may opt out of having their business information released. On the Section 3 Business Concern Certification Form, respond “no” to the question: “If you become certified as a Section 3 Business Concern, do you grant the San Diego Housing Commission permission to share and/or release your business information with other public agencies and/or firms seeking to contract with certified Section 3 Business Concerns?”

At any time, certified Section 3 Business Concerns can change their permission by submitting a written request to the SDHC Section 3 Unit.

1.2.15 Is there reciprocity with other public housing authorities or agencies?

SDHC’s Section 3 Business Concern certification does not have reciprocity with other public housing authorities, agencies, or private certifiers. SDHC does not recognize certified Section 3 Business Concerns that are not certified by SDHC. However, public housing authorities, agencies, and others might recognize SDHC-certified Section 3 Business Concerns.

1.2.16 Where can I get an application?

Applications are available online at <https://www.sdhc.org/doing-business-with-us/section-3/>, or contact the Program Analyst at (619) 578-7579 or Section3@sdhc.org.

1.2.17 I am a certified Section 3 Business Concern; how do I market my business?

Section 3 Business Concerns are encouraged to register with the SDHC Vendor Portal on PlanetBids (<https://pbsystem.planetbids.com/portal/39471/portal-home>), the free online system used by SDHC to notify the public of formal bid/proposal opportunities. Contact the SDHC Procurement Department to learn about informal bid opportunities. Periodically, review SDHC’s website (www.sdhc.org) to learn about planned housing development projects and subsequently outreach to the developers; and additionally attend networking events.

Note: The SDHC Section 3 Unit promotes certified Section 3 Business Concerns within SDHC and to developers, contractors, subcontractors and/or partners who are seeking Section 3 Business Concerns.

1.2.18 Who can I contact if I have questions about the Section 3 application?

You can contact the Program Analyst: (619) 578-7579 or by e-mail, Section3@sdhc.org.

1.2.19 What happens if application to certify is declined?

Applicants will receive written notification explaining the reasons the application was declined.



1.2.20 Is there an appeal process for applicants who are declined certification?

Yes. A business whose application for certification is denied can appeal the decision to SDHC's Vice-President. A written notice of appeal must be received by the Vice-President within 15 business days of the date of the decision. The decision of the Vice-President, or designee (other than the Program Manager), shall be the final decision of SDHC.

1.2.21 Under what circumstances can a certified Section 3 Business Concern be decertified?

SDHC can propose decertification, if it is unable to verify the eligibility of the certified Section 3 Business Concern; finds that the certified Section 3 Business Concern misrepresented itself in its application to certify or in any documentation or information provided to SDHC; or determines that the certified Section 3 Business Concern is not eligible for the program.

1.2.22 What is the decertification process?

1. Notice of Proposed Decertification: The Program Manager or designee will first notify the certified Section 3 Business in writing that SDHC is proposing to decertify it, the reasons for the proposed decertification, and that the certified Section 3 Business Concern must rebut each of the reasons SDHC sets forth. The certified Section 3 Business Concern will have 30 calendar days from the date on the notification to respond in writing.
2. Notice of Decertification: The Program Manager or designee will notify the certified Section 3 Business Concern in writing that it is decertified.

1.2.23 Is there an appeal process for revoked certifications?

Yes. A certified Section 3 Business Concern that has received from SDHC a Notice of Decertification can appeal the decision to SDHC's Vice-President. A written notice of appeal must be received by the Vice-President within 15 business days of the date of the decision. The appeal must state the reason(s) for the appeal and any supporting arguments. If SDHC does not receive the appeal within the deadline, then the decision is final. The decision of the Vice-President, or designee (other than the Program Manager), shall be the final decision of SDHC.

1.3 Business Concern Recertification

1.3.1 What is the recertification process?

The recertification process requires the completion of the Section 3 Business Concern Certification Form (Exhibit 2). However, applicants do not need to resubmit documentation verifying their status as Emerging Local Business Enterprises (ELBE), Small Local Business Enterprises (SLBE), Small Business (SB), Disadvantaged Business Enterprises (DBE), Disabled Veteran Business Enterprises (DVBE), Woman Business Enterprises (WBE), Minority Business Enterprises (MBE), or Environmental Protection Agency (EPA) Lead-Safe certification if those certifications are still valid.

1.4 Doing Business with the SDHC

1.4.1 Where can I learn about doing business with SDHC?

For more information about doing business with SDHC, please visit <https://www.sdhc.org/doing-business-with-us/contracting-and-procurement-services/>, or contact the SDHC Procurement Department at (619) 578-7537 or purchasing@sdhc.org.



1.4.2 How can I receive notifications of contracting opportunities?

Information on bid opportunities and tools to download bid documents are provided through SDHC Vendor Portal on PlanetBids, a free online service. If you choose to register, make sure all information about your company is accurate and up-to-date. To register on the SDHC Vendor Portal, follow these instructions:

1. Go online to <https://pbsystem.planetbids.com/portal/39471/portal-home>
2. Check the “New Vendor Registration” option.
3. Create your vendor profile with the San Diego Housing Commission.

1.4.3 What types of services are solicited and how much is spent annually?

The following is a breakdown of the types of services solicited and estimated amounts spent for each type annually:

- Architects & Engineers: \$300,000 - \$500,000
- Construction: \$9 million - \$10 million,
- Professional Services: \$25 million - \$30 million
- Non-Professional Services: \$2 million - \$3 million
- Supplies, Materials and Equipment: \$2 million - \$3 million

1.4.4 How does SDHC solicit bids for services?

Services expected to exceed \$150,000 for federally-funded and \$250,000 for non-federally-funded contracts are formally solicited via Request for Proposal (RFP) or an Invitation for Bid (IFB). Services expected to be less than \$50,000 are typically solicited through a single Request for Quotation (RFQT), and a minimum of three quotes for contracts between \$50,001 and \$250,000.

1.5 Requirements for Bidders/Proposers

1.5.1 What are the Section 3 requirements for bidders/proposers?

On Section 3 covered contracts or projects, bidders/proposers shall, to the greatest extent feasible, commit to the Section 3 benchmarks: (a) At least 25 percent of total labor hours are worked by Section 3 Workers; and (b) At least 5 percent of total labor hours are worked by Targeted Section 3 Workers.

Section 3 requirements do not apply to contracts/projects for the purchase of materials or supplies that do not include the installation of the materials or supplies.

1.5.2 What is the definition of “labor hours”?

Labor hours means the number of paid hours worked by persons on a Section 3 covered contract or project.

1.5.3 What is the definition of “professional services”?

Professional services are non-construction services that require an advanced degree or professional licensing.

1.5.4 How do I know if a project is Section 3 covered?

All solicitations for Section 3 covered projects/contracts will indicate that the project/contract is subject to HUD Section 3 requirements, and include the Section 3 and Equal Opportunity Contracting Project Utilization Plan.



1.5.5 What are the Section 3 contract provisions?

Recipients and contractors must include language in any agreement or contract to apply the regulations set forth at Title 24, Part 75 of the Code of Federal Regulations to sub-recipients and subcontractors. Recipients and contractors must require sub-recipients and subcontractors to meet the requirements.

1.5.6 What is the Section 3 and Equal Opportunity Contracting Project Utilization Plan?

The Section 3 and Equal Opportunity Contracting Project Utilization Plan (Exhibit 4) is a form (includes Attachments I and II) that bidders/proposers and their first-tier subcontractors complete and submit to indicate their planned utilization of certified Section 3 Business Concerns and certified Section 3 Workers.

1.5.7 How can I demonstrate Section 3 compliance in my bid/proposal?

Bidder/Proposer and its first-tier subcontractors demonstrate Section 3 compliance by submitting: (1) Section 3 and Equal Opportunity Contracting Project Utilization Plans (includes Attachments I and II) that project a commitment to award contracts to certified Section 3 Business Concerns, currently employ Section 3 Workers and/or hire certified Section 3 Workers when there is a need to award contracts and/or hire new employees; and (2) supporting documentation verifying that the bidder/proposer and its first-tier subcontractors outreached to Section 3 Business Concerns and Section 3 Workers.

1.5.8 What are examples of supporting documentation that verify outreach to Section 3 Business Concerns?

At a minimum, supporting documentation shall include a log of calls or copies of emails—with outcomes—to SDHC certified Section 3 Business Concerns; and notifying the SDHC Section 3 Unit of employment opportunities for SDHC certified Section 3 Workers. The registry of certified Section 3 Business Concerns and “Examples of Efforts to Create Employment and Contracting Opportunities” (Exhibit 8) are available at www.sdhc.org/doing-business-with-us/section-3/ . For referrals of certified Section 3 Workers, contact the SDHC Section 3 Unit at section3@sdhc.org.

1.5.9 What happens if I do not submit, upon request by SDHC, supporting documentation verifying outreach to Section 3 Business Concerns?

A bid/proposal shall be deemed “non-responsive” due to a lack of documented outreach to Section 3 Business Concerns.

1.5.10 Do I have to comply with Section 3 requirements, if I do not plan to hire new employees and I do not plan to award contracts/subcontracts?

Upon contract award, to the greatest extent feasible, contractors and/or subcontractors shall ensure that employment and training opportunities on Section 3 covered contracts and projects are provided to Section 3 Workers; and report total labor hours performed by Section 3 Workers as a percentage of total labor hours of all employees performing on the Section 3 covered contract or project.

1.5.11 Do certified Section 3 Business Concerns have to comply with the Section 3 requirements?

Yes. Certified Section 3 Business Concerns that are awarded Section 3 covered contracts or subcontracts must comply.



