

Albuquerque Housing Authority Section 3 Explanation and Forms

2022 Edition



ALBUQUERQUE HOUSING AUTHORITY

“Empowering people in our community through affordable housing and self sufficiency opportunities.”

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Introduction

The purpose of this document is to, in simplified terms; explain to proposers major issues pertaining to the Section 3 Preference program required by the Agency's funding source, the U.S. Department of Housing and Urban Development (HUD). In addition, hereinafter, a Section 3 Preference will be referred to as "Preference."

What is Section 3?

Section 3 is a provision of the Housing and Urban Development Act of 1968, which recognizes that HUD funds are typically one of the largest sources of federal funding expended in communities, including those communities served by the Agency. Section 3 is intended to ensure that when a contractor has need to hire additional people as the result of receiving a contract from the Albuquerque Housing Authority (hereinafter, "AHA"), preference must be given to low-and very low-income persons residing in Albuquerque Metropolitan Statistical Area (MSA) (including residents of the City of Albuquerque, and Bernalillo, Sandoval, Valencia and Torrance Counties) in the State of New Mexico (Section 3 Worker or Targeted Section 3 Worker), or Section 3 business concerns.

The requirements pertaining to Section 3 apply only to purchases and contracts the AHA completes for work - the requirements of Section 3 DOES NOT apply to purchases or contracts the AHA completes solely for commodities or equipment; meaning, "no work provided, no Section 3 required."

Section 3 is an optional preference on Professional Service contracts and reporting will only be required if contractor indicates on their quote, bid or proposal that they will comply with the reporting of hours worked by employees that are classified as Section 3 workers or Targeted Section 3 Workers.

Section 3 is race and gender neutral in that preferences are based on income-level and location.

What Does the Term "Section 3 Worker" Mean?

A "Section 3 Worker" is:

A low-or very low-income resident of Albuquerque Metropolitan Statistical Area (MSA) (including residents of the City of Albuquerque, and Bernalillo, Sandoval, Valencia and Torrance Counties) in the State of New Mexico.

Low-and very low-income within Albuquerque Metropolitan Statistical Area (MSA) (including residents of the City of Albuquerque, and Bernalillo, Sandoval, Valencia and Torrance Counties) in the State of New Mexico, is defined as an individual resident within the following income level for FY 2021:

| Income Limit Category | (1) Person |
|-----------------------|------------|
| Low (80%) | \$37,800 |

Individual Income Limit figures are based on FY2021 Fair Market Rent (FMR) established by HUD.

Any worker, regardless of prior arrest or conviction, who:

1. Meets the qualifications of the position being filled; and
2. Currently, or at the time of hire within the past five (5) years (effective November 30,2020), meets one of the following requirements:
 - a. Resides within one mile of the work site or the radius of the work site that encompasses not less than 5,000 people according to the most recent U.S. Census; or
 - b. Is resident of AHA public housing, other public housing or Section 8 assisted housing;
 - c. Is employed by a Section 3 business; or
 - d. Is a YouthBuild participant

What Does the Term "Section 3 Business Concern" Mean?

A "Section 3 business concern" is a private or nonprofit business that can provide evidence of the following:

1. Meets all legal and technical requirements to perform the contract under consideration; and
2. Meets at least one of the following criteria:
 - a. Is 51% or more owned and controlled by:
 - i. Very-low or low-income persons; or
 - ii. Current public housing residents or residents currently residing in Section 8 assisted housing.
 - b. Over 75% of the labor hours performed over the prior three-month period were performed by Section 3 workers.

Is Participation in Section 3 Optional?

Except for purchases or contracts solely for commodities and equipment, as a part of the solicitation the Agency will offer all proposers and proposers the option of a Section 3 Procurement Preference.

In response to a competitive solicitation (Invitation for Quote-IFQ, Invitation For Bids-IFB, Request for Proposal-RFP and Request for Qualifications-RFQ), proposers are not required to respond to the AHA with a claim of a Preference (meaning, such claim is optional and failure to respond with a claim of a Preference will not cause the proposer to be deemed non-responsive); however, if a proposer does claim a Preference, then the AHA will consider, investigate, and determine the validity of each such claim for a Preference.

