

**CITY OF OCEANSIDE**  
**SECTION 3 IMPLEMENTATION PLAN**  
**24 CFR PART 75**

**\*\*\*to be submitted by ALL BIDDERS AND AWARDED CONTRACTORS\*\*\***

**Introduction:**

In 1968, the U. S. Department of Housing and Urban Development (HUD) adopted regulations to ensure that, whenever possible, low-income residents and local businesses are provided opportunities to perform work paid for by HUD funds. These regulations are codified at 24 CFR Part 75 and referred to as “Section 3.” Section 3 is intended to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with 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.

**Section 3 Policy Statement:**

The City of Oceanside is committed to improving economic conditions in our community. The City will actively implement Section 3 regulations and its Section 3 Implementation Plan to ensure that low- and very low-income persons, and businesses who employ them within the Service Area of the project, are provided employment, training and contracting opportunities arising in connection with the project.

**Applicability:**

Section 3 applies to training, employment and contracting opportunities arising in connection with HUD-funded **housing rehabilitation, housing construction and other public construction projects that exceed \$200,000**. Applicability is determined at the project level. (Different or lower thresholds may apply depending on the presence of other HUD funds in the project.)

**Prioritization of Effort:**

For employment and training opportunities, the City will prioritize bids subject to Section 3 to those that include employment of Section 3 workers residing within the Service Area of the project, and participants in Youthbuild programs. For contracting opportunities, the City will prioritize Section 3 business concerns that provide opportunities to Section 3 workers within the Service Area, and Youthbuild programs.

**Section 3 Benchmarks:**

HUD is statutorily charged with the authority and responsibility to implement and enforce Section 3, and is required to review and set the Section 3 benchmarks at least once every three years. Effective October 29, 2020, the project must meet the following benchmarks in order to be following Section 3:

**BENCHMARK 1:** Twenty-five percent (25%) or more of **total labor hours** in the project must be worked by **Section 3 Workers**; and

**BENCHMARK 2:** Five percent (5%) or more of **total labor hours** in the project must be worked by **Targeted Section 3 Workers**.

Total Labor Hours	100%
Section 3 Workers	25%
Targeted Section 3 Workers	5%

“**Section 3 Project**” or “**Project**” means the development of housing using federal funds under a program meeting the criteria for a Section 3 public housing project under the guidelines of the U.S. Department of Housing and Urban Development (HUD).

**“Section 3 Business Concern”** means a business that meets at least one of the following criteria, documented within the last six-month period:

- i. At least 51 percent (51%) owned or controlled by low- or very low-income persons; or
- ii. More than 75 percent (75%) of the labor hours performed for the business over the previous 3-month period are performed by Section 3 Workers; or
- iii. At least 51 percent (51%) owned and controlled by current residents of public housing or Section 8-assisted housing.

**“Section 3 Worker”** means a worker who currently fits, or when hired within the last 5 years (but no earlier than November 30, 2020) fit at least one of the following:

- i. A low- or very-low income worker (individual’s income does not exceed 50% or 80% of the Area Median Income for the San Diego-Carlsbad MSA (“AMI”), as calculated by HUD, and subject to annual updates); or
- ii. A worker who is employed by a Section 3 Business Concern; or
- iii. A Youthbuild participant.

**“Service Area”** or **“Neighborhood”** means an area within one (1) mile of a Project or, if fewer than 5,000 people reside within one mile of the Project, within a circle centered on the Project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.

**“Targeted Section 3 Worker”** means a worker who meets the definition of a Section 3 Worker, plus one of the following:

- i. A worker who is employed by a Section 3 Business Concern; or
- ii. A worker who currently fits, or when hired fit at least one of the following categories, as documented within the past 5 years:
  - a. Living within the Service Area; or
  - b. A Youthbuild participant.

**“Total labor hours”** includes the total number of paid hours worked by all workers on a Section 3 project (except see Special Case below).

**Special case - Professional Services:** Labor hours for non-construction professional service jobs (those requiring an advanced degree or professional licensing) are excluded from the total labor hours reporting requirement. However, if employees of professional service roles meet the definition of a Section 3 Worker or Targeted Section 3 Worker, those labor hours may be included to meet the project benchmarks.

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

If the project does not meet the numeric benchmark requirements, the Contractor will be required to provide evidence that they have made additional qualitative efforts to assist low- and very low-income persons with employment and training opportunities.