1.5.12 What happens if I do not submit a Section 3 and Equal Opportunity Contracting Project Utilization Plan?

All bids/proposals are to contain a completed Section 3 and Equal Opportunity Contracting Project Utilization Plan (includes Attachments I and II), even if there are no projected new hires and no projected subcontracting opportunities. A “non-responsive” determination may be made due to non-submittal of the Section 3 and Equal Opportunity Contracting Project Utilization Plan.

1.5.13 Who is required to submit the Section 3 and Equal Opportunity Contracting Project Utilization Plan?

Bidder/Proposer and its first-tier subcontractors must submit Section 3 and Equal Opportunity Contracting Project Utilization Plans. Bidder/Proposer is responsible for submitting its own Utilization Plan and its first-tier subcontractors’ Utilization Plans with its bid/proposal.

1.5.14 What is the Approved Plan Approach, and why is it important?

The Approved Plan Approach is the process by which SDHC evaluates the Section 3 and Equal Opportunity Contracting Project Utilization Plan. A contractor whose Section 3 and Equal Opportunity Contracting Project Utilization Plan does not meet the Section 3 benchmarks must have its plan approved. SDHC will not execute a contract/agreement that does not include by reference an approved plan to utilize certified Section 3 Workers and/or Section 3 Business Concerns, or reference the waiver granted by SDHC.

1.5.15 Under which circumstances may waivers be granted under the Approved Plan Approach?

A Section 3 and Equal Opportunity Contracting Project Utilization Plan that does not meet the Section 3 benchmarks may receive a waiver in the following circumstances:

- The Utilization Plan indicates that there are no potential subcontracting opportunities, no opportunities to hire new employees, AND there is an agreement to make a documented good faith effort to hire certified Section 3 Workers when there is a need to hire.
- Bidder/Proposer plans to award subcontracts to certified Section 3 Business Concerns AND agrees to make a documented good faith effort to hire certified Section 3 Workers when there is a need to hire.
- Bidder/Proposer provides supporting documentation demonstrating it has exhausted all hiring and/or contracting resources to outreach to and hire Section 3 Workers and/or award contracts to Section 3 business Concerns. **At a minimum, supporting documentation shall include a detailed log of calls or copies of emails—with outcomes—to SDHC certified Section 3 Business Concerns.**
- Bidder/proposer whose geographic location and/or industry preclude from hiring County of San Diego residents.

1.5.16 Where can I obtain the Section 3 and Equal Opportunity Contracting Project Utilization Plan?

The Section 3 and Equal Opportunity Contracting Project Utilization Plan is contained in all solicitations for Section 3 covered contracts/projects and available at <https://www.sdhc.org/doing-business-with-us/section-3/>. The Utilization Plan contains guidelines for completion and submittal. Please contact the SDHC Section 3 Unit for a copy of the form.



1.5.17 Must the Section 3 Workers and Section 3 Business Concerns that I plan to hire be certified as such?

Yes. In order to receive credit for employing Section 3 Workers and/or awarding contracts to Section 3 Business Concerns, they must be certified by SDHC Section 3 Unit.

1.5.18 How do I identify certified Section 3 Workers?

Please contact the SDHC Section 3 Unit to obtain referrals of certified Section 3 Workers.

1.5.19 How do I identify certified Section 3 Business Concerns?

For the registry of certified Section 3 Business Concerns, go to <https://www.sdhc.org/doing-business-with-us/section-3/>.

1.5.20 Is there an order of preference in providing employment opportunities to Section 3 Workers?

Yes. Contractors and subcontractors shall direct their efforts to provide, to the greatest extent feasible, employment opportunities generated by the expenditure of Section 3 covered assistance in the order of priority provided in 24CFR75.9 and 24CFR75.19.

1.6 Requirements for Awardees

1.6.1 Are there reporting requirements?

Yes. Contractors and subcontractors whose contracts are subject to prevailing wage laws are to complete and submit the Section 3 Workers List (Exhibit 5) and weekly certified payroll reports. Businesses that are not subject to prevailing wage laws are to submit the Section 3 Quarterly Labor Hours Report (Exhibit 6) estimating the total labor hour worked by Section 3 Workers and Targeted Section 3 Workers as a percentage of the total labor hours worked by all employees performing on the Section 3 covered contract or project. Efforts must be made to maintain the approved percentages of Section 3 participation throughout the term of the Section 3 covered contract or project.

1.6.2 What is the Section 3 Workers List and why is it only applicable to prevailing wage contracts?

The Section 3 Workers List (Exhibit 5) is completed by contractors and subcontractors to identify employees who are Section 3 Workers and Targeted Section 3 Workers. Section 3 regulations require that projects or activities that are subject to time and attendance reporting, report on the actual hours, not estimated hours, worked by Section 3 Workers and Targeted Section 3 Workers as a percentage of the total labor hours worked by all employees performing on the Section 3 covered contract or project. Prevailing wage contracts are subject to time and attendance reporting. The SDHC Section 3 Unit reviews the Section 3 Workers List and certified payroll reports to monitor compliance. The Section 3 Worker List is submitted at contract execution or at the start of contract performance.



1.7 Filing Complaints

1.7.1 Who can file a complaint?

Any Section 3 Worker or Section 3 Business Concern (or authorized representative) seeking employment, training or contracting opportunities generated by Section 3 covered assistance may file a complaint using form HUD 958. Complaints must be filed no later than 180 days from the date of the action or omission upon which the complaint is based. Where a complaint alleges noncompliance with Section 3 that is continuing, the complaint will be considered timely if it is filed within 180 days of the last alleged occurrence of noncompliance.

1.7.2 To whom should complaints be submitted?

Effective November 2007, Section 3 complaints must be filed at the appropriate HUD Fair Housing and Equal Opportunity (FHEO) Regional Office for the area where the violation occurred. Please visit www.hud.gov/offices/fheo to obtain the address and telephone number for FHEO regional offices.

1.7.3 Where can I get form HUD 958?

Form HUD 958, filing instructions, and mailing addresses are available on HUD's website, www.hud.gov/sites/documents/958.PDF.

1.7.4 What happens during an investigation?

Once a timely complaint has been filed with the appropriate HUD FHEO Regional Office, HUD will determine if the complaint has jurisdiction or is covered by Section 3 regulations. HUD assigns an investigator and notifies SDHC about the complaint. SDHC has the option of resolving the complaint or contesting it. If SDHC denies the allegations of noncompliance contained in the complaint, the investigator prepares a letter of findings. The investigator either makes a determination of noncompliance or dismisses the complaint.

1.7.5 Can complainants appeal the initial decision made in a Section 3 complaint?

A complainant can submit a written appeal to the HUD Assistant Secretary for Fair Housing and Equal Opportunity in Washington, D.C., within 15 days after the FHEO Regional Office makes its determination. Requests should be sent to:

U.S. Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity
451 Seventh Street, SW
Room 5100
Washington, D.C. 20410

2 Worker Program

2.1 Overview & Applicability

2.1.1 What is Section 3?

The purpose of Section 3 of the Housing and Urban Development (HUD) Act of 1968, as amended (12. U.S.C. 1701u) (Section 3), is to ensure that economic opportunities, most importantly



employment, generated by certain HUD financial assistance shall be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing or residents of the community in which federal assistance is spent. Section 3 is implemented and regulated by Part 75 of Title 24 of the Code of Federal Regulations (24 CFR 75).

2.1.2 What laws and regulations govern the Section 3 program?

Section 3 was established by the HUD Act of 1968 (12 U.S.C. 1701u) (Section 3). It is implemented by Part 75 of Title 24 of the Code of Federal Regulations (24CFR75).

2.1.3 Who is a Section 3 Worker?

A Section 3 Worker is a County of San Diego resident who is a low- or very low-income person according to HUD Income Limits; employed by a Section 3 Business Concern; or a YouthBuild participant.

2.1.4 Who is a Targeted Section 3 Worker?

A Targeted Section 3 Worker is a Section 3 Worker who resides in public housing, HUD Section 8 assisted housing, or within one mile of the Section 3 covered project; an employee of a Section 3 Business Concern; or a YouthBuild participant.

2.1.5 What is considered low- and very low-income, and how is income calculated?

The terms low-income and very low-income mean families (including single persons) whose incomes do not exceed 80 percent or 50 percent, respectively, of the area median income (AMI), as determined by HUD, with adjustments based on family size. Income calculations are based on the individual's annual income for the preceding calendar year. See Exhibit 1 for HUD Income Limits, or contact the San Diego Housing Commission (SDHC) Section 3 Unit to obtain the current income limits.

2.1.6 What types of training are available to certified Section 3 Workers?

Training opportunities include, but are not limited to:

- Career planning
- Computer skills
- Financial literacy
- Occupational development
- Microenterprise development

Training is provided by the SDHC Achievement Academy and by external organizations.

2.1.7 Who addresses Section 3 programmatic and policy issues?

The San Diego Housing Commission (SDHC) Program Manager addresses Section 3 programmatic and policy-related issues.

2.2 Worker Certification

2.2.1 Who can become certified as a Section 3 Worker?

SDHC certifies Section 3 Workers that qualify under the following definitions:

- A County of San Diego resident who is low- or very low-income person according to HUD Income Limits (Exhibit 1);



- Employed by a Section 3 Business Concern; or
- A YouthBuild participant.