Regardless of whether a proposer claims a Preference in response to a solicitation, the recipient of the award will be required to, "to the greatest extent feasible," implement the requirements of Section 3 during the ensuing awarded contract term and bears the responsibility of providing evidence of compliance detail of compliance reporting of hour and/or qualitative activities listed herein.

Must a Contractor Receiving an Award From the Agency Take Part in the Section 3 Program?

The short answer is "Yes," as detailed following, each contractor must, "to the greatest extent feasible," take part in the program. For Professional service contracts, reporting is only required if contractor claims a preference otherwise it is optional.

If the vendor/contractor wishes, he/she may claim a Preference during the competitive solicitation process (fill out Section 3 certification forms). If the solicitation is, evaluated (RFP-RFQ) the point preference will be listed in the evaluation criteria as a factor and proposer must submit the Section 3 self/employer certification forms. For Invitation for Bids (IFB), sealed bid solicitation process, the Agency will give a Preference to qualifying businesses based upon the following:

| Estimated Contract Value | Preference = lesser of: |
|---|-----------------------------|
| When the lowest responsive quote is less than \$100,000 | 10% of the bid, or \$9,000 |
| At least \$100,000, but less than \$200,000 | 9% of the bid, or \$16,000 |
| At least \$200,000, but less than \$300,000 | 8% of the bid, or \$21,000 |
| At least \$300,000, but less than \$400,000 | 7% of the bid, or \$24,000 |
| At least \$400,000, but less than \$500,000 | 6% of the bid, or \$25,000 |
| At least \$500,000, but less than \$1 Million | 5% of the bid, or \$40,000 |
| At least \$1 Million, but less than \$2 Million | 4% of the bid, or \$60,000 |
| At least \$2 Million, but less than \$4 Million | 3% of the bid, or \$80,000 |
| At least \$4 Million, but less than \$7 Million | 2% of the bid, or \$105,000 |

Award, where the Section 3 covered contract is to be awarded based upon the lowest price, the contract shall be awarded to the qualified Section 3 business concern with the lowest responsive quotation, if it is reasonable and no more than 10 percent higher than the quotation of the lowest responsive quotation from any qualified source. If no responsive quotation by a qualified Section 3 business concern is within 10 percent of the lowest responsive quotation from any qualified source, the award shall be made to the source with the lowest quotation.

It is possible that a contractor may demonstrate, to the AHA satisfaction that he/she has made a good faith and reasonable effort by providing qualitative efforts performed to comply with the requirements of Section 3, but it is not feasible to implement any portion of the Section 3 program. Such failure must be fully documented by the Contractor and approved by the AHA or that contractor may be deemed not responsible by the Agency and the Contractor may be deemed not responsible by the Agency and the contract may be, at the Agency's discretion, not awarded or terminated.

Section 3 Clause

The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that the employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low and very low-income persons in the project area.

The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.

The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference; job titles subject to hire; availability of apprenticeship and training positions; the qualifications for each; the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 75 and agrees to take appropriate action, as provided in an applicable provision of the subcontract in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.

The contractor will certify that any vacant employment positions, including training positions, that are filled: 1) after the contractor is selected but before the contract is executed; and 2) with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.

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

AHA Section 3 Benchmarks

The benchmarks for Section 3 projects are based on the total labor hours worked. Total labor hours worked includes those worked performed by the prime contractor, and all subcontractors.

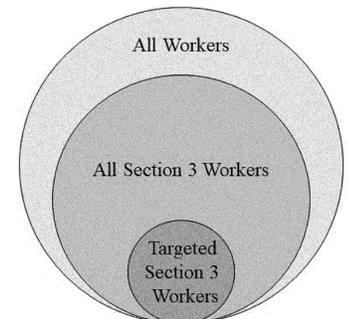
Awarded contractors have the option of including professional service hours worked by individuals that are certify as a Section 3 or Targeted Section 3 worker, total hours worked by all professional service employees is not required.

To meet the benchmarks, contractors/subcontractors will likely need to provide:

1. Hiring preferences to Section 3 residents who meet the position qualifications to be considered for employment and/or training; and
2. Contracting preferences to Section 3 businesses.

Of the total labor hours worked by all workers on the Section 3 project:

1. Not less than 25% must be by Section 3 workers; and
2. Not less than 5% must be by Targeted Section 3 workers. Targeted Section 3 are a subset of Section 3 workers and are counted towards the 25% minimum.