**Section 3 Implementation Guidelines/Requirements:**

To achieve the Section 3 benchmarks established for the project, the City of Oceanside will require the following of all contractors, subcontractors, and subrecipients on Section 3 covered projects:

- 1. Analyze their current workforce (including professional, technical, construction, and

administrative positions) and ownership structure to determine whether it is currently, or could be, certified as a Section 3 Business Concern.

2. Collect and submit documentation for certifying individuals and businesses that qualify as Section 3 Workers and Business Concerns.
3. Make and keep records of Good Faith Efforts to target, recruit, and hire Section 3 eligible workers for work supported by HUD funds.
4. Make and keep records of Good Faith Efforts to outreach to and utilize Section 3 eligible businesses for projects supported by HUD funds.
5. Submit monthly reports as required of **total labor hours, total labor hours of Section 3 certified individuals, and total labor hours of Targeted Section 3 certified individuals** worked on a project assisted with HUD funds received from the City of Oceanside.

At completion of the Project, all contractors and subcontractors will be required to submit a final report certifying that they followed the prioritization of effort requirements, reporting on their efforts and progress in meeting the benchmarks, and reporting of all good faith efforts made.

**BIDDER'S SECTION 3 PROJECT IMPLEMENTATION PLAN**  
**(DO NOT LEAVE THIS SECTION BLANK)**

**At the time of bid/proposal submittal all contractors, and prior to beginning any work, all first-tier subcontractors, will be required to complete and submit this Bidder's Section 3 Project Implementation Plan certifying that they will follow the required prioritization of effort, and will make every effort to meet the benchmarks outlined above for these categories of workers.** If not required as a part of the bid/proposal, a Bidder's Section 3 Project Implementation Plan and certifications, if any, must be submitted within one (1) business day of a request by the City. A "non-responsive" determination may be made due to non-submittal within one (1) business day.

**Bidder/proposer and its first-tier subcontractors whose Section 3 Project Implementation Plans indicate no subcontract awards to certified Section 3 Business Concerns will be required to submit 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 lack of documented outreach to Section 3 Business Concerns by the bidder/proposer. Exception: Bid/proposal indicating no projected hiring and/or subcontracting opportunities.

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

Date:

Bid/Solicitation # and Project Name:

Prime Contractor Name:

Contractor or  Subcontractor Name/Org and Address:

Contact Name and Telephone Number:

Email address:

List if MBE, WBE, or other:

Proposed Dollar Value of  Contract or  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 this Plan, Bidder's Section 3 Business Concern Utilization Plan, and Bidder's Outreach/Good Faith Efforts Plan.

There will be new hires as a result of this bid/proposal:  Complete this Plan, Bidder's Section 3 Worker Utilization Plan, and Bidder's Outreach/Good Faith Efforts Plan.

There will be NO subcontracts or new hires as a result of this bid/proposal:  Complete this Plan, Bidder's Section 3 Worker Utilization Plan, and Bidder's Outreach/Good Faith Efforts Plan.

***Bidder/proposer for the above bid/solicitation and project hereby understands and agrees to comply with all provisions of Section 3 as set forth in 24 CFR 75 and City of Oceanside's Section 3 requirements, as applicable. Non-compliance with HUD's Section 3 regulations may result in sanctions, termination of the contract/agreement for default and debarment or suspension from future HUD-assisted contracts.***

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

Authorized Official's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

**BIDDER'S SECTION 3 BUSINESS CONCERN UTILIZATION PLAN  
(DO NOT LEAVE THIS SECTION BLANK IF SUBCONTRACTS WILL BE AWARDED AS A  
PART OF THE PROJECT)**

If you plan to award subcontracts and your Project Implementation 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 THE SAN DIEGO HOUSING COMMISSION'S REGISTRY OF CERTIFIED SECTION 3 BUSINESS CONCERNS** (<https://www.sdhc.org/doing-business-with-us/section-3/>). If the registry does not represent the trades/services that you are seeking,

refer to “Examples of Efforts to Create Employment and Contracting Opportunities.”

**Section 3 Business Concerns must be certified by the City of Oceanside** if the bid/proposal is awarded and before any work may begin. **List all** proposed subcontractors (including sub-consultants) for this Project on the table below (attach additional pages as necessary).