2.2.2 What are the benefits of becoming a certified Section 3 Worker?

- Notification of employment opportunities with SDHC
- Placement on a Section 3 Worker registry, which is promoted to and utilized by SDHC's development partners, contractors and/or subcontractors who have employment opportunities on Section 3 covered contracts/projects
- Referrals to public agencies that have Section 3 employment opportunities
- Notification of occupational training opportunities

2.2.3 How are applications reviewed and processed?

Applicants self-certify as Section 3 Worker by completing and submitting the Section 3 Worker Certification Form (Exhibit 7). Forms are reviewed by the Program Analyst. Certified Section 3 Workers will receive an electronic and/or a hard copy of their certification letter.

2.2.4 What documents need to be submitted to verify eligibility?

Under SDHC's self-certification process, applicants do not have to submit any documents to verify that they are eligible to be a Section 3 Worker. However, SDHC may at any time conduct an eligibility review and request that self-certified Section 3 Worker provide documentation to verify their eligibility.

2.2.5 Do I have to be a U.S. Citizen to apply for certification?

In order to apply for certification, applicants must be a U.S. Citizen or noncitizen that has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a).

2.2.6 What happens if SDHC receives an incomplete application?

The applicant will be notified of the deficiency. The applicant will have 15 calendar days to address the deficiency. If the deficiency is not addressed within the time frame, the application will be considered to have been withdrawn and no further processing will occur.

2.2.7 How long is the certification process?

When all requested documents have been received, SDHC normally processes applications within 15 business days.

2.2.8 How long is certification valid?

Certification as a Section 3 Worker is valid for 2 years.

2.2.9 What happens if the information that I submitted in the application is no longer valid?

Notify the SDHC Section 3 Unit in writing of any material change within 30 days of when the change occurred. Depending upon the nature of the change in information, the Section 3 Certification may be denied or revoked.

2.2.10 Is there a fee to apply for certification?

No fees are charged to the applicant to become a certified Section 3 Worker.

2.2.11 Is there reciprocity with other public housing authorities or agencies?

SDHC's Section 3 Worker certification does not have reciprocity with other public housing authorities, agencies, or private certifiers. SDHC does not recognize certified Section 3 Workers



that are not certified by SDHC. However, public housing authorities, agencies, and others might recognize SDHC-certified Section 3 Workers.

2.2.12 Where can I get an application?

Applications are available at <https://www.sdhc.org/doing-business-with-us/section-3/>, or contact the Program Analyst at (619) 578-7579 or Section3@sdhc.org.

2.2.13 Who can I contact if I have questions about the application?

You can contact the Program Analyst: (619) 578-7579 or by email, Section3@sdhc.org.

2.2.14 What happens if application to certify is declined?

Applicants will receive written notification explaining the reasons the certification was declined.

2.2.15 Is there an appeal process for applicants who are declined certification?

Yes. An individual who is denied certification can appeal the decision to SDHC's Vice-President. A written notice of appeal must be received by the Vice-President within 15 business days of the date of the decision. The decision of the Vice-President, or designee (other than the Program Manager), shall be the final decision of SDHC.

2.2.16 What is a Section 3 eligibility review?

SDHC reserves the right, in its reasonable discretion, to request that certified Section 3 Workers provide documentation to verify that they are eligible to be a Section 3 Worker. Certified Section 3 Workers who are found to have misrepresented their eligibility may face civil and/or criminal penalties.

2.2.17 Under what circumstances can a certified Section 3 Worker be decertified?

SDHC can propose decertification if it is unable to verify the eligibility of the certified Section 3 Worker; finds that the certified Section 3 Worker misrepresented itself in its application to certify or in any documentation or information provided to SDHC; or determines that the certified Section 3 Worker is not eligible for the program.

2.2.18 What is the decertification process?

1. Notice of Proposed Decertification: The Program Manager or designee will first notify the certified Section 3 Worker in writing that SDHC is proposing to decertify, the reasons for the proposed decertification, and that the certified Section 3 Worker must rebut each of the reasons SDHC sets forth. The certified Section 3 Worker will have 30 calendar days from the date on the notification to respond in writing.
2. Notice of Decertification: The Program Manager or designee will notify the certified Section 3 Worker in writing that he/she is decertified.

2.2.19 Is there an appeal process for revoked certifications?

Yes. A certified Section 3 Worker that has received from SDHC a Notice of Decertification can appeal the decision to SDHC's Vice-President. A written notice of appeal must be received by the Vice-President within 15 business days of the date of the decision. The appeal must state the reason(s) for the appeal and any supporting arguments. If SDHC does not receive the appeal within the deadline, then the decision is final. The decision of the Vice-President, or designee (other than the Program Manager), shall be the final decision of SDHC.



2.3 Worker Recertification

2.3.1 What is the recertification process?

The recertification process requires the completion of the Section 3 Worker Certification Form (Exhibit 7).

2.4 Filing Complaints

2.4.1 Who can file a complaint?

Any Section 3 Worker or Section 3 Business Concern (or authorized representative) seeking employment, training or contracting opportunities generated by Section 3 covered assistance may file a complaint using form HUD 958.

2.4.2 To whom should complaints be submitted?

Effective November 2007, Section 3 complaints must be filed at the appropriate HUD Fair Housing and Equal Opportunity (FHEO) Regional Office for the area where the alleged violation occurred. Please visit www.hud.gov/offices/fheo to obtain the address and telephone number for FHEO regional offices.

2.4.3 Where can I get form HUD 958?

Form HUD 958, filing instructions and mailing addresses are available on HUD's website, www.hud.gov/sites/documents/958.PDF.

2.4.4 Is there a time limit for filing a Section 3 complaint?

Yes, Section 3 complaints must be filed no later than 180 days from the date of the action or omission upon which the complaint is based. Where a complaint alleges noncompliance with Section 3 that is continuing, the complaint will be considered timely if it is filed within 180 days of the last alleged occurrence of noncompliance.

2.4.5 What happens during an investigation?

Once a timely complaint has been filed with the appropriate HUD FHEO Regional Office, HUD will determine if the complaint has jurisdiction or is covered by Section 3 regulations. HUD assigns an investigator and notifies SDHC about the complaint. SDHC has the option of resolving the complaint or contesting it. If SDHC denies the allegations of noncompliance contained in the complaint, the investigator prepares a letter of findings. The investigator either makes a determination of noncompliance or dismisses the complaint.

2.4.6 Can complainants appeal the initial decision made in a Section 3 complaint?

A complainant can submit a written appeal to the HUD Assistant Secretary for Fair Housing and Equal Opportunity in Washington, D.C. within 15 days after the FHEO Regional Office makes its determination. Requests should be sent to:

U.S. Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity
451 Seventh Street, SW
Room 5100
Washington, D.C. 20410



Exhibit 1: HUD Income Limits

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|------------------------|
| 2021 HUD INCOME LIMITS |
| \$67,900 |
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SAN DIEGO
HOUSING
COMMISSION

Exhibit 2: Section 3 Business Concern Certification Form



SECTION 3 BUSINESS CONCERN CERTIFICATION

Dear San Diego Business Owner:

The San Diego Housing Commission (SDHC) invites you to self-certify as a Section 3 Business Concern.

Section 3 of the Housing and Urban Development (HUD) Act of 1968 was established to foster local economic development. It requires that economic opportunities, most importantly employment, generated by certain HUD financial assistance, shall be directed to low- and very 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. Section 3 regulations are outlined in Title 24 of the Code of Federal Regulations (CFR) Part 75.

Eligibility:

A business is eligible for self-certification as a Section 3 Business Concern, if its principal office is located in the County of San Diego and meets one of the following conditions:

- At least 51 percent owned and controlled by a County of San Diego resident who is a low- or very low-income person according to HUD Income Limits; or
- At least 75 percent of the labor hours performed for the business over the prior three-month period were performed by Section 3 Workers as defined as a County of San Diego resident who is a low- or very low-income person according to HUD Income Limits; employed by a Section 3 Business Concern; or a YouthBuild participant.

Please complete and email or mail the application to the following:

Program Analyst at: section3@sdhc.org

San Diego Housing Commission
Section 3 Unit
1122 Broadway, Ste. 300
San Diego, CA 92101

If you have any questions, please contact the Section 3 Unit at (619) 578-7579.