When the Benchmarks are Not Met

When the Section 3 quantitative benchmarks are not met, the contractor must report to AHA the qualitative actions taken by the contractors and subcontractors to reach out to and hire Section 3 and Targeted Section 3 workers and contract with Section 3 businesses.

Qualitative Activities

In addition to labor hours reports, recipients, sub recipients, contractors and subcontractors must document activities intended to facilitate the meeting of benchmarks, including:

1. For Section 3 Workers and Targeted Section 3 Workers:
 - a. Outreach to generate job applicants.
 - b. Providing training or apprenticeship programs.
 - c. Providing or connecting Section 3 workers with:
 - i. Employment search, readiness, support and placement programs, such as resume assistance, coaching, interview preparation, how to find job opportunities, job placement services, interview clothing, test fees, transportation, childcare, financial literacy training, etc.
 - ii. Assistance applying for or attending community college, four-year educational institution, or vocational/technical training.
 - iii. Financial literacy training and/or coaching.
 - d. Holding or participating in one or more job fairs.
 - e. Other activities to reach out to and support Section 3 workers to access economic opportunities or attain economic self-sufficiency.
2. For Section 3 Businesses:
 - a. Outreach efforts to identify and secure bids from qualified Section 3 businesses.
 - b. Providing technical assistance to Section 3 business to help them understand and bid on contracts.

- c. Dividing contracts into smaller jobs to facilitate participation by Section 3 businesses.
- d. Providing bonding assistance, guarantees, or other efforts to support viable bids.
- e. Promoting the use of business registries to create opportunities for disadvantaged and small businesses.
- f. Providing outreach, engagement, or referrals with workforce investment agencies, small business development centers, etc.
- g. Other activities to reach out to and support Section 3 businesses to access economic and contracting opportunities.

Examples of Other Section 3 Qualitative Activities

The following are examples of other qualitative activities that may be undertaken by recipients to demonstrate efforts to meet Section 3 benchmarks:

1. Establish contact with AHA as a resource for:
 - a. Notifying potentially eligible Section 3 workers and Targeted Section 3 workers of employment opportunities.
 - b. Identifying AHA resident owned businesses that may qualify as Section 3 businesses.
2. Develop “first source” hiring agreements with organizations representing Section 3 workers.
3. Establish a training program for Section 3 residents in the building trades.
4. Advertise training and employment opportunities by distributing flyers to occupied residences in the service area of the project. The flyers should indicate a central contact point where interested persons can leave resumes or other information.
5. Post flyers in public buildings and other heavy traffic areas within the service area of the project (i.e., grocery stores, laundromats, social service centers, leasing offices, etc.).
6. Contact resident councils, organizations, management corporations, and HUD YouthBuild programs for their assistance in notifying residents of training and employment opportunities.
7. Sponsor a job information meeting in the service area of the project.
8. Establish a single location in the project area where job applications will be received and delivered to the contractor.
9. Conduct job interviews at a location within the project area.
10. Establish a relationship with the local Workforce Solutions, a JOBS program or any community-based organization. Organization can advertise upcoming projects that may provide jobs or contracting opportunities and publicize this information. This entity could also be a central contact point for those residents and businesses that are interested in upcoming projects.
11. Employ a job coordinator or contract with a business to assist in matching eligible and qualified Section 3 residents with available training.
12. Maintain a file of and provide notice of employment and contracting opportunities to:
 - a. Eligible qualified Section 3 residents for possible future employment; and
 - b. Eligible Section 3 businesses.
13. Contact business assistance agencies, minority contractors’ associations, and community organizations to inform them of contracting opportunities and request their assistance identifying Section 3 businesses that may be interested in submitting bids.
14. Advertise contracting opportunities by posting notices in the project area.
15. Coordinate pre-bid meetings where Section 3 businesses are informed of upcoming contracting opportunities.
16. Arrange solicitations, times for bid presentations, quantities, specifications and delivery schedules in ways to facilitate the participation of Section 3 businesses.
17. Advertise contracting opportunities through local trade associations.

18. Encourage financial institutions to provide no or low interest loans for working capital or other business needs under the Community Reinvestment Act (CRA).
19. Actively support the development and maintenance of business incubators that assist Section 3 businesses.

