

Contra Costa County Section 3 Plan

Section 3 is a provision of the Housing and Urban Development Act of 1968. It is intended to ensure employment and contracting opportunities for low and very low income persons or businesses residing within the community where a HUD-funded project is located. Section 3 is specific to HUD funded projects and activities involving housing construction, rehabilitation (including reduction and abatement of lead-based paint hazards), demolition, or other public construction. Contra Costa County is a recipient of HUD funding through its HOME Investment Partnership Assistance (HOME), Community Development Block Grant (CDBG), Housing Opportunities for Persons with AIDS (HOPWA), Emergency Shelter Grants (ESG), and Neighborhood Stimulus Program (NSP) Programs. Therefore, the County's allocation of the above program funds trigger Section 3 requirements whenever the project creates the need for NEW employment, contracting or training opportunities.

Definitions

Section 3 Resident – Resident of the metropolitan area in which the Section 3 covered assistance is expended AND whose **household** income is 80% or below the area median income (as defined by HUD). The prospective employee **and household (if applicable)** must meet the minimum qualifications for the available job.

Section 3 Businesses – Businesses that are fifty one percent (51%) owned by Section 3 Residents; OR thirty percent (30%) of employed staff are Section 3 Residents¹; OR twenty five percent (25%) of the businesses subcontracts are committed to Section 3 Businesses.

Section 3 Covered Project – Housing rehabilitation, housing construction or other public construction project (i.e. roads, sewers, community centers, etc.) funded in whole or in part by HUD funding.

Metropolitan Area - a metropolitan statistical area as established by the Office of Management of Budget. For this Section 3 Plan, the metropolitan area is defined as Contra Costa County.

Section 3 Minimum Numeric Goals:

- 1) 30% of new employees hired shall be Section 3 Residents.
- 2) 10% of the total dollar amount of all covered construction contracts shall be awarded to Section 3 Businesses.
- 3) 3% of the total amount of non-construction contracts shall be awarded to Section 3 Businesses.

HUD will consider the County in compliance if it meets the above goals annually. If not, then the County must demonstrate why they were unable to do so, including description of efforts taken, barriers encountered, and other relevant information to enable HUD to make a compliance determination.

Failure to comply with Section 3 requirements may result in sanctions including: debarment, suspension, or limited denial of participation in HUD programs.

¹ *Businesses may count Section 3 Residents for three years after the date of first employment with the firm.*

County Responsibilities

The County will undertake the following activities:

1) Make annual notifications of ongoing opportunities for Section 3 employment and contracting that include a definition of Section 3, examples of Section 3 projects, and the appropriate County contact person. Notifications will be advertised in one or more of the following:

- non-legal section of the Contra Costa Times (with Notice of Funding Availability);
- Daily Pacific Builder, or similar publication;
- job training and placement agencies;
- Housing Authority owned multifamily projects;
- previously funded affordable housing sites;
- local unions halls; and
- small business development agencies.

2) Certify Section 3 Residents and Section 3 Businesses. (Exhibits A and B).

3) Facilitate compliance among developers and contractors through technical assistance meetings.

4) Provide contractors with list of certified Section 3 Residents and Section 3 Businesses.

5) Incorporate Section 3 Clause (Exhibit C) into all contracts.

6) Review funding applications for Section 3 applicability, capacity, and appropriate planning.

7) Prior to award of construction contract, require submittal of Pre-Award Compliance Certification (Exhibit D) and current staff list from all contractors scheduled for the project.

8) Check scheduled contractors and subcontractors against the federal debarment list (www.sam.gov).

9) Collect quarterly Section 3 Compliance Reports (Exhibit E) from all Section 3 Covered Projects.

10) Monitor project sites for posting of Section 3 Plan.