Thank you,

SDHC Section 3 Unit



SECTION 3 BUSINESS CONCERN APPLICATION

Instructions: Please type or legibly print. Complete and submit the Section 3 Business Concern Application, Certification and Affidavit, and if eligibility for certification is based on employees who performed at least 75 percent of total labor hours meeting the definition of a Section 3 Worker, submit Attachment I, "Section 3 Workers List."

| | | | |
|--|---------------------------------|---|---|
| Business Name: | | Taxpayer ID Number: | |
| D.B.A (if different from above): | | | |
| Name of Owner(s)/President: | | | |
| *Principal Office Street Address (no P.O. Box) | | City: | Zip Code: |
| | | | Number of Offices of Locations <u>outside</u> of San Diego County: |
| Business Phone: () | | Fax: () | |
| Business Email: | | Website Address: | |
| Contact Person & Title: | | Contact Email & Phone: | |
| Business License Number: | DUNS Number: | Is your Company a Union Shop? <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| | | If yes, identify: | |
| CSLB and/or Professional License Number(s): | License Expiration Date: | License Name: | |
| | | License Classification: | |
| Public Works Contractor (PWC) Department of Industrial Relations (DIR) Registration Number: | | PWC Registration Expiration Date: | |
| Primary NAICS Code (6-digits)*: _____ | | Service Category (check one): | |
| Secondary NAICS Code (6-digits): _____ | | <input type="checkbox"/> Construction <input type="checkbox"/> Pest Control <input type="checkbox"/> Professional | |
| *Go to the following link in order to identify your business's NAICS Code: https://www.census.gov/eos/www/naics | | <input type="checkbox"/> Services <input type="checkbox"/> Supplier | |
| Please describe your business's services: | | | |
| Type of Business Entity (check one): <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship | | | |
| <input type="checkbox"/> Limited Liability Corporation (LLC) <input type="checkbox"/> Other: | | | |
| Date Business Established (mm/dd/yyyy): | | Last Annual Gross Revenues: | |
| Single Job Bonding Limit: | | Aggregate Bonding Limit: | |
| Please specify preferred job type(s) (Specify contractual dollar amount and/or trades/services performed): | | | |
| Number of Employees at <u>principal office</u>*: Full-time: _____ Part-time: _____ Contract: _____ Total: _____ | | | |
| Employee Classification (check all that apply): Management/Professional <input type="checkbox"/> Technicians <input type="checkbox"/> Construction Labor <input type="checkbox"/> Service Workers <input type="checkbox"/> Office/Clerical <input type="checkbox"/> | | | |



Has Business worked directly for the San Diego Housing Commission in the past? YES NO

If your business possesses any of the following certifications, identify and submit a copy of the certificate(s):

- Emerging/Small Local Business Enterprise (ELBE/SLBE): *City of San Diego*
- Business (SB): *CA Department of General Services*
- Disadvantaged Business Enterprise (DBE): *CA Department of Transportation or CA Unified Certification Disabled Veteran*
- Business Enterprise (DVBE): *CA Department of General Services*
- Woman Business Enterprise (WBE): *CA Public Utilities Commission or City of Los Angeles*
- Minority Business Enterprise (MBE): *Pacific Southwest Minority Supplier Development Council, CA Public Utilities Commission or City of Los Angeles*

Is your business an EPA (U.S. Environmental Protection Agency) Lead-Safe Certified Firm? YES NO
(If certified, please submit a copy of the certificate with this application.)

Note: As of April 22, 2010, ALL firms performing renovation work, which may disturb paint in target housing, are **REQUIRED** to be EPA-certified. Contractors will not be eligible to bid on such work until their EPA certificate is provided. Information about becoming a certified firm is available at: <http://epa.gov/lead/pubs/sellsheet.pdf>

How did you learn about the Section 3 certification program?

Release of Information: If you become certified as a Section 3 Business Concern, do you grant the San Diego Housing Commission permission to share and/or release your business information (excludes Taxpayer ID Number) with other public agencies and/or firms seeking to contract with certified Section 3 Business Concerns? YES NO

DEFINITIONS

***Principal Office:** The location where the greatest number of employees at any one location perform their work. **Exception:** Businesses whose primary industry is service or construction, the calculation of the number of employees excludes those employees who perform the majority of their work at job-site locations to fulfill specific contract obligations.

Example: A construction company has two offices – one in Los Angeles, the other in San Diego. Ten employees work at the Los Angeles location performing management and clerical functions. In San Diego, there is a manager, secretary and 28 construction workers performing work on a specific contract. In this example, the principal office is located in Los Angeles because there are ten employees compared to two employees (after excluding the 28 construction workers) in San Diego.

Who is a Section 3 Worker?

- A Section 3 Worker is a County of San Diego resident who is a low- to very low-income person according to HUD Income Limits; employed by a Section 3 Business Concern; or a YouthBuild participant.

| 2021 HUD INCOME LIMITS |
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| \$67,900 |
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By the execution and delivery of this Application, Certification and Affidavit to the San Diego Housing Commission, you hereby covenant and agree to provide documentation upon demand by the San Diego Housing Commission, as it may reasonably request, to verify your eligibility for certification as a Section 3 Business Concern.

CERTIFICATION AND AFFIDAVIT

I, _____ (*print name*), declare under penalty of perjury, under the laws of the United States and the State of California, that I am the _____ (*title/position*) of _____ (*name of business*) and that the foregoing information and statements submitted are true and correct:

I hereby certify that my business qualifies as a Section 3 Business Concern due to:

- At least 51 percent ownership and control by a County of San Diego resident who is a low- or very low-income person according to the HUD Income Limits; or
- At least 75 percent of the labor hours performed for the business over the prior three-month period were performed by Section 3 Workers.

I hereby certify on behalf of my business that the statements and information contained on this form are true and accurate, and meet the required HUD Section 3 business self-certification eligibility requirements in accordance with 24 CFR Part 75. I agree on behalf of my business to notify the San Diego Housing Commission's Section 3 Unit of any material change in the information contained in this application within 30 days of such change. On behalf of my business I further agree to provide, any and all, documentation reasonably requested by the San Diego Housing Commission in order to verify Section 3 eligibility.

A certified Section 3 Business Concern is not entitled to be awarded a contract simply by being listed in the San Diego Housing Commission's registry of certified Section 3 Business Concerns. Businesses that self-certify their eligibility may receive a designation as a Section 3 Business Concern, subject to later verification from local recipient agencies.

Information that is misrepresented in this application or in any documentation or information provided to the San Diego Housing Commission in connection with this application shall be grounds for denial or revocation of Section 3 certification and/or immediate termination of any contract that may be awarded. Persons that misrepresent their qualifications to receive a Section 3 Business Concern designation may face debarment and/or civil and/or criminal penalties, as provided for under applicable local, state and federal law. Executed the date referenced below, I acknowledge and declare, under penalty of perjury under laws of the United States and the State of California, that all of the foregoing information is true and correct. I further acknowledge that the San Diego Housing Commission will be relying upon this information in making Section 3 Business Concern designations.

***Printed**

Name: _____ **Title:** _____

Authorized Signature: _____ **Date:** _____

***CORPORATE OFFICER OR PERSON AUTHORIZED TO SIGN BIDS AND CONTRACTS ON BEHALF OF THE BUSINESS.**



ATTACHMENT I SECTION 3 WORKERS LIST

Complete the following table, if the business primarily performs in an industry that is subject to prevailing wage laws. If not applicable, write “N/A” in the table.

Instructions: List the employees who reside in the County of San Diego whose annual incomes from the business are below the HUD Income Limits AND who performed 75 percent of the total labor hours.

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| 2021 HUD INCOME LIMITS |
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Name of Business: _____ **Date:** _____

| Employee Name |
|---------------|
| 1. |
| 2. |
| 3. |
| 4. |
| 5. |
| 6. |
| 7. |
| 8. |
| 9. |
| 10. |
| 11. |
| 12. |
| 13. |
| 14. |
| 15. |

Revised: 07/01/2022 (Previous Version is Unusable)



SAN DIEGO
HOUSING
COMMISSION

Exhibit 3: Section 3 Certification of Compliance



SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968 CERTIFICATION OF COMPLIANCE EFFECTIVE JULY 1, 2021

The purpose of Section 3 of the Housing and Urban Development (HUD) Act of 1968, as amended (12. U.S.C. 1701u) (Section 3), is to ensure that economic opportunities, most importantly employment, generated by certain HUD financial assistance shall be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing or residents of the community in which federal assistance is spent. Section 3 is implemented and regulated by Part 75 of Title 24 of the Code of Federal Regulations (24 CFR 75).

APPLICABILITY

- Recipients and sub-recipients of Section 3 covered assistance, including contractors and subcontractors that perform work on Section 3 covered contracts/projects, are required to comply with Section 3 requirements.
- Section 3 requirements do not apply to contractors who furnish only materials or supplies and do not undertake the installation of the materials or supplies.

DEFINITIONS

Section 3 Business Concern is a business concern that is:

- At least 51 percent owned by a County of San Diego resident who is a low- or very low-income person according to HUD Income Limits; or
- At least 75 percent of the labor hours performed for the business over the prior three-month period were performed by Section 3 Workers.

Section 3 Worker: A County of San Diego resident who is a low- or very low-income person according to HUD Income Limits; employed by a Section 3 Business Concern; or a YouthBuild participant.

Targeted Section 3 Worker: (1) A Section 3 Worker employed by a Section 3 Business Concern; or (2) A Section 3 Worker who currently or when hired qualified for at least one of the following categories within five years of the date of when first employed by a Section 3 Business Concern, for:

HUD Public Housing Funded Projects:

- A public housing resident or an SDHC Section 8 voucher recipient; or
- A YouthBuild participant.

HUD Housing and Community Development Funded Projects:

- Living within the service area or neighborhood of the project; or
- A YouthBuild participant.

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| 2021 HUD INCOME LIMITS |
| \$67,900 |
| |

Labor Hours: The number of paid hours worked by persons on a HUD Section 3 project or by persons employed with HUD public housing financial assistance.

Professional Services: Non-construction services that require an advanced degree or professional licensing.

Section 3 Project: Housing rehabilitation, housing construction, and other public construction projects assisted with HUD housing and community development financial assistance.

BENCHMARKS

Contractors and subcontractors performing on projects subject to Section 3 are required to make good faith assessments to report on all labor hours performed by employees per the following benchmarks:

Reporting on the total number of labor hours worked by Section 3 Workers and total number of labor hours worked by Targeted Section 3 Workers as a percentage of the total number of labor hours (excluding total labor hours from professional services) worked by all workers performing on projects funded by HUD financial assistance:

- ❖ At least 25 percent of total labor hours worked by Section 3 Workers; and
- ❖ At least 5 percent of total labor hours worked by Targeted Section 3 Workers

Contractors and subcontractors must make their best efforts to provide employment and training opportunities to Section 3 Workers and document such efforts to realize the Section 3 benchmarks. Contractors and subcontractors will be considered to have complied with Section 3, if they meet or exceed the Section 3 benchmarks, or certify that they have followed the prioritization of efforts in 24 CFR 75.9 and 24 CFR 75.19.

