

 <b>CITY OF CLEVELAND</b> Mayor Frank G. Jackson		<b>Section 3 Business Utilization Report:</b> <b>Construction Contracts</b>			 <b>CITY OF CLEVELAND</b> Department of Community Development	
<b>Project Name:</b>			<b>Project #:</b>		<b>Contract #:</b>	
<b>Developer:</b> <b>Address:</b> <b>City &amp; State:</b> <b>Zip:</b>					<b>Date :</b>	
<b>Section 3 Contact:</b>		<b>Phone:</b>	<b>Fax:</b>		<b>Email:</b>	
<b>Quarterly Report Period:</b> Jan.-March <input type="checkbox"/> April - Jun. <input type="checkbox"/> July - Sept. <input type="checkbox"/> Oct. - Dec. <input type="checkbox"/>						
<b>New Construction Contract Awards This Report Period</b>			<b>Sec. 3 Business ?</b>	<b>Dollar Amount</b>		<b>% Total Const (Hard) Costs</b>
<b>Name:</b> <b>Contact:</b> <b>Address:</b> <b>City, State Zip:</b> <b>Phone:</b> <b>Email:</b>			<input type="checkbox"/>			%
<b>Name:</b> <b>Contact:</b> <b>Address:</b> <b>City, State Zip:</b> <b>Phone:</b> <b>Email:</b>			<input type="checkbox"/>			%
<b>Name:</b> <b>Contact:</b> <b>Address:</b> <b>City, State Zip:</b> <b>Phone:</b> <b>Email:</b>			<input type="checkbox"/>			%
<b>Name:</b> <b>Contact:</b> <b>Address:</b> <b>City, State Zip:</b> <b>Phone:</b> <b>Email:</b>			<input type="checkbox"/>			%
<b>Good Faith Efforts to comply with Section 3 contracting requirements. Attach separate sheet, if necessary.</b>						
<b>Departmental Use Only</b>	<b>Total Contracts Awarded:</b>	\$	<b>Contracts to S3 Businesses:</b>	\$	<b>% Contracts to S3 Businesses:</b>	%



CITY OF CLEVELAND  
Mayor Frank G. Jackson

# Form A - Core Construction Contract Awards



List **all** construction contract awards associated with Section 3-covered project in order of magnitude (e.g. largest to smallest). Please attach Core Employees List (Form C) for each contractor receiving \$100,000+

Developer:		Date:			
Project Name:					
Construction Contract Awards	S3 Cert Business?	Contract Amt (\$)	(%) Total Const Costs		
Company:	<input type="checkbox"/>	\$	%		
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Company:	<input type="checkbox"/>	\$	%		
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Company:	<input type="checkbox"/>	\$	%		
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Company:	<input type="checkbox"/>	\$	%		
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Company:	<input type="checkbox"/>	\$	%		
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Company:	<input type="checkbox"/>	\$	%		
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Total Const Awards:	\$	Total S3 Const Awards:	\$	% S3 Const Awards:	%

## Form B - Core Non-Construction Contract Awards

List all construction contract awards associated with Section 3-covered project in order of magnitude (e.g. largest to smallest). Please attach Core Employees List (Form C) for each contractor receiving \$100,000+

<b>Developer:</b>				<b>Date:</b>	
<b>Project Name:</b>					
<b>Construction Contract Awards</b>			<b>Certified?</b>	<b>Contract Amt (\$)</b>	<b>(%) Total Const Costs</b>
Company:			<input type="checkbox"/> Sec 3	\$	%
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Company:			<input type="checkbox"/> Sec 3	\$	%
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Company:			<input type="checkbox"/> Sec 3	\$	%
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Company:			<input type="checkbox"/> Sec 3	\$	%
Contact:					
City, State Zip:					
Phone:					
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Scope of Work:					
Company:			<input type="checkbox"/> Sec 3	\$	%
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Email:					
Scope of Work:					
Company:			<input type="checkbox"/> Sec 3	\$	%
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
Company:			<input type="checkbox"/> Sec 3	\$	%
Contact:					
City, State Zip:					
Phone:					
Email:					
Scope of Work:					
<b>Total Const Awards:</b>	\$	<b>Total S3 Const Awards:</b>	\$	<b>% S3 Const Awards:</b>	%
<b>Total MBE Awards:</b>	\$	<b>Total FBE Awards:</b>	\$	<b>Total CSB Awards:</b>	\$



CITY OF CLEVELAND  
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## Form C - Core Employees List



*Each contractor awarded \$100,000+ must submit this notarized company employee list comprised of current employees hired prior to Section 3-covered HUD contract award.  
Please attach Resident Income Verification (Form D) for each Section 3 resident listed below.*

<b>Organization:</b>		<b>Date:</b>
<b>Project Name:</b>		
<b>Section 3 Contact:</b>		
<b>Address:</b>		
<b>City, State Zip:</b>		
<b>Phone:</b>		
<b>Email:</b>		

