



SAN DIEGO  
HOUSING  
COMMISSION

# San Diego Housing Commission Section 3 Program Guide

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# 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, employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons

### 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 135 of Title 24 of the Code of Federal Regulations (24CFR135).

### 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 annual total family income for the preceding calendar year. See Exhibit 1 for Family 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 Resident?

A Section 3 Resident is a person who is a resident of public housing who resides in the County of San Diego; or a low- or very low-income person who resides in the County of San Diego.

### 1.1.5 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 ownership by a Section 3 Resident; or
- At least 30 percent of its permanent full-time employees include persons that are currently Section 3 Residents, or were Section 3 eligible residents within 3 years of date of first employment with the business concern; or
- Provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to Section 3 Business Concerns that qualify via the Section 3 ownership or workforce criterion.

### 1.1.6 Is a business in compliance if it meets the Section 3 numerical goals?

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

- Employing Section 3 Residents as 30% of the aggregate number of new hires for the one year period;
- Awarding Section 3 Business Concerns at least 10 percent of the total dollar amount of all Section 3 covered contracts for building trades work for maintenance, repair, modernization or development of public or Indian housing, or for building trades work



arising in connection with housing rehabilitation, housing construction and other public construction; and

- Awarding at least 3 percent of the total dollar amount of all other Section 3 covered contracts to Section 3 Business Concerns.

### 1.1.7 What is a Section 3 covered contract or project?

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

A Section 3 covered project is any project funded by HUD 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.

### 1.1.8 What types of contracts/projects require Section 3 compliance?

Section 3 requirements apply when there is a need for new hires, contractors, and/or subcontractors arising in connection with a contract/project funded with certain HUD financial assistance. Requirements apply to service contracts.

### 1.1.9 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 ownership by a Section 3 Resident; or
- At least 30 percent of its permanent full-time employees include persons that are currently Section 3 Residents, or were Section 3 eligible residents within 3 years of the date of first employment with the business concern.

**Note: SDHC does not certify Section 3 Business Concerns that qualify based on providing evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to Section 3 Business Concerns. Instead, their Section 3 commitments are evaluated on a per contract basis.**

### 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). Forms are reviewed by the Program Analyst. Certified Section 3 Business Concerns will receive an electronic and a hard copy of their certification letters.

### **1.2.6 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 Business Concern. However, SDHC may at any time conduct an eligibility review and request that self-certified Section 3 Business Concerns provide documentation to verify their 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.



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

Notify the SDHC Section 3/EOC 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 registry. SDHC Section 3/EOC Unit uses the registry and provides it to developers, contractors and subcontractors on Section 3 covered contracts/projects and to other HUD-funded public agencies or partners who are seeking certified Section 3 Business Concerns.

### **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/EOC 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?**

Contact the Program Analyst: (619) 578-7579 or by e-mail, [Section3@sdhc.org](mailto: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 Onvia Demandstar ([www.demandstar.com/register.rsp](http://www.demandstar.com/register.rsp)), the free on line 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](http://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/EOC Unit promotes certified Section 3 Business Concerns within SDHC and to developers, contractors, subcontractors and/or partners who a 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](mailto: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?**

At least 60 days before their certification is scheduled to expire, certified Section 3 Business Concerns will receive written notification. The recertification process requires the completion of the Section 3 Business Concern Certification Form (See 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 <http://www.sdhc.org/Business-Opportunities/>, or contact the SDHC Procurement Department at (619) 578-7537 or by e-mail, [purchasing@sdhc.org](mailto: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 Onvia DemandStar, 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 Onvia, follow these instructions:

1. Go online to [www.demandstar.com/register.rsp](http://www.demandstar.com/register.rsp)
2. Check the “**Onvia DemandStar Free Agency**” option (additional options are also available).
3. Fill out the contact information for your business.
4. Under “Select the agency name that you would like to register for,” select 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 \$100,000 are solicited via Request for Proposal (RFP) or an Invitation for Bid (IFB). Services expected to be less than \$100,000 are typically solicited through a Request for Quotation (RFQT).

## 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 numerical goals: (a) Employ Section 3 Residents in at least 30 percent of its new hires on the project; (b) Award to Section 3 Business Concerns at least 10 percent of the total dollar amount of all Section 3 covered contracts for building trades work, maintenance, repair, modernization or development of public or Indian housing, or building work arising in connection with the housing rehabilitation, housing construction and other public construction; and (c) Award at least 3 percent of the total dollar amount of all other Section 3 covered contracts to Section 3 Business Concerns.

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 “new hires”?**

New hires are full-time employees for permanent, temporary or seasonal employment opportunities.

### **1.5.3 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, contain the Section 3 Clause (24CFR135.38) and the Section 3 and Equal Opportunity Contracting Project Utilization Plan.