SECTION 3 REQUIREMENTS FOR BIDDERS/PROPOSERS

Section 3 and Equal Opportunity Contracting Project Utilization Plan

- I. Submittal of Section 3 and EOC Project Utilization Plan:
Bidder/Proposer AND its first-tier subcontractors are to submit a completed Section 3 and Equal Opportunity Contracting Project Utilization Plan(s) in bid. If not, Utilization Plan(s) must be submitted within 24 hours, upon request by SDHC. **A “non-responsive” determination may be made due to non-submittal within 24-hours.**

- II. Submittal of Supporting Documentation:
Bidder/Proposer AND its first-tier subcontractors whose Utilization Plans indicate no subcontract awards to certified Section 3 Business Concerns will be required to submit, within 24 hours upon request by SDHC, supporting documentation for review and approval verifying efforts to outreach to and award subcontracts to Section 3 Business Concerns. **A “non-responsive” determination shall be made due to a lack of documented outreach to Section 3 Business Concerns by the Bidder/Proposer.** With the exception of bids/proposals indicating no projected opportunities for hiring new employees and/or awarding subcontracts.



Bidder/Proposer may be deemed “non-responsive” if Utilization Plan indicates the following: (1) Existing employees do not meet the definition of a Section 3 Worker; and (2) Bidder/Proposer does not agree to make a documented good faith effort to hire Section 3 Workers (when there is a need to hire new employees). Exception: Bidders/proposers whose geographic location and industry preclude them from hiring County of San Diego residents.

III. Waivers:

At its discretion, SDHC may grant waivers for noncompliant contractors who have demonstrated “good cause” as to why the Section 3 benchmarks were not met. “Good cause” may include the unavailability of qualified Section 3 Business Concerns or Section 3 Workers. SDHC will not execute a contract/agreement that does not incorporate by reference an approved plan to utilize certified Section 3 Business Concerns and/or Workers, or reference the waiver granted by SDHC. Bids/proposals that indicate that there are no plans to hire new employees and award subcontracts may receive a waiver.

SECTION 3 REQUIREMENTS FOR AWARDEES

Section 3 Contract Language

All Section 3 covered contracts and subcontracts shall include the following language:

The parties to this Agreement agree to comply and effectuate the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3), implemented at 24 C.F.R. Part 75. The purpose of Section 3 is to ensure that economic opportunities, most importantly employment, generated by HUD financial assistance shall be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing or residents of the community in which Federal assistance is spent. Consistent with existing federal, state and local laws and regulations, Contractor shall ensure that training and employment opportunities generated by HUD financial assistance or arising in connection with housing rehabilitation, housing construction, or other public construction projects are provided to Section 3 Workers, and provided in the order of priority set forth at 24 C.F.R. Part 75.9 and Part 75.19.

Section 3 Quarterly Labor Hours Report

Contractors and subcontractors are to make good faith assessments of employees’ labor hours on Section 3 covered contracts/projects for the following:

- Total labor hours worked by all employees (excludes the total labor hours from professional services)
- Total labor hours worked by Section 3 Workers
- Total labor hours worked by Targeted Section 3 Workers

Contractors and subcontractors are to report their good faith assessments of labor hours on the Section 3 Quarterly Labor Hours Report. Exception: Contractors and subcontractors whose contracts are subject to prevailing wage laws are to submit their weekly certified payroll reports, instead of the Section 3 Quarterly Labor Hours Report.

Section 3 Workers List

Contractors and subcontractors whose contracts are subject to prevailing wage laws are to complete and submit the Section 3 Workers List form at the time of contract execution; and submit their weekly certified payroll reports.

Compliance Monitoring



Section 3 compliance monitoring will be performed by SDHC Section 3 Unit. **Contractors and subcontractors who submitted approved Utilization Plans shall maintain their approved percentages of Section 3 participation throughout the term of the contract/project. Contractors and/or subcontractors whose Utilization Plans projected no new hires must, to the greatest extent feasible, hire certified Section 3 Workers or Targeted Section 3 Workers, when the need to hire occurs.**

| FREQUENCY OF MONITORING | | | | |
|---|--------------------------------|---------|-----------|------------|
| Contract Description | Contract Award/ Negotiation | Monthly | Quarterly | Completion |
| Construction and Maintenance (subject to prevailing wage) | X | X | | X |
| Non-Construction (<3 months' performance) | X | | | X |
| Non-Construction (>3 months' performance) | X | | X | X |
| | | | | |

Noncompliance with HUD's regulations in 24CFR75 may result in sanctions, termination of contract for default, and debarment or suspension from future HUD-assisted contracts.

The undersigned hereby agrees to comply with all the provisions of Section 3 as set forth in 24CFR75 and SDHC's Section 3 requirements.

Acknowledged By:

Name of President or Authorized Officer

Company Name

Signature and Title

Date

For additional information, registry of certified Section 3 Business Concerns and Section 3 Workers, and instructions for completing the forms, go to www.sdhc.org/doing-business-with-us/section-3/



SAN DIEGO
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Exhibit 4: Section 3 and Equal Opportunity Contracting Project Utilization Plan



**SECTION 3 AND EQUAL OPPORTUNITY CONTRACTING
PROJECT UTILIZATION PLAN**

COVER SHEET

General Submittal Instructions:

Bidder/Proposer AND its first-tier subcontractors are to submit a completed Section 3 and Equal Opportunity Contracting Project Utilization Plan(s) in bid. If not, Utilization Plan(s) must be submitted within 24 hours, upon request by SDHC. A “non-responsive” determination may be made due to non-submittal within 24 hours.

Bidder/Proposer AND its first-tier subcontractors whose Utilization Plans indicate no subcontract awards to certified Section 3 Business Concerns will be required to submit, within 24 hours upon request by SDHC, supporting documentation for review and approval verifying efforts to outreach to and award subcontracts to Section 3 Business Concerns. A “non-responsive” determination shall be made due to a lack of documented outreach to Section 3 Business Concerns by the Bidder/Proposer. Exception: Bid/proposal indicating no projected hiring and/or subcontracting opportunities.

Bidder/Proposer AND its first-tier subcontractors whose Utilization Plans indicate that existing employees do not meet the definition of a Section 3 Worker, and do not agree to make a documented good faith effort to hire Section 3 Workers (when there is a need to hire new employees), may be deemed “non-responsive”. Exception: Bidders/proposers whose geographic location and industry preclude them from hiring County of San Diego residents.

Special Instructions for SDHC Developers:

Submit all completed Section 3 and Equal Opportunity Contracting Project Utilization Plans before construction begins and/or at the beginning of each project phase (to be determined on case-by-case basis). Developers submit completed Utilization Plans to: Section3@sdhc.org (preferred) or San Diego Housing Commission, Section 3 Unit, 1122 Broadway, Ste. 300; San Diego, CA 92101.

| | |
|---|---|
| Prime Contractor Name: | Bid/Solicitation # and Project Name: |
| <input type="checkbox"/> Contractor or <input type="checkbox"/> Subcontractor Name and Address: | |
| List if ELBE, DBE, DVBE, MBE, SB, SLBE or WBE (or mark “N/A” if non-applicable): | Email Address: |
| Contact Name and Telephone Number: | Proposed Dollar Value of <input type="checkbox"/> Contract or <input type="checkbox"/> Subcontract: \$ |

Check All That Apply For This Project And Follow Instructions As Applicable

I am the Prime Contractor: I am a Subcontractor:
 There will be subcontracts as a result of this bid/proposal: Complete Cover Sheet and Attachment I.
 There will be new hires as a result of this bid/proposal: Complete Cover Sheet and Attachment II.
 There will be no subcontracts or new hires as a result of this bid/proposal: Complete Cover Sheet and Attachment II.

Bidder for the above bid/solicitation number and project hereby understands and agrees to comply with all provisions of Section 3 as set forth in 24CFR75 and SDHC’s Section 3 requirements, as applicable. Non-compliance with HUD’s Section 3 regulations may result in sanctions, termination of the contract/agreement for default and debarment or suspension from future HUD-assisted contracts.

Authorized Official’s Signature: _____ Date: _____

Printed Name and Title: _____

FOR ADDITIONAL INFORMATION, REGISTRY OF CERTIFIED SECTION 3 BUSINESS CONCERNS AND INSTRUCTIONS FOR COMPLETING FORMS GO TO: www.sdhc.org/doing-business-with-us/section-3/



**SECTION 3 AND EQUAL OPPORTUNITY CONTRACTING
PROJECT UTILIZATION PLAN**

ATTACHMENT I: SECTION 3 BUSINESS CONCERN UTILIZATION PLAN

If you plan to award subcontracts and your Utilization Plan does not indicate subcontract awards to certified Section 3 Business Concerns, you will be required to submit supporting documentation verifying your efforts, to the greatest extent feasible, to outreach to and award subcontracts to Section 3 Business Concerns. **AT A MINIMUM, YOU MUST OUTREACH TO THE BUSINESSES LISTED IN SDHC'S REGISTRY OF CERTIFIED SECTION 3 BUSINESS CONCERNS.** If the registry of certified Section 3 Business Concerns does not represent the trades/services that you are seeking, contact the SDHC Section 3 Unit at section3@sdhc.org or go to www.sdhc.org/doing-business-with-us/section-3/ to obtain "Examples of Efforts to Create Employment and Contracting Opportunities."