AHA Section 3 Eligibility and Definitions for Self Certification

Any worker who currently fits or when hired within the past five years (effective November 30, 2020, or date of hire if later) meets the criteria to be certified as a Section 3 worker or targeted Section 3 worker through self-certification or employer certification using the forms provided.

Section 3 Worker Definition

A low or very low-income resident, the worker's income for the previous or annualized calendar year is at or below the income limit established by HUD. [Click here for the AHA applicable income limits.](#)

| Income Limit Category: | (1) Person | Hourly Rate: 2080 hrs. yearly | Effective Date |
|------------------------|------------|-------------------------------|-----------------------------|
| 2022 Low (80%) | \$42,300 | \$20.34 | April 18, 2022-Current |
| 2021 Low (80%) | \$37,800 | \$18.17 | June 1, 2021-April 17, 2022 |
| 2020 Low (80%) | \$38,750 | \$18.63 | April 1, 2020-May 30, 2021 |

The Albuquerque, NM MSA contains the following areas: Bernalillo County, NM; Sandoval County, NM; Torrance County, NM; and Valencia County, NM

Targeted Section 3 Worker Definition (for public housing)

- Employed by a Section 3 business concern or
- Currently meets or when hired met at least one of the following categories as documented within the past five years:
 - A resident of public housing; or
 - A resident of other public housing projects or Section 8 assisted housing; or
 - A YouthBuild participant.

Targeted Section 3 Worker Definition (for housing and community development)

- Employed by a Section 3 business concern or
- A worker who currently fits or fit when hired at least one of the following categories;
- Low and very low income workers residing within the neighborhood or service area of the project;
- A YouthBuild participant.

Section 3 Business Concern Definition

A Section 3 Business Concern meets one of the following criteria (in the last six months):

- It is at least 51% owned and controlled by low income or very low income persons;
- Over 75% of the labor hours performed for the business over prior three month period are performed by Section 3 workers; or
- At least 51% owned and controlled by current residents of public housing or Section 8 assisted housing.

The status of the Section 3 worker, Targeted Section 3 worker and Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owners(s) or employees.

Self-Certification for Section 3 Worker or Targeted Section 3 Worker

The purpose of HUD's Section 3 Program is to provide employment, training and contracting opportunities to low-income individuals, particularly those who are recipients of government assistance for housing or other public assistance programs. **Your response is voluntary, confidential, and has no effect on your employment.**

A Section 3 worker seeking certification shall self-certify and submit this form to the recipient contractor or subcontractor, that the person is a Section 3 worker or Targeted Section 3 Worker as defined in 24 CFR Part 75.

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

Employee or Applicant Name _____
Date Hired

Employee Street Address _____
City _____
State _____
Zip Code

- Is your individual income at or below the listed income?
Yes _____ No _____, as of November 30, 2020 or at the time of hire, if later. (if you select yes, you are a Section 3 Worker)

| Income Limit Category: | (1) Person | Hourly Rate: 2080 hrs. yearly | Effective Date |
|------------------------|------------|-------------------------------|-----------------------------|
| 2022 Low (80%) | \$42,300 | \$20.34 | April 18, 2022-Current |
| 2021 Low (80%) | \$37,800 | \$18.17 | June 1, 2021-April 17, 2022 |
| 2020 Low (80%) | \$38,750 | \$18.63 | April 1, 2020-May 30, 2021 |

The Albuquerque, NM MSA contains the following areas: Bernalillo County, NM; Sandoval County, NM; Torrance County, NM; and Valencia County, NM

- Are you a resident of Public Housing or a Housing Choice Voucher Holder (Section 8)?
Yes _____ No _____ (If you select yes, you are a Targeted Section 3 Worker)
- Are you a YouthBuild participant?
Yes _____ No _____ (if you select yes, you are a Targeted Section 3 Worker)
- Are you an employee of a Section 3 Business?
Yes _____ No _____ (if you select yes, you are a Targeted Section 3 Worker)

Select from **One or Both** of the following two options below

I qualify as a:

- Section 3 Worker
- Targeted Section 3 Worker

Employee or Applicant Affirmation

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

Street Address _____
City _____
State _____
Zip Code

Printed Name

Company Name _____
Date Hired

Signature

Employer Certification for Section 3 Worker or Targeted Section 3 Worker

An employer of a Section 3 worker seeking preference in training and employment shall self-certify and maintain evidence the worker is a Section 3 worker or Targeted Section 3 Worker as defined in 24 CFR Part 75.