### **1.5.4 What is the Section 3 Clause, and why is it important?**

The Section 3 Clause is the contract provisions set forth in Title 24, Part 135.38 of the Code of Federal Regulations. All Section 3 covered contracts and subcontracts must include the clause in its entirety. Contractor must include the Section 3 Clause in all subcontracts subject to compliance with Title 24, Part 135 of the Code of Federal Regulations. See Exhibit 3 for the Section 3 Clause.

### **1.5.5 What is the Section 3 and Equal Opportunity Contracting Project Utilization Plan?**

The Section 3 and Equal Opportunity Contracting Project Utilization Plan (Exhibit 5) 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 Residents.

### **1.5.6 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 and/or hire certified Section 3 Residents, if 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.

### **1.5.7 What are examples of supporting documentation that verify outreach 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. To obtain registry of certified Section 3 Residents and Section 3 Business Concerns, contact SDHC Section 3/EOC Unit at [section3@sdhc.org](mailto:section3@sdhc.org).

### **1.5.8 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.

### **1.5.9 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?**

No. The requirements to comply with Section 3 are triggered when there is a need for new hires, contractors and/or subcontractors. Note: Contractors and/or subcontractors who do not plan to hire new employees and do not plan to award contracts/subcontracts are still required to



complete and submit Section 3 and Equal Opportunity Contracting Project Utilization Plans in their bid/proposal.

#### **1.5.10 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.

#### **1.5.11 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.

#### **1.5.12 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.

#### **1.5.13 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 numerical goals 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 Residents and/or Section 3 Business Concerns, or reference the waiver granted by SDHC.

#### **1.5.14 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 numerical goals may receive a waiver in the following circumstances:

- The Utilization Plan indicates that there are no potential subcontracting opportunities AND no opportunities to hire new employees.
- Bidder/Proposer plans to award subcontracts to certified Section 3 Business Concerns.
- Bidder/Proposer provides supporting documentation demonstrating it has exhausted all hiring and/or contracting resources to outreach to and hire Section 3 Residents 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 is unable to hire Section 3 Residents due to the type of services provided and it being located outside the County of San Diego.



### **1.5.15 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. The Utilization Plan contains guidelines for completion and submittal. Please contact the SDHC Section 3/EOC Unit for a copy of the form.

### **1.5.16 Must the Section 3 Residents and Section 3 Business Concerns that I plan to utilize be certified as such?**

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

### **1.5.17 How do I identify certified Section 3 Residents?**

Please contact the SDHC Section 3/EOC Unit to obtain a list of certified Section 3 Residents.

### **1.5.18 How do I identify certified Section 3 Business Concerns?**

Please contact the SDHC Section 3/EOC Unit to obtain a list of certified Section 3 Business Concerns.

### **1.5.19 Is there an order of preference in providing employment opportunities to Section 3 Residents?**

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 24CFR135.34.

## **1.6 Requirements for Awardees**

### **1.6.1 Does SDHC monitor Section 3 Compliance?**

Yes. SDHC monitors compliance:

- Contractors are required to submit their certified payroll and/or workforce reports (Exhibit 6) and their subcontractors.
- Contractors who submitted an approved Section 3 and Equal Opportunity Contracting Project Utilization Plan must seek to maintain their approved percentages of Section 3 participation throughout the term of the Section 3 covered contract/project.
- Contractors and subcontractors whose Utilization Plans projected no employment opportunities must, to the greatest extent feasible, hire certified Section 3 Residents if the need to hire occurs.

## **1.7 Filing Complaints**

### **1.7.1 Who can file a complaint?**

Any Section 3 Resident 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](http://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/section3](http://www.hud.gov/section3).

### **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 Resident Program**

### **2.1 Overview & Applicability**

#### **2.1.1 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, employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons

#### **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 135 of Title 24 of the Code of Federal Regulations (24CFR135).





### **2.1.3 Who is a Section 3 Resident?**

A Section 3 Resident is a person who is a resident of public housing who resides in the County of San Diego; or a low- or very low-income person who resides in the County of San Diego.

### **2.1.4 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 annual total family income for the preceding calendar year. See Exhibit 1 for Family Income Limits, or contact the San Diego Housing Commission (SDHC) Section 3/EOC Unit to obtain the current income limits (Exhibit 1).

### **2.1.5 What are the job categories under which Section 3 Residents are classified?**

Employment opportunities for Section 3 Residents fall under one of the following categories:

- Officials and Management
- Professionals
- Technicians
- Office and Clerical
- Sales
- Service Workers
- Craft Workers (Skilled)
- Operatives (Semi-skilled)
- Laborers (Unskilled)
- Other

### **2.1.6 What types of training are available to certified Section 3 Residents?**

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 or 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 Resident Certification**

### **2.2.1 Who can become certified as a Section 3 Resident?**

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

- Public housing resident of the County of San Diego; or
- Low- or very-low income resident of the County of San Diego based on family size and annual total family income.