Section 3 Business Concerns **must be** certified by SDHC. For ELBE, SLBE, SB, DBE, MBE, WBE or DVBE firms, please attach a copy of their certification(s).² **List ALL** proposed subcontractors (including subconsultants) for this project on the table below.

| <i>Name, City & State</i> | <i>Certified Section 3 Business Concern (yes/no)</i> | <i>Identify if ELBE/SLBE/SB/DBE/MBE/WBE/DVBE</i> | <i>Subcontract Amount (\$) and Percentage (%) of Total Contract Amount</i> | | <i>Trade/Category of Work</i> |
|--|--|--|--|---|-------------------------------|
| | | | \$ | % | |
| | | | \$ | % | |
| | | | \$ | % | |
| | | | \$ | % | |
| | | | \$ | % | |
| | | | \$ | % | |
| Total Subcontract Amount - Dollars and Percentage of Total Contract Amount: | | | \$ | % | |
| Total Subcontract Amount Awarded to Certified Section 3 Business Concerns – Dollars and Percentage of Total Contract Amount: | | | \$ | % | |

Owner/Authorized Officer and Title: _____ Company: _____

Signature: _____ Date: _____

FOR ADDITIONAL INFORMATION, REGISTRY OF CERTIFIED SECTION 3 BUSINESS CONCERNS AND SECTION 3 WORKERS, AND INSTRUCTIONS FOR COMPLETING FORMS GO TO: WWW.SDHC.ORG/DOING-BUSINESS-WITH-US/SECTION-3/

² There are no numeric goals established for these certifications. However, affirmative efforts are required to ensure small businesses (SB) minority-owned (MBE) and woman-owned business enterprises (WBE) and other individuals and firms located in or owned by, in substantial part, persons residing in SDHC's and/or Labor Surplus Areas are used whenever possible.



**SECTION 3 AND EQUAL OPPORTUNITY CONTRACTING
PROJECT UTILIZATION PLAN**

ATTACHMENT II: SECTION 3 WORKER UTILIZATION PLAN

Bidder/Proposer AND its first-tier subcontractors are to make their best efforts to provide employment and training opportunities generated by HUD financial assistance to low- and very low-income persons referred to as "Section 3 Workers." See attached FAQ.

| |
|------------------------|
| 2021 HUD INCOME LIMITS |
| \$67,900 |
| |

Instructions:

Answer all questions. **Section 3 Worker Utilization Plans that indicate a "No" response for question #3 or "No" response for all three questions, may be deemed "non-responsive."** Exception: Bidders/proposers whose geographic location and/or industry preclude them from hiring County of San Diego residents.

| | | |
|---|------------------------------|-----------------------------|
| | | |
| 1. Bidder/Proposer has employees who are residents of the County of San Diego whose annual income from the bidder/proposer is below the income limit? See HUD Income Limits table. | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| <i>When contract is subject to prevailing wage laws, at the time of contract execution, contractor shall provide the names of its qualifying employees on the Section 3 Workers List form provided by the San Diego Housing Commission.</i> | | |
| 2. Bidder/Proposer plans to hire new employees to perform on or support the contract, if awarded the contract? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| <i>If "YES," at a minimum, you must contact the SDHC Section 3 Unit at Section3@sdhc.org and request referrals of certified Section 3 Workers.</i> | | |
| 3. Bidder/Proposer agrees that when there is a need to hire new employees, a documented good faith effort shall be made to hire Section 3 Workers? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| <i>If "YES," at a minimum, you must contact the SDHC Section 3 Unit at Section3@sdhc.org and request referrals of certified Section 3 Workers when there is a need to hire.</i> | | |

Owner/Authorized Officer and Title: _____

Company: _____

Signature: _____ Date: _____

FOR ADDITIONAL INFORMATION, REGISTRY OF CERTIFIED SECTION 3 BUSINESS CONCERNS AND SECTION 3 WORKERS, AND INSTRUCTIONS FOR COMPLETING FORMS GO TO: WWW.SDHC.ORG/DOING-BUSINESS-WITH-US/SECTION-3/



ABRIDGED SECTION 3/EOC FAQ FOR BIDDERS/PROPOSERS

1. Who is a Section 3 Worker?

A Section 3 Worker is a County of San Diego resident who is low- or very low-income person according to HUD Income Limits; employed by a Section 3 Business Concern, or a YouthBuild participant. For additional information go to www.sdhc.org/doing-business-with-us/section-3/.

2. What is a Section 3 Business Concern?

A Section 3 Business Concern means a business concern that meets one of the following criteria: (1) at least 51 percent owned and controlled by a Section 3 Worker or (2) over 75 percent of the labor hours performed for the business over the prior three-month period were performed by Section 3 Workers.

3. Who can become certified as a Section 3 Business Concern?

A business concern whose principal office is located in the County of San Diego and meets the eligibility criterion of (1) or (2) as set forth in the answer to question #2, "What is a Section 3 Business Concern?" can certify.

4. Do certified Section 3 Business Concerns have to comply with the Section 3 requirements?

Yes. Certified Section 3 Business Concerns that are awarded Section 3-covered contracts or subcontracts must comply.

5. How can I demonstrate Section 3 compliance in my proposal/bid/quote?

A bidder/proposer and its first-tier subcontractors demonstrate Section 3 compliance by submitting: (1) Section 3 and Equal Opportunity Contracting Project Utilization Plans (includes Attachments I and II) that project a commitment to award contracts to certified Section 3 Business Concerns, currently employ Section 3 Workers and/or hire certified Section 3 Workers when there is a need to award contracts and/or hire new employees; and (2) supporting documentation verifying that the bidder/proposer and its first-tier subcontractors outreached to Section 3 Business Concerns and Section 3 Workers.

6. What are examples of documentation verifying outreach to Section 3 Business Concerns and Section 3 Workers?

At a minimum, supporting documentation shall include a log of calls or copies of emails—with outcomes—to SDHC certified Section 3 Business Concerns; and notifying the SDHC Section 3/EOC Unit of employment opportunities for SDHC certified Section 3 Workers. The registry of certified Section 3 Business Concerns and "Examples of Efforts to Create Employment and Contracting Opportunities" are available at www.sdhc.org/doing-business-with-us/section-3/. For referrals of certified Section 3 Workers, contact the SDHC Section 3 Unit at section3@sdhc.org.

7. What happens if I do not submit, upon request, documentation verifying outreach to Section 3 Business Concerns?

A bid/proposal shall be deemed "non-responsive" due to a lack of documented outreach to Section 3 Business Concerns.

8. Do I have to comply with Section 3 requirements, if I do not plan to hire new employees and I do not plan to award contracts/subcontracts?

Upon contract award, to the greatest extent feasible, contractors and/or subcontractors shall ensure that employment and training opportunities on Section 3 covered contracts and projects are provided to Section 3 Workers; and report total labor hours performed by Section 3 Workers as a percentage of total labor hours of all employees performing on the Section 3 covered contract or project.

9. Does SDHC monitor Section 3 Compliance?



Yes. SDHC Section 3 Unit monitors compliance by reviewing contractors' and subcontractors' certified payroll or quarterly labor hour reports which indicate the total labor hour worked by Section 3 Workers as a percentage of the total labor hours worked by all employees performing on the Section 3 covered contract or project. Contractors and subcontractors must seek to maintain their approved percentages of Section 3 participation throughout the term of the Section 3 covered contract or project.

10. Are there goals for Small Businesses (SB), Minority-Owned (MBE) and Woman-Owned Business Enterprises (WBE)?

There are no established numerical goals; however, affirmative efforts are required to ensure SB, MBE and WBE participation on all SDHC contracts and projects. "Examples of Efforts to Create Employment and Contracting Opportunities," are available at www.sdhc.org/doing-business-with-us/section-3/



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Exhibit 5: Section 3 Workers List



Section 3 Workers List

Instructions: Businesses that are subject to prevailing wage laws are to list employees who reside in the County of San Diego whose annual incomes from the business are below the HUD Income Limits.

Name of Business: _____ Date: _____

Contract #: _____ Contract Title: _____

| |
|------------------------|
| 2021 HUD INCOME LIMITS |
| \$67,900 |
| |

| EMPLOYEE NAME | Is a resident of Public Housing or HUD Section 8-Assisted Housing? (Yes/No) | Resides within one mile of the Section 3 project job site? (Yes/No) |
|---------------|---|---|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |
| 11. | | |
| 12. | | |
| 13. | | |
| 14. | | |
| 15. | | |

Authorized Official's
Signature: _____ Date: _____
Print Name and Title: _____



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Exhibit 6: Section 3 Quarterly Labor Hours Report



Section 3 Quarterly Labor Hours Report

| | | |
|---|----------------------------|------------------------|
| Name of Contractor <input type="checkbox"/> Or Subcontractor <input type="checkbox"/> | | Address: |
| For the Quarter Ending: | Contract Number: | Contract/Project Name: |
| Is this your final month performing on the contract or project? Yes <input type="checkbox"/> No <input type="checkbox"/> | | |
| Name and Title of Person Completing Form: | Telephone Number: () | Email Address: |

Who is a Section 3 Worker? A Section 3 Worker is a County of San Diego resident who is a low- or very low-income person according to HUD Income Limits; employed by a Section 3 Business Concern; or a YouthBuild participant. (See page 2, HUD Income Limits table.)

At least 25 percent of total labor hours for this contract are to be performed by Section 3 Workers.