11) Submit annual Section 3 Summary Report HUD Form 600002 (Exhibit F) to HUD for each program (CDBG, HOME, ESG and NSP) with annual CAPER. Online reporting system is at the following website: www.hud.gov/section3. Hard copies of the report can be submitted to:

U.S. Department of Housing and Urban Development
Attn: Economic Opportunity Division
451 Seventh Street, SW
Room 5235
Washington, CA 20410
FAX: (209) 708-1286

12) Direct Complaints (HUD Form 958, Exhibit G) to HUD. Penalties can include debarment, suspension, limited denial of participation in HUD funded activities.

13) Document files for compliance efforts, including records of job vacancies, solicitation for bids or proposals, selection materials, and contracts.

Subrecipient/Developer/Contractor/Subcontractor Responsibilities

Subrecipients, developers, contractors or subcontractors that receive contracts in excess of \$100,000 for Section 3 covered projects are required to comply with the Section 3 regulations in the same manner as the County.

- 1) Notification of Section 3 opportunity shall be advertised with one or more of the following:
 - Daily Pacific Builder, or similar publication;
 - job training and placement agencies;
 - previously funded affordable housing sites;
 - local unions halls;
 - list of certified Section 3 Residents and Businesses; and
 - small business development agencies.
- 2) Incorporate Section 3 clause (Exhibit C) into all contracts.
- 3) Attend technical assistance meeting with County.
- 4) Prior to award of construction contract, submit Pre-Award Compliance Certification (Exhibit D) and current staff list for Prime Contractor to County.
- 5) Provide contractors with list of certified Section 3 Residents and Section 3 Businesses.
- 6) Submit quarterly Section 3 Compliance Reports (Exhibit E) to County.
- 7) Post Section 3 sign and clause at project site.
- 8) Direct Complaints (HUD Form 958, Exhibit G) to County. Penalties can include debarment, suspension, limited denial of participation in HUD funded activities.
- 9) Document files for compliance efforts, including records of job vacancies, solicitation for bids or proposals, selection materials, and contracts.

List of Exhibits

- A - Section 3 Resident Certification
- B - Section 3 Business Certification
- C - Section 3 Clause
- D - Section 3 Pre-Award Compliance Certification
- E - Section 3 Report
- F - Section 3 Summary Report (HUD Form 600002)
- G - Complaint Register (HUD Form 958)

HUD Contact

US Department of Housing and Urban Development
Economic Opportunity Division
Phone: 202.708.3633
Email: section3@hud.gov
Website: www.hud.gov/section3
Region IX
Peggy Williams
Email: peggy.williams@hud.gov
Phone: 202.402.7065

Exhibit A

**CONTRA COSTA COUNTY
SECTION 3 RESIDENT CERTIFICATION**

A person seeking preference in training and employment shall certify or submit evidence to the recipient, subrecipient, contractor or subcontractor that they meet eligibility as a Section 3 Resident, as defined in Section 135.5.

I, _____, am a legal permanent resident of:
(Print Name)

For renters: Apartment Complex Name: _____

Resident Address: _____

Resident email address: _____

and meet the income eligibility guidelines for a low- or very-low-income person as published below.
(Circle the number of individuals residing in your household and the current income of the TOTAL household.)

Number in Household	Low Income – Monthly (80% AMI)
1 individual	Up to \$4,691
2 individuals	Up to \$5,362
3 individuals	Up to \$6,033
4 individuals	Up to \$6,700
5 individuals	Up to \$7,237
6 individuals	Up to \$7,775
7 individuals	Up to \$8,308
8 individuals	Up to \$8,845

I have attached the following documentation as evidence of my status:

- Copy of lease
- Copy of receipt of public assistance
- Copy of Evidence of participation in a public assistance program
- Picture Identification Card
- Other Proof of Residency/Income Level: _____

Signature

Date

Optional:

Trade/Job Interest: _____

Experience (circle): Y N Years Experience: _____

Exhibit B

**CERTIFICATION FOR BUSINESS CONCERNS SEEKING
SECTION 3 DESIGNATION IN CONTRACTING**

Name of Business _____

Address of Business _____

Type of Business: Corporation Partnership
 Sole Proprietorship Joint Venture

Attached is the following documentation as evidence of status:

For Business claiming status as a Section 3 resident-owned enterprise:

- | | |
|--|---|
| <input type="checkbox"/> Copy of resident lease | <input type="checkbox"/> Copy of receipt of public assistance |
| <input type="checkbox"/> Copy of evidence of participation
in a public assistance program | <input type="checkbox"/> Other evidence |

**For business claiming Section 3 status, claiming at least 30 percent of their workforce are currently
Section 3 residents or were Section 3 eligible residents within 3 years of date of first employment
with the business:**

- | | |
|--|--|
| <input type="checkbox"/> List of all current full-time employees | <input type="checkbox"/> List of employees claiming Section 3 status |
| <input type="checkbox"/> Residential lease in federally assisted housing
less than 3 years from day of employment | <input type="checkbox"/> Other evidence of Section 3 status less than 3
years from date of employment |

Authorizing Name and Signature

Attested by: _____

Exhibit C

§ 135.38 Section 3 Clause.

All Section 3 covered contracts shall include the following clause (referred to as the Section 3 clause:

A. 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 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, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, 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 135 regulations.

C. 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, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. 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 135.

E. 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 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

G. With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

EXHIBIT D
CONTRA COSTA COUNTY
SECTION 3 PRE-AWARD COMPLIANCE CERTIFICATION

Project Name: _____ Developer: _____

Contractor Name: _____

Contractor Address: _____ City/State: _____

Contact Person: _____ Phone: _____ Email: _____

Contract Amount (\$): _____ Date of Contract: _____

PART I: EMPLOYMENT AND TRAINING OF SECTION 3 RESIDENTS

The employment and training component of Section 3 applies to the prime contractor and all sub-contractors providing construction services or professional services to Contra Costa County's CDBG, HOME, HOPWA, ESG and NSP Programs. It is the responsibility of the Prime Contractor to enforce these same requirements within any sub-contracts. The established goal is 30% of new hires and trainees will be Section 3 Residents. A Section 3 Resident is defined as a resident of Contra Costa County AND whose income is 80% or below the area median income (as defined by HUD). Please note that the Section 3 Resident must meet the minimum qualifications for the available job.

Complete columns A, B, and C in the table below:

(A) Job Category	(B) Number of Anticipated New Hires and Trainees	(C) Number of column B that will be Section 3 Residents	(D) Column C Hours Worked on the Job	(E) Column B hours Worked on the Job
Professional				
Technical				
Office/Clerical				
Construction by Trade (List)				
Other (List)				
TOTAL				

PART II: SUBCONTRACT AWARDS – SECTION 3 BUSINESSES

The contracting component of Section 3 applies to the prime contractor and all sub-contractors providing construction services or professional services to Contra Costa County's CDBG, HOME, HOPWA, ESG and NSP Programs. It is the responsibility of the prime contractor to enforce the same requirements within any sub-contracts. The established goals are (1) 10% of all construction contract dollar amounts will be awarded to Section 3 Businesses and (2) 3% of all non-construction contract dollar amounts will be awarded to Section 3 Businesses. Section 3 Businesses are defined as businesses that are fifty on percent (51%) owned by Section 3 Residents; OR thirty percent (30%) of employed staff are Section 3 Residents; OR twenty five percent (25%) of the businesses subcontracts are committed to Section 3 Businesses.

Total number and dollar amount of sub-contracts anticipated for this project:

Construction: # _____ \$ _____

Non-Construction: # _____ \$ _____

Total number and dollar amount of anticipated Section 3 sub-contract awards:

Construction: # _____ \$ _____

Non-Construction # _____ \$ _____

PART III: CERTIFICATION

As a duly authorized representative of the prime contractor, it is hereby agreed that the prime contractor and all sub-contractors will make every effort to achieve at least the minimum levels for compliance with Section 3 participation goals. It is further understood that the undersigned will enforce and ensure compliance within all sub-contracts.