Name, City & State	Certified Section 3 Business Concern (yes/no)	Identify if MBE, WBE or other certification	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 Section 3 Business Concerns			\$	%	
Company: _____					
Authorized Official’s Signature: _____ Date: _____					
Printed Name and Title: _____					

**BIDDER’S SECTION 3 WORKER UTILIZATION PLAN**  
**(DO NOT LEAVE THIS SECTION BLANK)**

Bidder/proposer AND its first-tier subcontractors must make their best efforts to provide employment and training opportunities generated by HUD financial assistance to low- and very low-income persons referred to as “Section 3 Workers.”

HUD's Income Limit* (Effective 4/4/24)	Low (80% of AMI)
Individual's total annual income does not exceed:	<b>\$84,900</b>

\*(for San Diego-Carlsbad MSA, effective 4/4/24, subject to annual updates)

**Instructions:**

Answer all questions. **Section 3 Project Implementation Plans that indicate “No” response for Question #3 below or “No” response for all three questions, may be deemed “non-responsive.”** Exception: Bidders/proposers whose geographic location and/or industry preclude them from hiring San Diego County residents.

1. Bidder/Proposer has employees who are residents of San Diego County whose annual income from the bidder/proposer is below the income limit (see HUD Income Limit table above)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>If “YES,” prior to contract execution, bidder/proposer shall provide the names and certification forms of the qualifying employees on forms provided by the City of Oceanside.</b>		
2. Bidder/Proposer plans to hire new employees to perform on or support the contract, if awarded?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>If “YES,” at a minimum, efforts must include advertising available training and employment positions by distributing flyers to dwelling units in the Service Area (one mile of the project site) in which the Section 3 covered project is located. See Examples below for additional efforts that may be considered satisfactory.</b>		
3. Bidder/proposer agrees that when there is a need to hire new employees, a documented good faith effort shall be made to hire Section 3 Workers?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>If “YES,” at a minimum, hiring efforts must include advertising available training and employment positions by distributing flyers to dwelling units in the Service Area (one mile of the project site) in which the Section 3 covered project is located. See Examples below for additional efforts that may be satisfactory.</b>		

Company: _____
Authorized Official's Signature: _____ Date: _____
Printed Name and Title: _____

BIDDER'S SECTION 3 OUTREACH/GOOD FAITH EFFORTS PLAN  
**(DO NOT LEAVE THIS SECTION BLANK)**

All bidders/proposers for projects subject to Section 3 must submit a Section 3 Outreach/Good Faith Efforts Plan, listing all efforts that will be made to create employment and contracting opportunities to meet the Prioritization of Efforts and Benchmarks outlined above. (Attach additional pages as necessary.)

EXAMPLES OF EFFORTS TO CREATE CONTRACTING OPPORTUNITIES (SECTION 3 BUSINESS CONCERNS)

If you plan to award subcontracts and your Section 3 Project Implementation Plan does not indicate subcontract awards to certified Section 3 Business Concerns, **at a minimum, your Outreach Plan must include outreach to the businesses listed in the San Diego Housing Commission's Registry of Certified Section 3 Business Concerns** (<https://www.sdhc.org/doing-business-with-us/section-3/>) and HUD's **Section 3 Business Registry** (<http://hud.gov/Sec3Biz>).

If the registry does not represent the trades/services that you are seeking, refer to following examples of efforts to award contracting opportunities that may be acceptable (efforts should be made at least 15 days prior to bid/proposal due date in order to provide sufficient time for response):

1. Providing written notice to all known Section 3 Business Concerns of the contracting opportunities. The notice must be provided in sufficient time to allow Section 3 Business Concerns to respond to the bid invitation or request for proposal.
2. Contacting business assistance agencies, minority contractors' associations, and community organizations in the San Diego area to inform them of contracting opportunities, and request their assistance in identifying Section 3 Business Concerns that may solicit bids or proposals for contracts for work.
3. Contacting agencies administering HUD Youthbuild programs, and notifying these agencies of the contracting opportunities.
4. Placing qualified Section 3 Business Concerns on solicitation lists.
5. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways to facilitate the participation of Section 3 Business Concerns.
6. Assuring that MBE and WBE Businesses are solicited whenever they are a potential source.
7. Coordinating pre-bid meetings at which Section 3 Business Concerns could be informed of upcoming contracting and subcontracting opportunities.
8. When economically feasible, breaking out contract work items into smaller tasks or quantities to permit maximum participation by Section 3 Business Concerns.
9. Establishing delivery schedules, where the requirement permits, that encourage participation by Section 3 Business Concerns.
10. Providing technical assistance to help Section 3 Business Concerns understand and bid on contracts; bonding assistance, guaranties, or other efforts to support viable bids from Section 3 Business Concerns.