Instructions: Using a good faith assessment, complete columns A and B. In column A, report on the total hours worked by Section 3 Workers, the total hours worked by all employees; and calculate the total hours worked by Section 3 Workers as a percentage of total hours worked by all employees. If applicable, complete column B.

| | A | B |
|--|------------------------------|--|
| GOOD FAITH ASSESSMENT | REPORT QUARTERLY LABOR HOURS | REPORT QUARTERLY LABOR HOURS (IF APPLICABLE) |
| 1. Total labor hours worked by all Section 3 Workers | 1. | |
| Labor hours worked by Section 3 Workers who are residents of Public Housing or HUD Section 8-assisted housing, if applicable: | | |
| Labor hours worked by Section 3 Workers who reside within one mile of the Section 3 project, if applicable: <i>(Applies to construction-related projects)</i> | | |
| 2. Total labor hours of all employees: <i>(Excludes labor hours for professional services)</i> | 2. | |
| 3. Total labor hours worked by Section 3 Workers as a percentage of total labor hours: <i>(Row 1 ÷ Row 2 = Row 3)</i> | 3. % | |



When there are employment opportunities, at a minimum, you must contact the SDHC Section 3 Unit and request referrals of Section 3 Workers from its registry of certified Section 3 Workers.

Instructions: List the names of all employees who were hired this quarter to perform on or support the Section 3 contract or project.

- 1) _____ 3) _____
2) _____ 4) _____

I certify, under penalty of perjury, under the laws of California, that the above information submitted in the Section 3 Quarterly Labor Hours Report is complete, true and accurate.

Owner/Authorized Officer: _____ Company: _____

Signature: _____ Date: _____

Submittal Instructions:

The Section 3 Quarterly Labor Hours Report is due by the 5th day of the following month. Submit the report to Section3@sdhc.org (preferred) or:

San Diego Housing Commission,
Section 3 Unit
1122 Broadway, Ste. 300
San Diego, CA 92101

If you have any questions regarding the completion of the Section 3 Quarterly Labor Hours Report, or to verify the Section 3 Worker eligibility of current employees or prospective new hires, please contact the Section 3 Program Analyst at (619) 578-7579 or section3@sdhc.org.

| |
|------------------------|
| 2021 HUD INCOME LIMITS |
| \$67,900 |
| |



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Exhibit 7: Section 3 Worker Certification Forms



SECTION 3 WORKER CERTIFICATION FORM

Dear San Diego County Resident:

The San Diego Housing Commission (SDHC) invites you to self-certify as a Section 3 Worker which will provide you with job-seeking benefits such as placement on a registry used by SDHC partners and notification of employment opportunities with SDHC. The information collected on this form is used to assess SDHC's compliance with Section 3 of the Housing and Urban Development (HUD) Act of 1968 which requires that economic opportunities, most importantly employment, generated by certain HUD financial assistance shall be directed to low- and very 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. Section 3 regulations are implemented in Title 24 of the Code of Federal Regulations Part 75. If you qualify as a Section 3 Worker, please self-certify by completing this form.

Eligibility Requirements

To certify as a Section 3 Worker, you must reside in the County of San Diego and meet one of the following requirements:

- I am a public housing resident.
- I am an SDHC Section 8 voucher recipient.
- I am a YouthBuild program participant.
- I am a low- or very low-income person per the HUD Income Limits.

| |
|------------------------|
| 2021 HUD INCOME LIMITS |
| \$67,900 |
| |

Please complete the enclosed certification form. All Section 3 Workers must sign and date the form. If you have any questions or concerns, please contact the Section 3 Unit at (619) 578-7579. Submit the completed certification form to either of the following:

Program Analyst
section3@sdhc.org

San Diego Housing Commission
Section 3 Unit
1122 Broadway, Ste. 300
San Diego, CA 92101



SECTION 3 WORKER CERTIFICATION FORM

Instructions: To certify as a Section 3 Worker and to be referred for employment and/or occupational training opportunities, complete the entire Section 3 Worker Certification Form. If necessary, submit responses on additional sheets of paper. All Section 3 Workers must sign and date the form.

1. CONTACT INFORMATION AND CERTIFICATION ELIGIBILITY

| | |
|---|---|
| <p style="color: red; font-weight: bold;">You must identify under which criteria you qualify as a Section 3 Worker: (Select only one)</p> <p><input type="checkbox"/> I am a public housing resident.</p> <p><input type="checkbox"/> I am an SDHC Section 8 voucher recipient.</p> <p><input type="checkbox"/> I am a YouthBuild program participant.</p> <p><input type="checkbox"/> I am a low- or very low-income person per the HUD Income Limits.</p> | <p>Name: _____</p> <p>Residential Address (no P.O. Box): _____</p> <p>City: _____ State: _____ Zip: _____</p> <p>Telephone Number: _____</p> <p>Email: _____</p> <p><i>Note: In order to receive notification of employment and training opportunities, Section 3 Worker <u>must</u> provide an email address.</i></p> <p><i>If you are an individual who lacks a fixed, regular, and adequate nighttime residence, please check here</i> <input type="checkbox"/></p> |
|---|---|

2. EDUCATION (Check all that apply)

| | | | | |
|--|---|---|---|---|
| GED <input type="checkbox"/> | High School Diploma <input type="checkbox"/> | Post High School <input type="checkbox"/> | Associate Degree <input type="checkbox"/> | Trade/Training <input type="checkbox"/> |
| College Credits <input type="checkbox"/> | Professional License <input type="checkbox"/> | Higher Education <input type="checkbox"/> | Bachelor Degree <input type="checkbox"/> | Certificate <input type="checkbox"/> |

Use this section to provide any additional information regarding your education:

3. WORK EXPERIENCE

Identify all work experience for the last 10 years AND the number of years of experience in each category.

| | <u># of Years</u> | <u># of Years</u> | <u># of Years</u> | <u># of Years</u> | <u># of Years</u> |
|-----------------------|-------------------|---------------------|----------------------|-------------------|---------------------------|
| Management/Supervisor | _____ | IT Support | Administrative | Sales Clerk | Apprentice (construction) |
| Accounting | _____ | Computer | Construction Laborer | Cashier | Maintenance |
| Education | _____ | Programming | Janitorial/Cleaning | Insurance | Mechanic |
| Counseling | _____ | Medical Assistance | Warehouse/Facilities | Real Estate | Machine |
| Printing Trades | _____ | Bookkeeping | Waiter/Waitress | Electrician | Operator |
| | | Gardener/Landscaper | Truck/Tractor Driver | Painter | Carpenter |
| | | | Plumber | Metal Worker | |



Use this section to provide any additional information regarding your work experience:

4. SKILLS

List any skills with specialized equipment, machinery or tools:

5. COMPUTER SKILLS

Rate your computer skill level for each of the following. Write the letter “B” for beginner, “I” for intermediate, or “A” for advanced. Write “N/A” if not applicable.

Microsoft Word _____ Microsoft Access _____ Microsoft Publisher _____ Internet Research _____ PowerPoint _____
 Web Design _____ Microsoft Excel _____ Web Programming _____ Microsoft Outlook _____ Network Admin. _____
 Typing (_____wpm)

6. TRAINING

Identify any training that you would like to receive.

| | | | | |
|--------------------------------------|--|---|--------------------------------------|---|
| <input type="checkbox"/> Electrical | <input type="checkbox"/> Carpentry | <input type="checkbox"/> Cement/Masonry | <input type="checkbox"/> Flooring | <input type="checkbox"/> Building Maintenance |
| <input type="checkbox"/> Machining | <input type="checkbox"/> Plastering | <input type="checkbox"/> Plumbing | <input type="checkbox"/> Landscaping | <input type="checkbox"/> IT Support |
| <input type="checkbox"/> Bricklaying | <input type="checkbox"/> Glass/Glazing | <input type="checkbox"/> Demolition | <input type="checkbox"/> Computer | <input type="checkbox"/> Marketing |
| <input type="checkbox"/> Painting | <input type="checkbox"/> Drywall | <input type="checkbox"/> HVAC | <input type="checkbox"/> Accounting/ | <input type="checkbox"/> Mechanical Repair |
| <input type="checkbox"/> Roofing | <input type="checkbox"/> Fencing | <input type="checkbox"/> Iron Works | <input type="checkbox"/> Bookkeeping | <input type="checkbox"/> Janitorial |
| | | <input type="checkbox"/> Solar Installation | <input type="checkbox"/> Payroll | <input type="checkbox"/> Administrative |