### **2.2.2 What are the benefits of becoming a certified Section 3 Resident?**

- Notification of employment opportunities with SDHC



- Placement on a Section 3 Resident 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 Residents by completing and submitting the Section 3 Resident Certification Form (Exhibit 7). Forms are reviewed by the Program Analyst. Certified Section 3 Residents will receive an electronic and 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 Resident. However, SDHC may at any time conduct an eligibility review and request that self-certified Section 3 Residents 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 Resident 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/EOC 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 Resident.

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

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



### **2.2.12 Where can I get an application?**

Contact the Program Analyst to obtain an application: (619) 578-7579 or by email, 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 Residents provide documentation to verify that they are eligible to be a Section 3 Resident. Certified Section 3 Residents 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 Resident be decertified?**

SDHC can propose decertification if it is unable to verify the eligibility of the certified Section 3 Resident; finds that the certified Section 3 Resident misrepresented itself in its application to certify or in any documentation or information provided to SDHC; or determines that the certified Section 3 Resident 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 Resident in writing that SDHC is proposing to decertify, the reasons for the proposed decertification, and that the certified Section 3 Resident must rebut each of the reasons SDHC sets forth. The certified Section 3 resident 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 Resident in writing that he/she is decertified.

### **2.2.19 Is there an appeal process for revoked certifications?**

Yes. A certified Section 3 Resident 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.



## 3 Resident Recertification

### 3.1 What is the recertification process?

At least 60 calendar days before their certification is scheduled to expire, certified Section 3 Residents will receive written notification. The recertification process requires the completion of the Section 3 Resident Certification Form (Exhibit 6).

## 4 Filing Complaints

### 4.1 Who can file a complaint?

Any Section 3 Resident 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.

### 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](http://www.hud.gov/offices/fheo) to obtain the address and telephone number for FHEO regional offices.

### 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/section3](http://www.hud.gov/section3).

### 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.

### 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.

### 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: Family Income Limits

2016 FAMILY INCOME LIMITS								
FAMILY Size	1	2	3	4	5	6	7	8
Maximum Gross Annual Family Income	\$47,600	\$54,400	\$61,200	\$68,000	\$73,450	\$78,900	\$84,350	\$89,800



SAN DIEGO  
HOUSING  
COMMISSION

Administrative Services

## 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 Act of 1968 was established to foster local economic development. It requires that recipients of certain U.S. Department of Housing and Urban Development (HUD) financial assistance, to the greatest extent feasible, provide job training, employment, contracting, and other economic opportunities to low- and very low-income persons and to business concerns which provide economic opportunities to low- and very low-income persons. Section 3 regulations are implemented in Title 24 of the Code of Federal Regulations Part 135.

### **Who is a Section 3 Resident?**

- **Resident of public housing who resides in the County of San Diego; or**
- **Resident of the County of San Diego who is low- or very-low income.**

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:

- a) It is 51% or more owned by Section 3 Residents; or
- b) At least 30% of its permanent full-time employees include persons that are currently Section 3 Residents; or were Section 3 eligible residents within 3 years of date of first employment with the business concern.

Please complete the enclosed application. If you have any questions or concerns, please contact the Section 3 Unit at (619) 578-7513. Submit completed application to either of the following:

Program Analyst  
[section3@sdhc.org](mailto:section3@sdhc.org)

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



## SECTION 3 BUSINESS CONCERN CERTIFICATION FORM

Please type or legibly print your responses and include an e-mail address. Questions identified with an asterisk (\*) are mandatory.

*Business Name:		*Taxpayer Identification 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/Locations outside of the County of San Diego:
*Business Phone: (     )		Fax: (     )		
*Email:		Business Website Address:		
*Contact Person & Title:		*Contact Phone & Email:		
Business License Number:	DUNS Number:	Is Your Company a Union Shop? If yes, identify:		
CSLB and/ or Professional License Number (s):	License Expiration Date:	License Name:		
		License Type:		
Public Works Contractor (PWC) Department of Industrial Relations (DIR) Registration Number:		PWC Registration Expiration Date:		
*Primary NAICS Code (6-digits):		Construction <input type="checkbox"/>	Services <input type="checkbox"/>	Supplier <input type="checkbox"/>
Secondary NAICS Code (6-digits):				
*Please describe your 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 was established (mm/dd/yyyy):		Last annual gross revenues:		
Single job bonding limit:		Aggregate bonding limit:		
Types of jobs preferred? ( size (\$\$), trades/services performed):				
*Number of employees at principal office: Full-time: _____ Part-time: _____ Contract: _____ Total: _____ *Classification of these employees (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? <input type="checkbox"/> YES <input type="checkbox"/> NO
*If your business possesses any of the following certifications, identify and submit a copy of the certificate(s). <input type="checkbox"/> Emerging/Small Local Business Enterprise (ELBE/SLBE)—City of San Diego <input type="checkbox"/> Small Business (SB)—CA Department of General Services <input type="checkbox"/> Disadvantaged Business Enterprise (DBE)—CA Department of Transportation or CA Unified Certification Program <input type="checkbox"/> Disabled Veteran Business Enterprise (DVBE)—CA Department of General Services <input type="checkbox"/> Woman Business Enterprise (WBE)—CA Public Utilities Commission or City of Los Angeles <input type="checkbox"/> 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? If certified submit a copy of the certificate. <input type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: as of April 22, 2010, ALL firms that perform renovation work which may disturb paint in target housing are <b>REQUIRED</b> to be certified by the EPA. Contractors will not be eligible to bid on such work until a certificate is provided. Information about becoming a certified firm is available at <a href="http://epa.gov/lead/pubs/sellsheet.pdf">http://epa.gov/lead/pubs/sellsheet.pdf</a></i>
How did you learn about the Section 3 certification program?
*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? <input type="checkbox"/> YES <input type="checkbox"/> NO

