

## SECTION 3

### BUSINESS AND EMPLOYMENT PLAN

1. The *(Insert Local Governing Body's Name)* designates as its Section 3 Business and Employment Project Area the County of \_\_\_\_\_  
(insert name of county surrounding the project area).
2. The *(Insert Local Governing Body's Name)*, its contractors, and designated third parties shall in utilizing Community Development Block Grant (CDBG) funds utilize businesses and lower income residents of the County in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for construction, non-construction, materials, and supplies the *(insert Grantee's Name)*, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the County:
  - (a) The *(Insert Local Governing Body's Name)* shall identify the contracts required to conduct the CDBG activities.
  - (b) The *(Insert Local Governing Body's Name)* shall identify through various and appropriate sources including:  
\_\_\_\_\_  
Local Newspaper of General Circulation  
\_\_\_\_\_  
\_\_\_\_\_  
the business concerns within the County which are likely to provide construction contracts, non-construction contracts, materials, and services which will be utilized in the activities funded through the CDBG.
  - (c) The identified contractors and suppliers shall be included on bid lists used to obtain bids, quotes or proposals for work or procurement contracts which utilize CDBG funds.
  - (d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with CDBG funds.
4. The *(Insert Local Governing Body's Name)* and its contractors and subcontractors shall take the following steps to encourage the hiring of lower income persons residing in the County:

- (a) The *(Insert Local Governing Body's Name)* in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be used to conduct CDBG activities.
- (b) The *(Insert Local Governing Body's Name)* shall advertise through the following sources

\_\_\_\_\_  
Project Area Newspaper of General Circulation  
\_\_\_\_\_

\_\_\_\_\_ the availability of such positions with the information on how to apply.

- (c) The *(Insert Local Governing Body's Name)*, its contractors, and subcontractors shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.
  - (d) To the greatest extent feasible, the *(Insert Local Governing Body's Name)*, its contractors, and subcontractors shall hire lower income project area residents in filling training and employment positions necessary for implementing activities funded by the Community Development Block Grant (CDBG).
5. In order to document compliance with the above affirmative actions and Section 3 of the *Housing and Community Development Act of 1974, as amended*, the *(Insert Local Governing Body's Name)* shall keep, and obtain from its contractors and subcontractors, *Registers of Contractors, Subcontractors and Suppliers* and *Registers of Assigned Employees* for all activities funded by the CDBG. Such listings shall be completed and shall be verified by site visits and employee interviews, crosschecking of payroll reports and invoices, and through audits if necessary.

Duly adopted at the regular meeting of the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Authorized Official

*[Instructions: Publish as a display advertisement in the county paper's non-legal section.]*

*(Insert Locality's name)* is preparing to carry out *(insert Name of Project)* through the use of Virginia Community Development Block Grant Funds. In the implementation of this project the following job types may be available:

*(Insert List of Job Classifications to be used during project here)*

In carrying out this project *(Insert Locality's name)*, its contractors and subcontractors will, to the greatest extent feasible, utilize qualified persons who permanently reside within *(County's name here)* for employment and training positions.

All job openings will be listed with the local office of the Virginia Employment Commission. Persons qualified for the jobs listed should register at the following location:

*(Insert Name and Address of local VEC Office or Other Location if appropriate)*

Additionally, the following contracts and procurements will/may be made:

*Insert list of construction, non-construction, and service contracts to be procured during the project.*

*Insert list of construction subcontracts, major, specific equipment and general types of materials to be used during the project.*

*(Insert Locality's name)* will, to the greatest extent feasible, use businesses located in and owned by persons residing in *(Insert County's name)*.

Any person residing or firm located in the above named localities may request to participate in procurement opportunities associated with this project by contacting the following person within ten (10) days of this notice:

*Name of Designated Official*

*Address*

*Grantee's Phone Numbers*

*Virginia Relay: 711*

*Grantee's Fax Number*

Written requests should include the name, address, product or service and phone number.

All above-referenced procurements will be made on a competitive basis. The names of businesses who respond to this notice will be included on procurement lists for this project. Names of job seekers will be given to contractors.

## **SECTION 3 PLAN OF ACTION**

### **CONTRACTOR OR SUBCONTRACTOR**

#### **CONTRACTOR OR SUBCONTRACTOR**

*For contracts exceeding \$100,000*

#### **Section 3 Plan of Action**

\_\_\_\_\_ (*Name of contractor*) agrees to implement the following specific Plan of Action steps directed at increasing the utilization of lower income residents and businesses within the County of \_\_\_\_\_.