11. Advertising the contracting opportunities through trade association papers and newsletters, and through local media, such as community television networks, newspapers of general circulation, and radio advertisement.

12. Using the services and assistance of the U.S. Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce (<http://www.mbda.gov/>).

**EXAMPLES OF EFFORTS TO CREATE EMPLOYMENT OPPORTUNITIES (SECTION 3 WORKERS)**

**At a minimum, outreach efforts must include advertising available training and employment positions by distributing flyers (which identify the positions to be filled, the qualifications required, and where to obtain additional information about the application process) to dwelling units in the Service Area in which the Section 3 covered project is located, when there is a need to hire employees.**

The following are examples of additional efforts that may be undertaken to create employment and training opportunities:

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



**BIDDER INSERT OUTREACH/GOOD FAITH EFFORTS PLAN HERE**

## **CERTIFICATION FOR CONTRACTS: HUD SECTION 3 REGULATIONS**

**\*\*\*to be submitted by ALL BIDDERS\*\*\***

THE CONTRACTOR, SUBCONTRACTOR, SUBRECIPIENT, OWNER, DEVELOPER, NONPROFIT, OR SERVICE PROVIDER BY HIS/HER SIGNATURE'S AFFIXED HERETO DECLARES UNDER PENALTY OF PERJURY OR NON-COMPLIANCE ENFORCEMENT THAT:

- 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. 1701 (u) (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 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Part 75 regulations.
- C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding the subcontractor is in violation of the regulations in 24 CFR Part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 75.
- 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 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR Part 75.
- F. Noncompliance with HUD's regulations in 24 CFR Part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.



## **HUD LIST OF SUBCONTRACTORS**

### **INFORMATION REGARDING SUBCONTRACTORS**

**\*\*\*to be submitted by ALL BIDDERS\*\*\***

**\*\*Bidder must identify specialty item if applicable. The description of the specialty item must match that of the Specialty Items as listed in the Special Conditions.**

In compliance with the Subletting and Subcontracting Fair Practices Act (chapter 4 (commencing at section 4100), part 1, division 2 of the Public Contract Code of the State of California) ("Chapter 4") and any amendments thereof, each bidder shall set forth below: (a) The name, the location of the place of business, and the California contractor license number of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or, in the case of the bids or offers for the construction of streets or highways, including bridges, in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater and (b) The portion of the work that will be done by each subcontractor under this act. The prime contractor shall list only one subcontractor for each portion as is defined by the prime contractor in his or her bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of one percent of the prime contractor's total bid, bidder shall be deemed to have agreed that bidder is fully qualified to perform that portion himself, and that bidder shall perform that portion himself.

No prime contractor whose bid is accepted shall (a) substitute any subcontractor, (b) permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or (c) sublet or subcontract any portion of the work in excess of one-half of one percent of the prime contractor's total bid as to which his original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act. Subletting or subcontracting of any portion of the work in excess on one-half of one percent of the prime contractor's total bid as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the authority awarding this contract setting forth the facts constituting the emergency or necessity.

A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in Chapter 4, unless currently registered and qualified to perform public work pursuant to section 1725.5 of the Labor Code. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by section 7029.1 of the Business and Professions Code or by sections 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform the public work pursuant to section 1725.5 of the Labor Code at the time the contract is awarded.

Percent of Contract must be stated for all Subcontractors listed. Failure to do so will be basis for rejection of bid.

**HUD LIST OF SUBCONTRACTORS (cont'd)**

**\*\*Bidder must identify specialty item if applicable. The description of the specialty item must match that of the Specialty Items as listed in the Special Conditions. SEE LIST BELOW. \*\***

<b>Name, Location of Business of Subcontractor, <u>Subcontractor License #, DIR Registration #, and DUNS #</u></b>	<b>Describe Nature of Work† (**Specify Specialty Item**)</b>	<b>Percent Of Contract</b>	<b>Subcontractor Worker Classification*** (Specify per list below)</b>	<b>Dollar Amount of Contract</b>	<b>Indicate if MBE, WBE, or Sect. 3</b>	<b>Where Certified</b>

**SPECIALTY ITEMS:**

Each bid item being performed by a subcontractor must be listed separately.