**\*Section 3 Business Concern Certification Criteria:**

A business is able to self-certify as a Section 3 Business Concern with the San Diego Housing Commission, if in addition to meeting all the applicable state and local regulations, its principal office is located in the County of San Diego and meets the criteria to certify as a Section 3 Business Concern. \*Check one or more of the following:

- 51% or more of the business concern is owned by Section 3 Residents; or
- 30% or more of the business concern’s permanent full-time employees are Section 3 Residents, or were Section 3 eligible residents within 3 years of date of first employment with the business concern.

**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 Resident?**

- Resident of public housing who resides in the County of San Diego; or
- Resident of the County of San Diego who is low- or very-low income:

2016 FAMILY INCOME LIMITS								
FAMILY Size	1	2	3	4	5	6	7	8
Maximum Gross Annual Family Income	\$47,600	\$54,400	\$61,200	\$68,000	\$73,450	\$78,900	\$84,350	\$89,800

By the execution and delivery of this application to the San Diego Housing Commission, you hereby covenant and agree to provide such documentation, immediately upon demand by the San Diego Housing Commission, as the San Diego Housing Commission may reasonably request, to verify your eligibility for certification as a Section 3 Business Concern.

## **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, correct:

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

- 51% or more of the business concern is owned by Section 3 Residents; or
- 30% or more of the business concern's permanent full-time employees are Section 3 Residents, or were Section 3 eligible residents within 3 years of date of first employment with the business concern.

My business certifies 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 135.

My business agrees to notify the San Diego Housing Commission's Section 3/EOC Unit of any material change in the information contained in this application within 30 days of such change. My business further agrees 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 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, by the execution of this document, 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.**

## Exhibit 3: Section 3 Clause

### Section 3 Clause

All Section 3 covered contracts and subcontracts shall include the following clause set forth at 24CFR135.38:

- 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 the 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 Agreement 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 4: Section 3 Certification of Compliance**

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## SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968 CERTIFICATION OF COMPLIANCE

The purpose of Section 3 of the Housing and Urban Development Act of 1968, as amended (12. U.S.C. 1701u) (Section 3), is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and Local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons. Section 3 is implemented and regulated by Part 135 of Title 24 of the Code of Federal Regulations (24 CFR 135).

### 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 are triggered when there is a need for new hires, contractors, and/or subcontractors.
- 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** means a business concern that is:

- I. 51% or more owned by Section 3 Residents ; or
- II. Whose permanent, full-time employees include at least 30 percent of Section 3 Residents, or within three years of the date of first employment with the business concern were Section 3 Residents; or
- III. Provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications above.

**Section 3 Resident** means a: (1) A resident of public housing who resides in the County of San Diego; or (2) An individual who resides in the County of San Diego, and who meets the following family income limits:

2016 FAMILY INCOME LIMITS								
FAMILY Size	1	2	3	4	5	6	7	8
Maximum Gross Annual Family Income	\$47,600	\$54,400	\$61,200	\$68,000	\$73,450	\$78,900	\$84,350	\$89,800

**New Hire** means full-time employees for permanent, temporary or seasonal employment opportunities.

### NUMERICAL GOALS

Contractors and subcontractors may demonstrate compliance with Section 3 by committing to the following:

- I. Employ Section 3 Residents as 30 percent of total new hires;
- II. Award Section 3 Business Concerns at least 10 percent of the total dollar amount of all Section 3 covered construction and renovation contracts; and
- III. Award Section 3 Business Concerns at least 3 percent of the total dollar amount of all other Section 3 covered contracts.

Contractors and subcontractors must document their efforts to realize the numerical goals.

## 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.
  
- III. Waivers:  
At its discretion, SDHC may grant waivers for noncompliant contractors who have demonstrated “good cause” as to why the Section 3 numerical goals were not met. 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 Residents, 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 Clause

All Section 3 covered contracts and subcontracts shall include the following clause set forth at 24CFR135.38:

- h) 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.
  
- i) 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.
  
- j) 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.
  
- k) The contractor agrees to include the 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.
  
- l) 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.

- m) 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.
- n) 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).