- A. To ascertain from the locality's Grantee the exact boundaries of the Section 3 covered project area and where advantageous, seek the assistance of local officials in preparing and implementing the Section 3 Plan of Action for \_\_\_\_\_ (*Name of Business*).
- B. Attempt to recruit from within the Section 3 area the necessary number of lower income residents through: a display advertisement in a local newspaper, signs placed at the project site, directly contacting the local Virginia Employment Commission (VEC) office, the local County (or City) Department of Social Services, or any Community Action Agencies that serve the Section 3 area.
- C. Maintain a list of all lower income residents who have applied either on their own or on referral from any source, and to employ such persons that are qualified, if otherwise eligible and if a vacancy exists.
- D. For all solicitations in excess of \$100,000 for subcontractors, determine if each responding subcontractor is a Section 3 business for the project and insert this Section 3 Plan of Action requirement in any resulting agreement. Contracts and subcontracts for less than \$100,000 are exempt from the preparation of a Section 3 Plan of Action.
- E. To formally contact subcontractors and other appropriate groups to secure their cooperation for the program.
- F. To ensure that all appropriate project area business concerns are notified of the pending sub-contractual opportunities.
- G. To maintain records, including copies of correspondence, memoranda etc., which document that all of the above affirmative action steps have been taken.

- H. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of this Section 3 Plan.
- I. To list on Table A information related to subcontracts to be awarded.
- J. To list on Table B all projected workforce needs for all phases of this project by occupation, trade, skill level, and number of positions.

As officers and representative of       (Name of Contractor/Subcontractor)      , we the undersigned have read and fully agree to this Section 3 Plan of Action, and become a party to the full implementation of this program.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Attachments:

Table A – Proposed Subcontracts Breakdown

Table B – Estimated Project Workforce Breakdown

**PROPOSED SUBCONTRACTS BREAKDOWN****TABLE A****PROPOSED SUBCONTRACTS BREAKDOWN**

For the period covering \_\_\_\_\_ 20\_\_ through \_\_\_\_\_ 20\_\_

(Duration of the CDBG-Assisted Contract)

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
TYPE OF CONTRACT (BUSINESS OR PROFESSION)	TOTAL NUMBER OF CONTRACTS	TOTAL APPROXIMATE DOLLAR AMOUNT	ESTIMATED NUMBER OF CONTRACTS TO PROJECT AREA BUSINESSES*	ESTIMATED DOLLAR AMOUNT TO PROJECT AREA BUSINESSES*

\*The Project Area is coextensive with the city of \_\_\_\_\_'s boundaries.

\_\_\_\_\_  
Company\_\_\_\_\_  
Project Name\_\_\_\_\_  
Project Number\_\_\_\_\_  
EEO Officer (Signature)\_\_\_\_\_  
Date

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# SECTION 3

## 4.E ESTIMATED PROJECT WORKFORCE BREAKDOWN

**TABLE B****ESTIMATED PROJECT WORKFORCE BREAKDOWN**

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
JOB CATEGORY	TOTAL ESTIMATED POSITIONS	NO. POSITIONS CURRENTLY OCCUPIED BY PERMANENT EMPLOYEES	NO. POSITIONS NOT CURRENTLY OCCUPIED	NO. POSITIONS TO BE FILLED WITH LIPAR*
OFFICERS/SUPERVISORS				
PROFESSIONALS				
TECHNICIANS				
HOUSING SALES/RENTAL/MGMT.				
OFFICE CLERICAL				
SERVICE WORKERS				
OTHERS				

**TRADE:**

JOURNEYMEN				
APPRENTICES				
MAXIMUM NO. TRAINEES				
OTHERS				

**TRADE:**

JOURNEYMEN				
APPRENTICES				
MAXIMUM NO. TRAINEES				
OTHERS				

\*Lower Income Project Area Residents, Individuals residing within the City/County of \_\_\_\_\_ whose family income does not exceed 80% of the median income.