\*If a portion of an item is subcontracted, documentation approved by the City Project Manager/Engineer must be submitted by the Contractor with their bid offer. Such documentation shall include proof of the amount to be paid to, and the specific portions of the work to be done by, the subcontractor, as well as the prime contractor's certification of the specific portions of work to be done by its own forces.

\*\*Bidder must identify specialty trade if applicable. The description of the specialty trade must match that of the Specialty Items as listed in the Special Conditions.

\*\*\*Bidder must identify worker classification for each subcontractor (i.e. Asbestos, Boilermaker, Bricklayers, Carpenters, Carpet/Linoleum, Cement Masons, Drywall Finisher, Drywall/Lathers, Electricians, Elevator Mechanic, Glaziers, Iron Workers, Laborers, Millwrights, Operating Engineer, Painters, Pile Drivers, Pipe Trades, Plasterers, Roofers, Sheet Metal, Sound/Comm., Surveyors, Teamster, Tile Workers, etc.).

In case of discrepancy between the information provided on this document and Subcontractors information submitted through PlanetBids (or any other designated online platform), this document shall prevail.

---

Name of Bidder (Person, Firm, or Corporation)

---

Signature of Bidder's Authorized Representative

---

Name & Title of Authorized Representative

---

Date of Signing

**INFORMATION REGARDING VENDORS**

***\*\*\*to be submitted by ALL BIDDERS\*\*\****

Bidder shall list all woman-owned (WBE), minority-owned (MBE), or Section 3 eligible vendors who will be providing supplies, materials or nonsubcontracting services to the project.

NAME AND ADDRESS OF VENDOR	INDICATE MATERIALS OR SUPPLIES TO BE PROVIDED	<u>VALUE OF SUPPLIES</u>	INDICATE IF MBE, WBE, or Sect. 3	<u>WHERE CERTIFIED**</u>

\*If vendor is woman owned (WBE) or minority owned (MBE), or a Section 3 business (Sect. 3) bidder shall place W, M, or S in this space as appropriate  
 \*\*If the previous space indicated MBE, WBE, the bidder shall indicate in this space whether the Vendor is certified by the City of San Diego, State of California or other agency. If the Vendor is not certified, it will be necessary for them to submit the following certification form on the next page.

**CERTIFICATION OF**  
**SECTION 3**  
**BUSINESS**  
**CONCERN**  
*\*\*\*to be submitted*  
*by ALL BIDDERS\*\*\**

Submit this form for each business that qualifies for Section 3 Preference. (Make additional copies if needed).

Job Site Address:

---

Name of Business:

---

Address of Business:

---

Telephone No. \_\_\_\_\_ FAX No.:

---

Service Purchased & Amount

---

Type of Business: \_\_\_\_\_ Corporation

\_\_\_\_\_ Partnership

\_\_\_\_\_ Sole

Proprietorship \_\_\_\_\_ Joint Venture

Qualifying Basis (Select from one):

1. \_\_\_\_\_ At least 51 percent owned and controlled by low- or very-low income persons, or
2. \_\_\_\_\_ At least 51 percent owned and controlled by current public housing residents or residents who live in Section 8-based housing; or
3. \_\_\_\_\_ Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 Workers.

I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief. I understand that businesses who misrepresent themselves as Section 3 business concerns and report false information to City of Oceanside may have their contracts terminated as default and be barred from ongoing and future considerations for contracting opportunities. I hereby certify, under penalty of law, that the above information is correct to the best of my knowledge.