**Compliance Monitoring**

Section 3 compliance monitoring will be performed by SDHC Section 3/EOC 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 Residents if the need to hire occurs.** Contractors and subcontractors will be required to submit certified payroll and/or new hire reports.

FREQUENCY OF MONITORING				
Contract Description	Award/ Negotiation	Monthly	Quarterly	Completion
Construction	X	X		X
Non-Construction (<3 months' performance)	X	X		X
Non-Construction (>3 months' performance)	X		X	X
<b>Note: SDHC will periodically conduct unscheduled job-site/work-site interviews of contractor's and/or subcontractors' employees.</b>				

Noncompliance with HUD's regulations in 24CFR135 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 24CFR135.38 and SDHC's Section 3 requirements.

Acknowledged By:

\_\_\_\_\_  
Name of President or Authorized Officer

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Signature and Title

\_\_\_\_\_  
Date

**Please contact the Section 3 Program Analyst at (619) 578-7579 or [section3@sdhc.org](mailto:section3@sdhc.org) for a list of certified Section 3 Business Concerns and/or Residents, or to verify the Section 3 certification eligibility of any prospective subcontractor or new hire.**





## **Exhibit 5: Section 3 and Equal Opportunity Contracting Project Utilization Plan**

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**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.

**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:

San Diego Housing Commission  
Section 3/EOC Unit  
1122 Broadway, Ste. 300  
San Diego, CA 92101  
[Section3@sdhc.org](mailto:Section3@sdhc.org)

Prime Contractor Name:		Bid/Solicitation # and Project Name:	
<input type="checkbox"/> Contractor or <input type="checkbox"/> Subcontractor Name and Address:		Taxpayer ID Number:	
Contact Name:		Email Address:	
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.

*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 24CFR135.38 and SDHC's Section 3 requirements, as applicable. Noncompliance 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 SECTION 3 RESIDENTS, AND INSTRUCTIONS FOR COMPLETING FORMS GO TO: [HTTP://WWW.SDHC.ORG/BUSINESS-OPPORTUNITIES/SECTION3](http://www.sdhc.org/BUSINESS-OPPORTUNITIES/SECTION3)



**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 SDHC Section 3/EOC Unit at [section3@sdhc.org](mailto:section3@sdhc.org) or (619) 578-7579 to obtain "Examples of Efforts to Award 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).<sup>1</sup> **List ALL** proposed subcontractors (including subconsultants) for this project on the table below.

Name, City & State	Taxpayer ID Number	Certified Section 3 Business Concern (yes/no)	Identify if ELBE/SLBE/SB/DBE/MBE/WBE/DVBE	Subcontract Amount (\$) and Percentage (%) of Total Contract Amount		Trade/Category of Work
				\$	%	
				\$	%	
				\$	%	
				\$	%	
				\$	%	
				\$	%	
				\$	%	
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 RESIDENTS, AND INSTRUCTIONS FOR COMPLETING FORMS GO TO: [HTTP://WWW.SDHC.ORG/BUSINESS-OPPORTUNITIES/SECTION3](http://www.sdhc.org/BUSINESS-OPPORTUNITIES/SECTION3)

<sup>1</sup> 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 RESIDENT UTILIZATION PLAN**

If you plan to hire new employees, a **documented effort** must be made to hire **certified** Section 3 Residents, to the greatest extent feasible, for full-time, permanent, temporary or seasonal employment. Section 3 Residents **must be** certified by SDHC.

JOB CATEGORY	PROJECTED NUMBER OF FULL-TIME EMPLOYEES THAT WILL BE HIRED	PROJECTED NUMBER OF FULL-TIME EMPLOYEES THAT WILL BE CERTIFIED SECTION 3 RESIDENTS	NUMBER OF SECTION 3 APPRENTICES
Official & Management			
Professional			
Technicians			
Service Workers			
Office and Clerical			
Sales			
Craft Workers (Skilled)			
Operatives (Semi-Skilled)			
Laborers (Unskilled)			
Other			
<b>TOTALS</b>			

Owner/Authorized Officer and Title: \_\_\_\_\_

Company: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

FOR ADDITIONAL INFORMATION, REGISTRY OF CERTIFIED SECTION 3 BUSINESS CONCERNS AND SECTION 3 RESIDENTS, AND INSTRUCTIONS FOR COMPLETING FORMS GO TO: [HTTP://WWW.SDHC.ORG/BUSINESS-OPPORTUNITIES/SECTION3](http://www.sdhc.org/BUSINESS-OPPORTUNITIES/SECTION3)



## ABRIDGED SECTION 3 FAQ FOR BIDDERS/PROPOSERS

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1. Who is a

**Section 3 Resident?**

A Section 3 Resident is a person who is a resident of public housing who resides in the County of San Diego; or a low- or very low-income person who resides in the County of San Diego. Go to <http://www.sdhc.org/Business-Opportunities/Section3>.