Signature

Print Name/Title

Date

PART III: SUMMARY OF EFFORTS MADE

Indicate the efforts made to direct the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs, to the greatest extent feasible, toward low and very low-income persons, particularly those who are recipients of government assistance for housing. (Check all that apply.)

- _____ Attempted to recruit low income residents through: local advertising, signs prominently displayed at the project site, contracts with the community organizations and public or private agencies operating within the metropolitan area in which the Section 3 covered program or project is located (Contra Costa County), or similar methods.
- _____ Participated in a HUD program or other program which promotes the training or employment of Section 3 residents.
- _____ Participated in a HUD program or other program which promotes the award of contracts to business concerns which meet the definition of Section 3 business concerns.
- _____ Coordinated with Youthbuild Programs administered in the metropolitan area in which the Section 3 covered project is located.
- _____ Other; describe below.

Part II: Contracts Awarded

1. Construction Contracts:

A. Total dollar amount of all contracts awarded on the project	\$
B. Total dollar amount of contracts awarded to Section 3 businesses	\$
C. Percentage of the total dollar amount that was awarded to Section 3 businesses	%
D. Total number of Section 3 businesses receiving contracts	

2. Non-Construction Contracts:

A. Total dollar amount all non-construction contracts awarded on the project/activity	\$
B. Total dollar amount of non-construction contracts awarded to Section 3 businesses	\$
C. Percentage of the total dollar amount that was awarded to Section 3 businesses	%
D. Total number of Section 3 businesses receiving non-construction contracts	

Part III: Summary

Indicate the efforts made to direct the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs, to the greatest extent feasible, toward low- and very low-income persons, particularly those who are recipients of government assistance for housing. (Check all that apply.)

- Attempted to recruit low-income residents through: local advertising media, signs prominently displayed at the project site, contracts with the community organizations and public or private agencies operating within the metropolitan area (or nonmetropolitan county) in which the Section 3 covered program or project is located, or similar methods.
- Participated in a HUD program or other program which promotes the training or employment of Section 3 residents.
- Participated in a HUD program or other program which promotes the award of contracts to business concerns which meet the definition of Section 3 business concerns.
- Coordinated with Youthbuild Programs administered in the metropolitan area in which the Section 3 covered project is located.
- Other; describe below.

Public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB number.

Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u, mandates that the Department ensures that employment and other economic opportunities generated by its housing and community development assistance programs are directed toward low- and very-low income persons, particularly those who are recipients of government assistance housing. The regulations are found at 24 CFR Part 135. The information will be used by the Department to monitor program recipients' compliance with Section 3, to assess the results of the Department's efforts to meet the statutory objectives of Section 3, to prepare reports to Congress, and by recipients as self-monitoring tool. The data is entered into a database and will be analyzed and distributed. The collection of information involves recipients receiving Federal financial assistance for housing and community development programs covered by Section 3. The information will be collected annually to assist HUD in meeting its reporting requirements under Section 808(e)(6) of the Fair Housing Act and Section 916 of the HCDA of 1992. An assurance of confidentiality is not applicable to this form. The Privacy Act of 1974 and OMB Circular A-108 are not applicable. The reporting requirements do not contain sensitive questions. Data is cumulative; personal identifying information is not included.