7. PLEASE ANSWER THE FOLLOWING:

| | Yes | No |
|---|--------------------------|--------------------------|
| Have you ever received any type of assistance from SDHC’s Achievement Academy? | <input type="checkbox"/> | <input type="checkbox"/> |
| Are you currently a member of any union? If yes, please describe. | <input type="checkbox"/> | <input type="checkbox"/> |
| Are you currently employed? If yes, please indicate whether part-time or full-time: Full-Time <input type="checkbox"/> OR Part-Time <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Are you 18+ years of age? | <input type="checkbox"/> | <input type="checkbox"/> |
| Have you ever been convicted of a felony within the last 10 years? | <input type="checkbox"/> | <input type="checkbox"/> |
| Are you willing to take a drug screening? | <input type="checkbox"/> | <input type="checkbox"/> |



| | | |
|--|--|---------------------------------------|
| Are you able to lift 50 lbs. at a time with frequent lifting or carrying of objects up to 25 lbs.? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Do you have 10 years of verifiable employment or school history? | <input type="checkbox"/> | <input type="checkbox"/> |
| Are you bilingual? If yes, please <u>indicate</u> which language(s) you speak fluently: <input type="checkbox"/> Spanish <input type="checkbox"/> Chinese <input type="checkbox"/> Vietnamese <input type="checkbox"/> Tagalog <input type="checkbox"/> Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Do you possess a valid driver's license? | <input type="checkbox"/> | <input type="checkbox"/> |
| Do you possess a State ID? | <input type="checkbox"/> | <input type="checkbox"/> |
| How did you learn about the Section 3 certification program? <input type="checkbox"/> SDHC <input type="checkbox"/> Employer <input type="checkbox"/> Family/Friend <input type="checkbox"/> Internet Search <input type="checkbox"/> Other: | | |
| RELEASE OF INFORMATION: Do you authorize the San Diego Housing Commission to release the above information to businesses that are seeking certified Section 3 Workers for employment and/or training opportunities? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| <p>I, _____, agree to provide the San Diego Housing Commission with documentation verifying my Section 3 eligibility, if requested.</p> <p>I, _____, am a resident of the County of San Diego and qualify as either a public housing resident, an SDHC Section 8 voucher recipient, a YouthBuild participant, or a low- or very low-income person, as defined in the HUD Section 3 Regulations. I hereby certify and declare under penalty of perjury under the laws of the United States and the State of California that the statements made in this Section 3 Worker Certification form, including attached pages for additional response, are true and correct.</p> <p>Signature: _____</p> <p>Date: _____</p> | | |

The following information is optional and will only be used for statistical purposes:

Gender: Male Female Transgender

Race: 1 – White 2 – Black/African American
3 – American Indian/Alaska Native 4 – Asian/Pacific Islander

Ethnicity: 1 - Hispanic 2 - Not Hispanic



SECTION 3 WORKER CERTIFICATION FORM (ABRIDGED)

Instructions: If you are an employee of the San Diego Housing Commission (SDHC), completion of this form is voluntary. The information collected is used to assess SDHC’s compliance with Section 3 of the Housing and Urban Development (HUD) Act of 1968 which requires that economic opportunities, most importantly employment, generated by certain HUD financial assistance shall be directed to low- and very 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. If you qualify as a Section 3 Worker, please self-certify by completing this form.

Eligibility Requirements

To certify as a Section 3 Worker, you must reside in the County of San Diego and meet one of the following requirements:

- I am a public housing resident.
- I am an SDHC Section 8 voucher recipient.
- I am a YouthBuild program participant.
- I am a low- or very low-income person per the HUD Income Limits.

| |
|------------------------|
| 2021 HUD INCOME LIMITS |
| \$67,900 |
| |

| CONTACT INFORMATION AND CERTIFICATION ELIGIBILITY | |
|--|---|
| <p style="color: red; font-weight: bold;">You <u>must</u> identify under which criteria you qualify as a Section 3 worker: (Select only one)</p> <p><input type="checkbox"/> I am a public housing resident.</p> <p><input type="checkbox"/> I am an SDHC Section 8 voucher recipient.</p> <p><input type="checkbox"/> I am a YouthBuild program participant.</p> <p><input type="checkbox"/> I am a low- or very low-income person per the HUD Income Limits.</p> | <p>Name: _____</p> <p>Residential Address (no P.O. Box): _____</p> <p>City: _____ State: _____ Zip: _____</p> <p>Telephone Number: _____</p> <p>Email: _____</p> <p><i>Note: In order to receive notification of employment and training opportunities, Section 3 Worker must provide an email address.</i></p> <p><i>If you are an individual who lacks a fixed, regular, and adequate nighttime residence, please check here _____</i></p> |



I, _____, agree to provide the San Diego Housing Commission with documentation verifying my Section 3 eligibility, if requested.

I, _____, am a resident of the County of San Diego and qualify as either a public housing resident, an SDHC Section 8 voucher recipient, a YouthBuild participant, or a low- or very low-income person, as defined in the HUD Section 3 Regulations.

I hereby certify and declare under penalty of perjury under the laws of the United States and the State of California that the statements made in this Section 3 Worker Certification form, including attached pages for additional response, are true and correct.

Signature: _____

Please complete the certification form. If necessary, submit responses on additional sheets of paper. All Section 3 Workers must sign and date the form. If you have any questions or concerns, please contact the Section 3 Unit at (619) 578-7579. Email the completed certification form to Section3@sdhc.org or mail to:

The San Diego Housing Commission
Section 3 Unit
1122 Broadway, Ste. 300
San Diego, CA 92101

The following information is optional and will only be used for statistical purposes:

Gender: Male Female Transgender

Race: 1 – White 2 – Black/African American
3 – American Indian/Alaska Native 4 – Asian/Pacific Islander

Ethnicity: 1- Hispanic 2 - Not Hispanic



Exhibit 8: Examples of Efforts to Award Contracting Opportunities



EXAMPLES OF EFFORTS TO CREATE EMPLOYMENT AND CONTRACTING OPPORTUNITIES

Section 3 Business Concerns, MBE, WBE and Labor Surplus Area Businesses

At a minimum, outreach efforts must include contacting the businesses listed in SDHC's registry of certified Section 3 Business Concerns. If registry does not represent the trades/services that you are seeking, refer to the following examples of efforts to award contracting opportunities:

1. Contacting business assistance agencies, minority contractors associations and community organizations to inform them of contracting opportunities and request their assistance in identifying Section 3 Business Concerns, MBE, WBE, & Labor Surplus Area Businesses which may solicit bids or proposals for contracts for work. *(Contact at least 15 calendar days prior to proposal/bid due date. For proposals/bids with a 2-week response time, contact must be made at least 7 calendar days prior to due date.)*
2. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways to facilitate the participation of Section 3 Business Concerns. *(Advertise at least 15 calendar days prior to proposal/bid due date. For proposals/bids with a 2-week response time, contact must be made at least 7 calendar days prior to due date.)*
3. Placing qualified Section 3 Business Concerns, MBE, WBE, & Labor Surplus Area Businesses on solicitation lists.
4. Providing written notice to all known Section 3 Business Concerns of the contracting opportunities. The notice should be in sufficient time to allow Section 3 Business Concerns to respond to the bid invitation or request for proposal. *(Notify at least 15 calendar days prior to proposal/bid due date. For proposals/bids with a 2-week response time, notification must be provided at least 7 calendar days prior to due date.)*
5. Assuring that MBE, WBE, & Labor Surplus Area Businesses are solicited whenever they are a potential source.
6. Coordinating pre-bid meetings at which Section 3 Business Concerns, MBE, WBE, & Labor Surplus Area Businesses could be informed of upcoming contracting and subcontracting opportunities.
7. When economically feasible, breaking out contract work items into smaller tasks or quantities to permit maximum participation by Section 3 Business Concerns, MBE, WBE, & Labor Surplus Area Businesses.
8. Establishing delivery schedules, where the requirement permits, that encourage participation



by Section 3 Business Concerns, MBE, WBE, & Labor Surplus Area Businesses.

9. Providing technical assistance to help Section 3 Business Concerns understand and bid on contracts; bonding assistance, guaranties, or other efforts to support viable bids from Section 3 Business Concerns.
10. Contacting agencies administering HUD Youthbuild programs, and notifying these agencies of the contracting opportunities. *(Contact at least 15 calendar days prior to proposal/bid due date. For proposals/bids with a 2-week response time, contact must be made at least 7 calendar days prior to due date.)*
11. Advertising the contracting opportunities through trade association papers and newsletters, and through local media, such as community television networks, newspapers of general circulation, and radio advertisement. *(Advertise at least 15 calendar days prior to proposal/bid due date. For proposals/bids with a 2-week response time, advertisements must be at least 7 calendar days prior to due date.)*
12. Using the services and assistance of the U.S. Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce (<http://www.mbda.gov/>). *(Use services at least 15 calendar days prior to proposal/bid due date. For proposals/bids with a 2-week response time, use services at least 7 calendar days prior to due date.)*

For additional information or the registry of certified Section 3 Business Concerns go to:
<https://www.sdhc.org/doing-business-with-us/section-3/> .

EXAMPLES OF EFFORTS TO CREATE EMPLOYMENT AND CONTRACTING OPPORTUNITIES

Section 3 Workers

At a minimum, outreach efforts must include contacting the SDHC Section 3 Unit at section3@sdhc.org to request referrals of certified Section 3 Workers, when there is a need to hire employees. The following are examples of efforts to create employment opportunities:

1. Engaging in outreach efforts to generate job applicants who reside in public housing, HUD Section 8 assisted housing, or within one mile of the Section 3 covered project.
2. Providing training or apprenticeship opportunities.
3. Providing technical assistance to help Section 3 Workers compete for jobs (*e.g., resume assistance, coaching*).
4. Providing or connecting Section 3 Workers with assistance in seeking employment including: *Drafting resumes, preparing for interviews, and finding job opportunities connecting Section 3 Workers to job placement services.*
5. Creating one or more job fairs.
6. Providing or referring Section 3 Workers to services supporting work readiness and retention (*e.g., work readiness activities, interview clothing, test fees, transportation, child care*).
7. Providing assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
8. Assisting Section 3 Workers to obtain financial literacy training and/or coaching.
9. Outreach, engagement, or referrals with the state one-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.

For additional information go to: <https://www.sdhc.org/doing-business-with-us/section-3/>. Contact the Section 3 Unit at section3@sdhc.org to request referrals of certified Section 3 Workers.



SAN DIEGO
HOUSING
COMMISSION

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