**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 ownership by a Section 3 Resident; or (2) at least 30 percent of its permanent full-time employees include persons that are currently Section 3 Residents, or were Section 3 eligible residents within 3 years of date of first employment with the business concern; or (3) provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to Section 3 Business Concerns that qualify via the Section 3 ownership or workforce criterion.

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

A business concern that 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. SDHC does not certify Section 3 Business Concerns that qualify based on criterion (3). Instead, their Section 3 commitments are evaluated on a per contract basis.

**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 and/or hire certified Section 3 Residents, if 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.

**6. 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. To obtain registry of certified Section 3 Residents and Section 3 Business Concerns, or "Examples of Efforts to Award Contracting Opportunities," contact SDHC Section 3/EOC Unit at [section3@sdhc.gov](mailto:section3@sdhc.gov) or (619) 578-7579.

**7. 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.

**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?**

No. The requirements to comply with Section 3 are triggered when there is a need for new hires, contractors and/or subcontractors.

**9. What is the Section 3 Clause, and why is it important?**

The contractor must include the Section 3 Clause in its entirety in every subcontract that is subject to compliance with Title 24, Part 135 of the Code of Federal Regulations. The Section 3 Clause is the contract provisions set forth in Title 24, Part 135.38 of the Code of Federal Regulations.

**10. Does SDHC monitor Section 3 Compliance?**

Yes. SDHC Section 3/EOC Unit monitors compliance by reviewing contractors' and subcontractors' certified payroll and/or workforce reports. Contractors and subcontractors must seek to maintain their approved percentages of Section 3 participation throughout the term of the Section 3 covered contract/project.



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Administrative Services

## Exhibit 6: Compliance Reports

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## Section 3 Monthly New Hire Report

Name of Contractor <input type="checkbox"/> Or Subcontractor <input type="checkbox"/>		Address:
For the Month Ending:	Contract Number:	Contract/Project Name:
Is this the Final Report? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Name and Title of Person Completing Form:	Telephone Number:	Email Address:

**Who is a Section 3 Resident?** A resident of public housing who resides in the County of San Diego; or a resident of the County of San Diego that meets the low income guidelines.

JOB CATEGORY	HIRED FOR THIS CONTRACT/PROJECT			
	TOTAL NUMBER OF FULL-TIME NEW HIRES	NUMBER OF FULL-TIME NEW HIRES THAT ARE CERTIFIED SECTION 3 RESIDENTS	NEWLY-HIRED CERTIFIED SECTION 3 RESIDENTS AS A PERCENTAGE OF TOTAL NEW HIRES	NUMBER OF CERTIFIED SECTION 3 RESIDENTS HIRED AS APPRENTICES
1. Officials and Management			%	
2. Professional			%	
3. Technicians			%	
4. Service Workers			%	
5. Office & Clerical			%	
6. Sales			%	
7. Craft Workers (Skilled)			%	
8. Operatives (Semi-Skilled)			%	
9. Laborers (Unskilled)			%	
10. Other			%	
TOTAL				

**Please list the names (with their hourly wages or annual salaries) of all certified Section 3 Residents who were hired this month.**

- |          |          |
|----------|----------|
| 1. _____ | 3. _____ |
| 2. _____ | 4. _____ |



**I certify, under penalty of perjury, under the laws of California, that the above information submitted in the Section 3 Monthly New Hire Report is complete, true and accurate.**

Owner/Authorized Officer: \_\_\_\_\_ Company: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Submittal Instructions:**

The Section 3 Monthly New Hire Report is due by the 5<sup>th</sup> day of the following month. Submit the report to:

San Diego Housing Commission  
Section 3 Program Analyst  
1122 Broadway, Ste. 300  
San Diego, CA 92101  
[section3@sdhc.org](mailto:section3@sdhc.org) (preferred method of submittal)  
Fax: (619) 578-7368

**If you have any questions regarding the completion of the Section 3 Monthly New Hire Report, or to verify the Section 3 certification eligibility of any prospective new hires, please contact the Section 3 Program Analyst at (619) 578-7579 or [section3@sdhc.org](mailto:section3@sdhc.org).**

Low-income guidelines:

2016 FAMILY INCOME LIMITS								
FAMILY Size	1	2	3	4	5	6	7	8
Maximum Gross Annual Family Income	\$47,600	\$54,400	\$61,200	\$68,000	\$73,450	\$78,900	\$84,350	\$89,800





## Section 3 Quarterly New Hire Report

Name of Contractor <input type="checkbox"/> Or Subcontractor <input type="checkbox"/>		Address:
For the Quarter Ending:	Contract Number:	Contract/Project Name:
Is this the Final Report? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Name and Title of Person Completing Form:	Telephone Number:	Email Address:

**Who is a Section 3 Resident?** A resident of public housing who resides in the County of San Diego; or a resident of the County of San Diego that meets the low income guidelines.