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

Employee or Applicant Name _____
Date Hired

Employee Street Address _____
City _____
State _____
Zip Code

- Individual income is at or below the listed income?
Yes _____ No _____, as of November 30, 2020 or at the time of hire, if later (if you select yes, you are a Section 3 Worker)

| Income Limit Category: | (1) Person | Hourly Rate: 2080 hrs. yearly | Effective Date |
|------------------------|------------|-------------------------------|-----------------------------|
| 2022 Low (80%) | \$42,300 | \$20.34 | April 18, 2022-Current |
| 2021 Low (80%) | \$37,800 | \$18.17 | June 1, 2021-April 17, 2022 |
| 2020 Low (80%) | \$38,750 | \$18.63 | April 1, 2020-May 30, 2021 |

The Albuquerque, NM MSA contains the following areas: Bernalillo County, NM; Sandoval County, NM; Torrance County, NM; and Valencia County, NM

- Employee is a resident of Public Housing or a Housing Choice Voucher Holder (Section 8) or other housing program?
Yes _____ No _____ (If you select yes, you are a Targeted Section 3 Worker)
- Individual is a YouthBuild participant?
Yes _____ No _____ (if you select yes, you are a Targeted Section 3 Worker)
- Individual is an employee of a Section 3 Business?
Yes _____ No _____ (if you select yes, you are a Targeted Section 3 Worker)

Select from *One or Both* of the following two options below

Employee qualifies as a:

- Section 3 Worker
- Targeted Section 3 Worker

Employer Affirmation

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

Employer Name _____
Date

Print Employer Representative Name

Signature of Employer Representative _____
Date

Section 3 Business Concern Self-Certification Form

A Section 3 Business Concern shall self-certify that the Business meets the requirements defined in 24 CFR Part 75. Section 3 Business shall [Register Here](#).

Instructions: Enter/select the appropriate information to confirm your Section 3 Business Concern.

Business Name

Business Address

City

State

Zip Code

A Section 3 Business Concern meets one of the following criteria (in the last six months):
Select applicable choice.

- The business named above is 51% or more owned and controlled by very-low or low-income persons.
- The business named above is 51% or more owned and controlled by public housing residents or residents currently residing in Section 8 assisted housing.
- Over 75% of the labor hours worked during the past three months by employees of the business named above were performed by employees who are very-low or low-income, or YouthBuild participants.

The status of the Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owners(s) or employees. Section 3 business concern are not exempt from meeting the specifications of the contract.

I hereby certify that:

1. The undersigned has the legal authority to make these certifications on behalf of the named business.
2. Documentation exists to verify the basis for this self-certification.
3. Documentation will be made available to the Housing Authority, the US Department of Housing and Urban Development, or their designated representatives during normal business hours upon request.
4. I am aware that both I and the business named above are liable for civil or criminal penalties for willful falsification of any information provided in this document.

Name of Person Completing Form

Title of Person Completing Form

Section 3 Professional Service Contract – Recipient Reporting Form

*This form must be completed and submitted to AHA by the awarded contractor if Section 3 Preference are selected during the procurement process. To be completed annually, due date is by June 30 or at the completion of the project if before.

From: _____
Name of Contractor

For: _____
Name of Project

What is Section 3?

Under Section 3 of the Housing and Urban Development Act of 1968, whenever HUD financial assistance is given for housing or community development, to the greatest extent feasible, economic opportunities will be given to low and very low income workers, targeted Section 3 workers, and Section 3 business concerns in that area. The project being awarded has funding which is subject to Section 3 requirements. ***Optional reporting for Professional Services contractors to show a good faith effort to provide the following:**

- Provide employment and training opportunities for Section 3 Workers.
- Provide employment and training opportunities for Targeted Section 3 Workers.
- Provide opportunities for Section 3 Business Concerns for service contracts.

Overall Reporting:

A. Confirmation of employing, hiring and/or training Section 3 Workers and Targeted Workers:

- Labor hours for Section 3 Workers
- Labor hours Section 3 Targeted Workers

*Please note that if hours are entered, you must also provide record of self-certification or employer certification of Section 3 Worker or Targeted Worker if not done at contract award.