\_\_\_\_\_  
Company

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## SECTION 3 BUSINESS CERTIFICATION

COUNTY OF \_\_\_\_\_  
 \_\_\_\_\_ ADDRESS \_\_\_\_\_  
 \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_

### CERTIFICATION FOR BUSINESS CONCERNS SEEKING NOTIFICATION OF SECTION 3 CONTRACTING (SERVICES AND CONSTRUCTION) OPPORTUNITIES

Name of Business \_\_\_\_\_

Address of Business \_\_\_\_\_

Phone # \_\_\_\_\_ Email Address \_\_\_\_\_

DUNS Number \_\_\_\_\_ EIN # \_\_\_\_\_ or SS # (s) \_\_\_\_\_

Type of Business:      ☐ Corporation                      ☐ Partnership  
                                  ☐ Sole Proprietorship              ☐ Joint Venture

County Business License Registration # \_\_\_\_\_

**A Section 3 Resident is defined as any individual who resides within the County in which the federal assistance is expended and whose household income does not exceed 80% of the median income of the County adjusted for household size.**

**A Section 3 Business means a business that meets one or more of the following criteria:**

- (1) The business is 51% or more owned by Section 3 residents;**
- (2) The business has 30% or more permanent full-time employees that are certified Section 3 residents; or**
- (3) The business provides written evidence of a commitment to subcontract in excess of 25% of the dollar award of all subcontracts with a Section 3 Business.**

To become **CERTIFIED** as a Section 3 Business please check all boxes that apply and **provide written evidence of the same:**

- ☐ **Business owner(s) live in \_\_\_\_\_ County.**
- ☐ **Business is 51% or more owned by Section 3 residents.**
- ☐ **Business has 30% or more permanent full-time employees that are certified Section 3 residents.**
- ☐ **Business will subcontract in excess of 25% of the dollar award of all subcontracts with a Section 3 Business(es).**

\_\_\_\_\_  
Printed Name of Authorized  
Official of Company

(Corporate Seal)

\_\_\_\_\_  
Signature of Authorized  
Official of Company

\_\_\_\_\_  
Date

## SECTION 3

# NEW EMPLOYEE TRACKING FORM

### CONTRACTOR'S/SUBCONTRACTOR'S NEW EMPLOYEE INFORMATION FORM

One *New Employee Information Form* is completed by the employer for each new employee hired for work on this project during the construction phase of the project.

This is a required form and should accompany the first payroll on which the name of the newly hired employee appears.

1. Name of Grant Recipient \_\_\_\_\_
2. CDBG Contract Number \_\_\_\_\_
3. Name of Employer \_\_\_\_\_
4. Name of New Employee \_\_\_\_\_
5. Street Address or P.O. Box # \_\_\_\_\_
6. City and Zip Code \_\_\_\_\_
7. Date of Hire of New Employee \_\_\_\_\_
  
8. Methods of attempting to recruit local persons of low and moderate income include: display advertisement in a local newspaper, public bulletin board, consideration of all applications received, U.S. employment service (i.e. local VEC office), a sign at the project site, and the posting of a notice at the project site. On the line below, list the method(s) used:  
\_\_\_\_\_
  
9. Does the employee live within the corporate limits (boundaries) of the Section 3 area listed on line 1? ☐ Yes ☐ No  
 \*\*The Resident Employment Data sheet must accompany this form.

\_\_\_\_\_  
Signature of Employer or Employer Representative

\_\_\_\_\_  
Date

If the answer to 9 is "Yes" and if the household income is below the income category based on the number of persons residing in the household, and based on current Section 8 income limits, the employee is a Section 3 employee.

10. Is the above listed employee a Section 3 employee? ☐ Yes ☐ No

\_\_\_\_\_  
Signature of CDBG Grant Manager

\_\_\_\_\_  
Date

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## SECTION 3 INCOME LIMITS

### SECTION 3 INCOME SURVEY

Your signature below will serve as self-certification of your Gross Household Income based on your household size. Circle the household size that reflects the total number of persons that currently reside in your household. Then review the corresponding income level and indicate whether your Gross Household Income is above or below the corresponding HH income referenced for your household size. Feel free to ask for assistance if you do not understand these instructions.

\_\_\_\_\_  
Name of Head of Household

\_\_\_\_\_  
Street Address / Town / State / Zip Code

Number of Persons Living in Household	Gross HH Income Level for the Section 3 County	Income ABOVE	Income BELOW
1	\$		
2	\$		
3	\$		
4	\$		
5	\$		
6	\$		
7	\$		
8	\$		

***WARNING: Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government.***

\_\_\_\_\_  
Householder Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

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