JOB CATEGORY	HIRED FOR THIS CONTRACT/PROJECT			
	TOTAL NUMBER OF FULL-TIME NEW HIRES	NUMBER OF FULL-TIME NEW HIRES THAT ARE CERTIFIED SECTION 3 RESIDENTS	NEWLY-HIRED CERTIFIED SECTION 3 RESIDENTS AS A PERCENTAGE OF TOTAL NEW HIRES	NUMBER OF CERTIFIED SECTION 3 RESIDENTS HIRED AS APPRENTICES
1. Officials and Management			%	
2. Professional			%	
3. Technicians			%	
4. Service Workers			%	
5. Office & Clerical			%	
6. Sales			%	
7. Craft Workers (Skilled)			%	
8. Operatives (Semi-Skilled)			%	
9. Laborers (Unskilled)			%	
10. Other			%	
<b>TOTAL</b>				

**Please list the names (with their hourly wages or annual salaries) of all SDHC certified Section 3 Residents who were hired this quarter.**

- |          |          |
|----------|----------|
| 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 New Hire Report is complete, true and accurate.**



Owner/Authorized Officer: \_\_\_\_\_ Company: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Submittal Instructions:**

The Section 3 Quarterly New Hire Report is due by the 5<sup>th</sup> day of the following month. Submit the report to:

San Diego Housing Commission  
Section 3 Program Analyst  
1122 Broadway, Ste. 300  
San Diego, CA 92101  
[Section3@sdhc.org](mailto:Section3@sdhc.org) (preferred method of submittal)  
Fax: (619) 578-7368

**If you have any questions regarding the completion of the Section 3 Quarterly New Hire Report, or to verify the Section 3 certification eligibility of any prospective new hires, please contact the Section 3 Program Analyst at (619) 578-7579 or [section3@sdhc.org](mailto:section3@sdhc.org).**

Low-income guidelines:

2016 FAMILY INCOME LIMITS								
FAMILY Size	1	2	3	4	5	6	7	8
Maximum Gross Annual Family Income	\$47,600	\$54,400	\$61,200	\$68,000	\$73,450	\$78,900	\$84,350	\$89,800



## Exhibit 7: Section 3 Resident Certification Form

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## SECTION 3 RESIDENT CERTIFICATION

### San Diego Housing Commission

Dear San Diego Resident:

The San Diego Housing Commission (SDHC) invites you to self-certify as a Section 3 Resident, which will provide you with additional job-seeking benefits, such as placement on a registry used by SDHC partners and notification of employment opportunities with SDHC.

Section 3 of the Housing and Urban Development Act of 1968 was established to foster local economic development. It requires that recipients of certain U.S. Department of Housing and Urban Development (HUD) financial assistance, to the greatest extent feasible, provide job training, employment, contracting, and other economic opportunities to low- and very low-income persons and to business concerns which provide economic opportunities to low- and very low-income persons. Section 3 regulations are implemented in Title 24 of the Code of Federal Regulations Part 135.

#### Who is a Section 3 Resident?

- **Resident of public housing who resides in the County of San Diego; or**
- **Resident of the County of San Diego who is low- or very-low income:**

2016 FAMILY INCOME LIMITS								
FAMILY Size	1	2	3	4	5	6	7	8
Maximum Gross Annual Family Income	\$47,600	\$54,400	\$61,200	\$68,000	\$73,450	\$78,900	\$84,350	\$89,800

Please complete the enclosed application. If you have any questions or concerns, please contact the Section 3/EOC Unit at (619) 578-7513. Submit the completed application to either of the following:

Program Analyst  
[section3@sdhc.org](mailto:section3@sdhc.org)

San Diego Housing Commission  
Section 3/EOC Unit  
1122 Broadway, Ste. 300  
San Diego, CA 9210



## SECTION 3 RESIDENT CERTIFICATION FORM

**Instructions:** To certify as a Section 3 Resident and to be referred for employment and/or occupational training opportunities, complete the entire application. To certify as a Section 3 Resident only, complete sections 1 and 8. All applicants must sign and date the form.

<b>1. CONTACT INFORMATION AND CERTIFICATION ELIGIBILITY</b>				
Name: _____				
<p><b>You must identify under which criteria you qualify as a Section 3 Resident:</b> <i>(select only one)</i></p> <ul style="list-style-type: none"> <li>• A Public Housing Resident <input type="checkbox"/></li> <li>• Low Income Resident of San Diego County <input type="checkbox"/></li> <li>• Receive Section 8 Voucher from SDHC <input type="checkbox"/></li> </ul>	<p>Residential Address (no P.O. Box): _____</p> <p>City: _____ State: _____ Zip: _____</p> <p>Telephone Number: _____</p> <p>Email: _____</p> <p><i>Note: to receive notification of employment and training opportunities, applicant 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> <input type="checkbox"/></p>			
<b>2. EDUCATION</b> <i>(Check all that apply)</i>				
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:				
<b>3. WORK EXPERIENCE</b>				
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 Programming _____	Construction Laborer _____	Cashier _____	Maintenance _____
Education _____	Medical Assistance _____	Janitorial/Cleaning _____	Insurance _____	Mechanic _____
Counseling _____	Bookkeeping _____	Warehouse/Facilities _____	Real Estate _____	Machine _____
Printing Trades _____	Gardener/Landscaper _____	Waiter/Waitress _____	Electrician _____	Operator _____
		Truck/Tractor Driver _____	Painter _____	Carpenter _____
		Plumber _____		Metal Worker _____



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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.