\_\_\_\_\_  
\_\_\_\_\_  NOT APPLICABLE Signature  
Date

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





**SAMPLE OF SELF-CERTIFICATION OF ELIGIBILITY FOR SECTION 3 WORKER OR  
TARGETED SECTION 3 WORKER STATUS**

**\*\*\*to be submitted by AWARDED BIDDER\*\*\***

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

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

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

Employee Name: \_\_\_\_\_

1. Are you a resident of public housing or a Housing Choice Voucher holder (Section 8)?  
YES  **NO**

2. Are you a resident of the City of Oceanside? YES  **NO**

2. In the field below, select the amount of individual income you believe you earn on an annual basis:

**\$31,850 or less**       **\$31,851 - \$53,050**       **\$53,051 - \$84,900**

**Select from ONE of the following two options:**

Based on Eligibility Guidelines outlined below, I qualify as a:

Section 3 Worker

Targeted Section 3 Worker

**Employee Affirmation**

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

Employee Address: \_\_\_\_\_

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

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

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

**ELIGIBILITY GUIDELINES:**

“**Section 3 Business Concern**” means a business that meets at least one of the following criteria, documented within the last six-month period:

- i. At least 51 percent (51%) owned or controlled by low- or very low-income persons; or
- ii. More than 75 percent (75%) of the labor hours performed for the business over the previous 3-month period are performed by Section 3 Workers; or
- iii. At least 51 percent (51%) owned and controlled by current residents of public housing or Section 8-assisted housing.

“**Section 3 Worker**” means a worker who currently fits, or when hired within the last 5 years (but no earlier than November 30, 2023) fit at least one of the following:

- iv. A low- or very-low income worker (individual’s income does not exceed 50% or 80% of the Area Median Income for the San Diego-Carlsbad MSA (“AMI”), as calculated by HUD, and subject to annual updates); or
- v. A worker who is employed by a Section 3 Business Concern; or
- vi. A Youthbuild participant.

“**Targeted Section 3 Worker**” means a worker who meets the definition of a Section 3 Worker, plus one of the following:

- iii. A worker who is employed by a Section 3 Business Concern; or
- iv. A worker who currently fits, or when hired fit at least one of the following categories, as documented within the past 5 years:
  - a. Living within the Service Area (one-mile radius of the project site); or
  - b. A Youthbuild participant.

**Current Income Limits for Certifying Section 3/Targeted Section 3 Workers:**

HUD’s Income Limit* (Effective 4/4/24)	Very Low (50% of AMI)	Low (80% of AMI)
<b>Individual’s total annual income does not exceed:</b>	<b>\$53,050</b>	<b>\$84,900</b>

\*(for San Diego-Carlsbad MSA, effective 4/4/24, subject to annual updates)

**FOR ADMINISTRATIVE USE ONLY**

Is the employee a Section 3 worker based upon their self-certification? YES  NO

Is the employee a Targeted Section 3 Worker based upon their self-certification? YES  NO

Was this an applicant hired as a result of a Section 3 project? YES  NO

If Yes, what is the name of the company? \_\_\_\_\_

What was the date of hire? \_\_\_\_\_

**EMPLOYERS MUST RETAIN THIS FORM IN THEIR SECTION 3 COMPLIANCE FILE FOR FIVE YEARS.**

**JOB ADDRESS:** \_\_\_\_\_

**CITY OF OCEANSIDE  
CONTRACTOR'S/SUBCONTRACTOR'S SECTION 3 MONTHLY LABOR HOURS REPORT  
 \*\*\*to be submitted by AWARDED BIDDER\*\*\***

Contractor/Subcontractor \_\_\_\_\_ Contract Start  
 Date \_\_\_\_\_ Date of Report \_\_\_\_\_  
 Address \_\_\_\_\_ Contract  
 Completion Date \_\_\_\_\_ Contract Amount \_\_\_\_\_  
 Telephone \_\_\_\_\_ Report  
 Period \_\_\_\_\_ (Month and Year)

Construction Address: \_\_\_\_\_  
 \_\_\_\_\_

HUD Funds (Program): \_\_\_\_\_

Job Category	Total Project Labor Hours this Month	Total Hours for Section 3 Workers this Month	Total Hours for Targeted Section 3 Workers this Month
Professionals			
Technicians			
Office/Clerical			
Trade:			
Trade:			
Trade:			
Trade:			
Trade:			
Other: (List)			
<b>TOTAL FOR MONTH:</b>			
<b>PERCENT OF TOTAL:</b>	100%	%	%

.....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....

**Project Labor Hours to date (cumulative from start of Project):**

Total Project Labor Hours: \_\_\_\_\_ Total Hours for Section 3 Workers: \_\_\_\_\_ Total Hours  
for Targeted Section 3 Workers

Is project on track to meet Benchmarks:       YES  NO