Form HUD-60002, **Section 3 Summary Report, Economic Opportunities for Low- and Very Low-Income Persons.**

Instructions: This form is to be used to report annual accomplishments regarding employment and other economic opportunities provided to low- and very low-income persons under Section 3 of the Housing and Urban Development Act of 1968. The Section 3 regulations apply to any **public and Indian housing programs** that receive: (1) development assistance pursuant to Section 5 of the U.S. Housing Act of 1937; (2) operating assistance pursuant to Section 9 of the U.S. Housing Act of 1937; or (3) modernization grants pursuant to Section 14 of the U.S. Housing Act of 1937 and to **recipients of housing and community development assistance in excess of \$200,000** expended for: (1) housing rehabilitation (including reduction and abatement of lead-based paint hazards); (2) housing construction; or (3) other public construction projects; and to **contracts and subcontracts in excess of \$100,000** awarded in connection with the Section-3-covered activity.

Form HUD-60002 has three parts, which are to be completed for all programs covered by Section 3. Part I relates to **employment and training**. The recipient has the option to determine numerical employment/training goals either on the basis of the number of hours worked by new hires (columns B, D, E and F). Part II of the form relates to **contracting**, and Part III summarizes recipients' **efforts** to comply with Section 3.

Recipients or contractors subject to Section 3 requirements must maintain appropriate documentation to establish that HUD financial assistance for housing and community development programs were directed toward low- and very low-income persons.* A recipient of Section 3 covered assistance shall submit one copy of this report to HUD Headquarters, Office of Fair Housing and Equal Opportunity. Where the program providing assistance requires an annual performance report, this Section 3 report is to be submitted at the same time the program performance report is submitted. Where an annual performance report is not required, this Section 3 report is to be submitted by January 10 and, if the project ends before December 31, within 10 days of project completion. **Only Prime Recipients are required to report to HUD. The report must include accomplishments of all recipients and their Section 3 covered contractors and subcontractors.**

- HUD Field Office: Enter the Field Office name .
1. Recipient: Enter the name and address of the recipient submitting this report.
 2. Federal Identification: Enter the number that appears on the award form (with dashes). The award may be a grant, cooperative agreement or contract.
 3. Dollar Amount of Award: Enter the dollar amount, rounded to the nearest dollar, received by the recipient.
 - 4 & 5. Contact Person/Phone: Enter the name and telephone number of the person with knowledge of the award and the recipient's implementation of Section 3.
 6. Reporting Period: Indicate the time period (months and year) this report covers.
 7. Date Report Submitted: Enter the appropriate date.

8. Program Code: Enter the appropriate program code as listed at the bottom of the page.
9. Program Name: Enter the name of HUD Program corresponding with the "Program Code" in number 8.

Part I: Employment and Training Opportunities

Column A: Contains various job categories. Professionals are defined as people who have special knowledge of an occupation (i.e. supervisors, architects, surveyors, planners, and computer programmers). For construction positions, list each trade and provide data in columns B through F for each trade where persons were employed. The category of "Other" includes occupations such as service workers.

Column B: (Mandatory Field) Enter the number of new hires for each category of workers identified in **Column A** in connection with this award. New hire refers to a person who is not on the contractor's or recipient's payroll for employment at the time of selection for the Section 3 covered award or at the time of receipt of Section 3 covered assistance.

Column C: (Mandatory Field) Enter the number of Section 3 new hires for each category of workers identified in **Column A** in connection with this award. Section 3 new hire refers to a Section 3 resident who is not on the contractor's or recipient's payroll for employment at the time of selection for the Section 3 covered award or at the time of receipt of Section 3 covered assistance.

Column D: Enter the percentage of all the staff hours of new hires (Section 3 residents) in connection with this award.

Column E: Enter the percentage of the total staff hours worked for Section 3 employees and trainees (including new hires) connected with this award. Include staff hours for part-time and full-time positions.

Column F: (Mandatory Field) Enter the number of Section 3 residents that were trained in connection with this award.

Part II: Contract Opportunities

Block 1: Construction Contracts

Item A: Enter the total dollar amount of all contracts awarded on the project/program.

Item B: Enter the total dollar amount of contracts connected with this project/program that were awarded to Section 3 businesses.

Item C: Enter the percentage of the total dollar amount of contracts connected with this project/program awarded to Section 3 businesses.