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

**6. TRAINING**

Identify any training that you would like to receive.

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"/>	Fencing <input type="checkbox"/>	Plumbing <input type="checkbox"/>	Landscaping <input type="checkbox"/>	IT Support <input type="checkbox"/>
Bricklaying <input type="checkbox"/>	Plastering <input type="checkbox"/>	Demolition <input type="checkbox"/>	Computer <input type="checkbox"/>	Marketing <input type="checkbox"/>
Painting <input type="checkbox"/>	Glass/Glazing <input type="checkbox"/>	HVAC <input type="checkbox"/>	Accounting/ Bookkeeping <input type="checkbox"/>	Mechanical Repair <input type="checkbox"/>
Roofing <input type="checkbox"/>	Drywall <input type="checkbox"/>	Iron Works <input type="checkbox"/>	Payroll <input type="checkbox"/>	Janitorial <input type="checkbox"/>
		Solar Installation <input type="checkbox"/>		Administrative <input type="checkbox"/>

**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.	<input type="checkbox"/>	<input type="checkbox"/>
Are you a Youth Build participant?	<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"/>



**Administrative Services**

Are you able to lift 50 lbs. at a time with frequent lifting or carrying of objects up to 25 lbs.?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have 10 years of verifiable employment or school history?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you bilingual? If yes, please indicate which languages you speak fluently.	<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?		
<b>8. RELEASE OF INFORMATION:</b> Do you authorize the San Diego Housing Commission to release this information to businesses that are seeking certified Section 3 Residents for employment and/or training opportunities?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**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 a low or very low income person as defined in the 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 Resident Certification Form and any and all documents attached hereto, are true and correct.**

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

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

Gender:  Male  Female

Race/Ethnicity:  Caucasian  African American  Hispanic/Latino  Asian/Pacific Islander

Native American  Other, please identify: \_\_\_\_\_



SAN DIEGO  
HOUSING  
COMMISSION

Administrative Services

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## SECTION 3 RESIDENT 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 Act of 1968 which requires, to the greatest extent feasible, providing training and job opportunities to low- and very low-income persons. **If you qualify as a Section 3 Resident, please certify by completing. All applicants must sign and date the form. Return the completed form to SDHC Section 3/EOC Unit.**

**Who is a Section 3 Resident?**

- Resident of public housing who resides in the County of San Diego; or
- Resident of the County of San Diego who is low- or very-low income:

2016 FAMILY INCOME LIMITS								
FAMILY Size	1	2	3	4	5	6	7	8
Maximum Gross Annual Family Income	\$47,600	\$54,400	\$61,200	\$68,000	\$73,450	\$78,900	\$84,350	\$89,800

9. CONTACT INFORMATION AND CERTIFICATION ELIGIBILITY		
Name: _____		
<p><b>You must identify under which criteria you qualify as a Section 3 Resident:</b> <i>(select only one)</i></p> <ul style="list-style-type: none"> <li>• A Public Housing Resident <input type="checkbox"/></li> <li>• Low Income Resident of San Diego County <input type="checkbox"/></li> <li>• Receive Section 8 Voucher from SDHC <input type="checkbox"/></li> </ul>	<p>Residential Address (no P.O. Box): _____</p> <p>City: _____ State: _____ Zip: _____</p> <p>Telephone Number: _____</p> <p>Email: _____</p> <p><i>Note: to receive notification of employment and training opportunities, applicant 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> <input type="checkbox"/></p>	
<p><b>10. RELEASE OF INFORMATION:</b> Do you authorize the San Diego Housing Commission to release this information to businesses that are seeking certified Section 3 Residents for employment and/or training opportunities?</p>	<p>Yes <input type="checkbox"/></p>	<p>No <input type="checkbox"/></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 a low or very low income person as defined in the 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 Resident Certification Form and any and all documents attached hereto, are true and correct.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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

Gender:  Male  Female

Race/Ethnicity:  Caucasian  African American  Hispanic/Latino  Asian/Pacific Islander

Native American  Asian Indian American  Other: \_\_\_\_\_



SAN DIEGO  
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## **Exhibit 8: Examples of Efforts to Award Contracting Opportunities**

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## Examples of Efforts to Award Contracting Opportunities to Section 3 Business Concerns, MBE, WBE & Labor Surplus Area Businesses

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**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. 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.)*
10. 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.)*
11. 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.mbdba.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 registry of certified Section 3 Business Concerns, contact SDHC Section 3/EOC Unit at [section3@sdhc.org](mailto:section3@sdhc.org) or (619) 578-7579.**