B. Confirmation for contracting or certifying as a Section 3 Business Concerns:

Yes _____ No _____

If yes, please

- Provide Section 3 Business self-certification form, if not provided at time of award.
- Provide Screen Print Out of Section 3 Business is registered on HUD opportunity portal.

I certify that to the greatest extent feasible HUD Section 3 Workers, Targeted Workers, and Business Concerns were sought and utilized for labor, services, and construction subcontracts to comply with HUD Section 3 requirements. I certify no violations of federal regulations. I certify the information and documentation provided is true and correct.

Signature (Contractor or Subcontractor)

Section 3 Contract - Recipient Compliance and Reporting Form

*This form must be completed and submitted to AHA by the awarded contractor of a Section 3 covered project and all of his/her subcontractors. To be completed annually, due date is by July 15 or at the completion of the project if before. For Reporting Period of July 1 through June 30.

From: _____
Name of Contractor

For: _____
Name of Project/Contract #

What is Section 3?

Under Section 3 of the Housing and Urban Development Act of 1968, whenever HUD financial assistance is given for housing or community development, to the greatest extent feasible, economic opportunities will be given to low and very low income workers, targeted Section 3 workers, and Section 3 business concerns in that area. The project being awarded has funding which is subject to Section 3 requirements. ***Covered projects contractors and subcontractors are required to show a good faith effort to provide the following:**

- Provide employment and training opportunities for **Section 3 Workers** (minimum of 25% total labor hours).
- Provide employment and training opportunities for **Targeted Section 3 Workers** (minimum of 5% total labor hours).
- Provide opportunities for **Section 3 Business Concerns** for service contracts.

Overall Reporting

A. Confirmation of hiring and training Section 3 Workers and Targeted Workers:

- The total number of labor hours for the covered contract _____
- Labor hours for Section 3 Workers _____
- Labor hours Section 3 Targeted Workers _____

Are hours provided above based on “Good Faith Assessment of Hours”?

Yes _____ No _____ (if no, hours based on actuals)

B. Confirmation for contracting with Section 3 Business Concerns:

Awarded _____ contracts in connection with these project activities. (Attach sub-award contract)

- The total estimated dollar of these contracts \$ _____
- Of these contracts _____ awarded to Section 3 Business Concerns.
- The total estimated dollar of contracts awarded to Section 3 Business Concerns \$ _____

Section 3 Business is registered on HUD opportunity portal (provide screen print out)

Additional Requirement Reporting

If contractor has not meet or exceeded HUD Section 3 Safe Harbor/Benchmarks (percentages listed above) Contract recipient must report qualitative Section 3 Compliance activities. Contractor and subcontractors must document that they have conducted Section 3 Worker outreach and development activities.

a. **Section 3 Procurement Preference**

Provide bid documentation for contractors and subcontractors showing required Section 3 Business Concerns preference.

b. **Section 3 Outreach and Development Activities Option**

Select actions partner will complete and document:

- Recruit, advertise, and train by posting 5 day notices to include number of positions; job titles; Section 3 preference; name and locations of where to apply; anticipated work begin date
(attach copy of notice).
- Recruit by conducting advertised bimonthly job fairs
(attach copy of advertisement and also each sign in sheet for attendees).
- Utilize the services provided by New Mexico Department of Workforce Solutions
(attach a print out of posting and referral list).
- Attempt to utilize the services of local YouthBuild program participant
(attach program contact documentation).
- Utilize the services [HUD Opportunity Portal](#)
(attach copy of Section 3 Resume)
- Recruit via [Section 3 Business Concern](#)
(provide print out of Section 3 business registry result)
- Provide assistance to apply for or attend colleges or technical schools
- Other outreach activities as listed in HUD Section 24 CFR 75.15(b) Additional reporting if Section 3 benchmarks are not met. If selected, contractor/subcontractors must provide documentation of what specific activity was conducted. Attach documentation to this form.

I certify that to the greatest extent feasible HUD Section 3 Workers, Targeted Workers, and Business Concerns were sought and utilized for labor, services, and construction subcontracts to comply with HUD Section 3 requirements. I certify no violations of federal regulations. I certify the information and documentation provided is true and correct.

Signature (Contractor or Subcontractor)