Item D: Enter the number of Section 3 businesses receiving awards.

Block 2: Non-Construction Contracts

Item A: Enter the total dollar amount of all contracts awarded on the project/program.

Item B: Enter the total dollar amount of contracts connected with this project awarded to Section 3 businesses.

Item C: Enter the percentage of the total dollar amount of contracts connected with this project/program awarded to Section 3 businesses.

Item D: Enter the number of Section 3 businesses receiving awards.

Part III: Summary of Efforts – Self -explanatory

Submit one (1) copy of this report to the HUD Headquarters Office of Fair Housing and Equal Opportunity, at the same time the performance report is submitted to the program office. The Section 3 report is submitted by January 10. Include only contracts executed during the period specified in item 8. PHAs/IHAs are to report all contracts/subcontracts.

* The terms "low-income persons" and very low-income persons" have the same meanings given the terms in section 3 (b) (2) of the United States Housing Act of 1937. **Low-income persons** mean families (including single persons) whose incomes do not exceed 80 percent of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that

The Secretary may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of the Secretary's findings such that variations are necessary because of prevailing levels of construction costs or unusually high- or low-income families. **Very low-income persons** mean low-income families (including single persons) whose incomes do not exceed 50 percent of the median family income area, as determined by the Secretary with adjustments or smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

Complaint Register

Under Section 3 of the Housing
And Urban Development Act of 1968

U.S. Department of Housing and Urban Development

Office of Fair Housing
and Equal Opportunity

OMB Approval No. 2529-0043

(Expires 11/30/2010)

Name of Complainant (Person or organization)	Home Phone
Street Address	Work Phone
City, State, Zip code	
Against whom is this complaint being filed?	Business Phone
Name of organization or company	
Street Address	
City, State, Zip code	

Name and identify others (if any) who violated the law in this case

You are (check all that apply)	
<input type="checkbox"/> A. Low/Very low income	<input type="checkbox"/> D. Section 3 business concern
<input type="checkbox"/> B. Public housing resident	<input type="checkbox"/> E. A representative of B
<input type="checkbox"/> C. A representative of A or B	

Complaint is against (check one or more boxes)	
<input type="checkbox"/> A. Applicant	<input type="checkbox"/> D. Recipient
<input type="checkbox"/> B. Sub-Recipient	<input type="checkbox"/> E. Contractor
<input type="checkbox"/> C. Subcontractor	<input type="checkbox"/> F. Other (please specify _____)

Basis for non compliance with Section 3		
<input type="checkbox"/> Denied Training	<input type="checkbox"/> Denied Employment	<input type="checkbox"/> Denied Contracting

What did the person you were complaining against do? (Check all that apply – provide documentation)	
<input type="checkbox"/> A. Failed to meet numerical goals, as set out in the Section 3 regulations	<input type="checkbox"/> F. Failed to incorporate the Section 3 clause in Section 3 solicitations or contracts
<input type="checkbox"/> B. Failed to ensure that its contractors and subcontractors comply with Section 3	<input type="checkbox"/> G. Failed to train and/or employ Section 3 residents
<input type="checkbox"/> C. Failed to notify Section 3 residents about training and/or employment opportunities	<input type="checkbox"/> H. Failed to award contracts to Section 3 business concerns
<input type="checkbox"/> D. Failed to notify Section 3 business concerns about contracting opportunities	<input type="checkbox"/> I. Contracted with a contractor found to be in violation of applicable statues and/or HUD regulations
<input type="checkbox"/> E. Failed to notify potential contractors for Section 3 covered projects of the requirements of Section 3	<input type="checkbox"/> J. Failed to provide preference to Section 3 residents in training and or contracting opportunities.
	<input type="checkbox"/> K. Failed to provide preferences for Section 3 business concerns in contracting opportunities

When did the act(s) checked above occur? (Include the most recent date if several dates are involved):
--

Identify HUD assistance program(s). (Check all that apply)			
<input type="checkbox"/> A. PIH/DEV	<input type="checkbox"/> B. PIH/MOD	<input type="checkbox"/> C. PIH/OPER	<input type="checkbox"/> D. Other PIH
<input type="checkbox"/> E. 202/811	<input type="checkbox"/> F. Other Housing	<input type="checkbox"/> G. CDBG	<input type="checkbox"/> H. HOME
<input type="checkbox"/> I. Homelessness	<input type="checkbox"/> J. Other CPD	<input type="checkbox"/> K. Lead-based Paint	<input type="checkbox"/> Other

Summarize what happened? Attach additional information if necessary

Signature

Date

I declare under penalty of perjury that I have read this compliant (including any attachments) and that it is true and correct.

Instructions for the Complaint Register Section 3 of the Housing and Urban Development Act of 1968

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB number.

The information is given voluntarily and provides the basis for HUD's investigation of the compliant to determine if the allegations of noncompliance are valid. The Department will use the information provided as the basis for its determination of jurisdiction over a complainant's allegations. All information collected complies with the Privacy Act of 1974 and OMB Circular A-108. The information is not of a sensitive nature. The information is unique to the processing an allegation of noncompliance with the section 3 statute or implementing regulations.

This form is to be used to report allegations of noncompliance with Section 3 of the Housing and Urban Development Act of 1968, as amended and implementing regulations at 24 CFR Part 135.

What does Section 3 of the Housing and Urban Development Act of 1968 provide?

The law describes the HUD programs directly affected by Section 3, receiving Federal financial assistance from the department, and dictates how these programs are to provide employment and other economic opportunities for low and very low income persons.

What does the law cover?

Section 3 applies to any public and Indian Housing programs that receive: (1) developmental assistance pursuant to section 5 of the U. S. Housing Act of 1937; (2) operating assistance pursuant to section 5 of the U.S. Housing act of 1937; or (3) modernization grants pursuant to section 14 of the U.S. Housing Act of 1937 and to housing and community development assistance extended for: (1) housing rehabilitation (including reduction and abatement of lead based paint hazards); (2) housing construction or (3) other public construction projects; and for which the contract and subcontract exceeds \$100,000.

What can you do about violations of the Law?

Remember, Section 3 applies to the awarding of jobs, training programs, and contracts, generated from projects receiving HUD financial assistance. If you believe that, as a low-income person or a Section 3 business concern, the responsibilities to provide economic opportunities under Section 3 have been violated, you have a right to file a complaint within 180 days of the last alleged occurrences of noncompliance.

Complain to the Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, by filing this from by mail or in person. The information received will be used by HUD to determine jurisdiction under Section 3.

HUD will send the complaint to the appropriate HUD recipient for resolution. If resolution by the recipient fails, HUD will investigate. If HUD finds that the complaint has merit, it will try to end the violation by informal resolution. If conciliation fails, HUD may initiate other steps to enforce the law, including but not limited to suspension and debarment of the recipient or contractors as applicable.

You can obtain assistance in learning about Section 3 or in filing a complaint at the HUD Office listed below:

Assistant Secretary
HUD Fair Housing and Equal Opportunity
451 7th Street SW
Washington, DC 20410
(202)-708-3633

Privacy Act of 1974 (P.L.93-579)

Authority: Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1968, as amended by the Housing and Community Development Act of 1992, U.S.C. 1701u and implementing regulations at 24 CFR Part 135.

Purpose: The information requested on this form is to be used to investigate and process Section 3 complaints.

Use: The information requested will be used to process complaint filed under Part 135. HUD may disclose certain information for Federal, State, and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. It will not be otherwise disclosed or released outside of HUD, except as required and permitted by law.

Penalty: Failure to provide some or all of the requested information will result in delay or denial of HUD assistance.

Disclosure of this information is voluntary.