#	Name	Hire Date	S3 Resident?	Job Type
1			<input type="checkbox"/>	
2			<input type="checkbox"/>	
3			<input type="checkbox"/>	
4			<input type="checkbox"/>	
5			<input type="checkbox"/>	
6			<input type="checkbox"/>	
7			<input type="checkbox"/>	
8			<input type="checkbox"/>	
9			<input type="checkbox"/>	
10			<input type="checkbox"/>	
11			<input type="checkbox"/>	
12			<input type="checkbox"/>	
13			<input type="checkbox"/>	
14			<input type="checkbox"/>	
15			<input type="checkbox"/>	
16			<input type="checkbox"/>	
17			<input type="checkbox"/>	
18			<input type="checkbox"/>	
19			<input type="checkbox"/>	
20			<input type="checkbox"/>	
21			<input type="checkbox"/>	
22			<input type="checkbox"/>	
23			<input type="checkbox"/>	
24			<input type="checkbox"/>	
25			<input type="checkbox"/>	

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

Notary's Signature \_\_\_\_\_

(Affix Seal Here)



## Form D - Section 3 Resident Income Verification



**To Be Completed By Employer**

<b>Project Name:</b>		<b>Project #:</b>	<b>Contract #:</b>
<b>Developer/Owner:</b> <b>Address:</b> <b>City &amp; State:</b> <b>Zip:</b>			<b>Date :</b>
<b>Section 3 Contact:</b>	<b>Phone:</b>	<b>Fax:</b>	<b>Email:</b>
<b>Quarterly Report Period:</b> Jan.-March <input type="checkbox"/> April – Jun. <input type="checkbox"/> July – Sept. <input type="checkbox"/> Oct. – Dec. <input type="checkbox"/> <i>Note: Not applicable if submitted with Core Employees List (Form C).</i>			

**To Be Completed By Employee**

I verify I was hired by the business listed above to perform the following work (*check all that apply*):

- |                                       |   |  |
|---------------------------------------|---|--|
| <input type="checkbox"/> Carpentry    | <input type="checkbox"/> Heating (HVAC)           | <input type="checkbox"/> Concrete/Asphalt          |
| <input type="checkbox"/> Painting     | <input type="checkbox"/> Environmental Cleaning   | <input type="checkbox"/> Asbestos                  |
| <input type="checkbox"/> Electrical   | <input type="checkbox"/> Roofing                  | <input type="checkbox"/> Lead Abatement            |
| <input type="checkbox"/> Plumbing     | <input type="checkbox"/> Window/Door Installation | <input type="checkbox"/> Carpet/Floor Installation |
| <input type="checkbox"/> Vinyl Siding | <input type="checkbox"/> Landscaping/Lawn Care    | <input type="checkbox"/> Laborer/Other_____)       |

I certify I am a resident of the City of Cleveland and my Total Household Income last year (        ) *was not greater than* the amount and family size indicated below.

	Household (HH) Size	HH Income (less than)	
Check the size of your household.	<input type="checkbox"/> 1 Person	\$36,300	Circle the lowest amount that is higher than your household income.
	<input type="checkbox"/> 2 People	\$41,500	
	<input type="checkbox"/> 3 People	\$46,650	
	<input type="checkbox"/> 4 People	\$51,850	
	<input type="checkbox"/> 5 People	\$56,000	
	<input type="checkbox"/> 6 People	\$60,150	
	<input type="checkbox"/> 7 People	\$64,300	
	<input type="checkbox"/> 8 People	\$68,450	

I certify the information provided is true and accurate and, If requested, I agree to provide documentation confirming the accuracy of my family size and total household income for the year noted.

<b>Print Name:</b>	<b>Date Hired:</b>	
<b>Address:</b>	<b>City:</b>	<b>Zip:</b>
<b>Signature:</b>	<b>Date:</b>	

*This form is subject to all rules and regulations established by the HUD Fraud, Waste and Abuse Office.*

For assistance please contact Section 3 Compliance Unit  
Phone: 216-664-4092 Email: [jamoroso@city.cleveland.oh.us](mailto:jamoroso@city.cleveland.oh.us)  
**On-Line Forms, Information & Resources:** <http://cd.city.cleveland.oh.us/quicklinks>



## Section 3 Clause Acknowledgement, Intent to Comply & Strategic Plan – DEVELOPER



*(Submit with Housing Trust Fund Application)*

<b>Proposed Project:</b>		<b>Date:</b>
<b>Developer:</b>		
<b>Address:</b>		
<b>City &amp; State Zip:</b>	<b>Email:</b>	
<b>Contact:</b>	<b>Phone:</b>	<b>Fax:</b>

### I. Section 3 of the Housing and Urban Development (HUD) Act of 1968

- Section 3 promotes economic development and individual self-sufficiency by ensuring opportunities generated by HUD financial assistance are directed to low-income persons and businesses which hire them.
- Section 3 requirements apply to *projects* receiving \$200,000+ in Federal assistance for housing construction and rehabilitation and to *contractors* receiving \$100,000+ who must comply with Section 3 requirements in the same manner as direct recipients.

### II. Section 3 Clause

All contracts associated with a Section 3-covered project must include the Section 3 Clause (attached).

### III. Section 3 Compliance Goals

- *Employment:* at least 30% of the aggregate number of new hires must be Section 3 residents.
- *Contracting:* at least 10% of the total dollar amount of all covered construction contracts and at least 3% of all other contracts must be awarded to certified Section 3 businesses.

### IV. Project Employment & Contracting Information

Should Section 3-covered assistance be awarded, the following information must be submitted *prior to recipient's first disbursement request*.

- *Core Contractors List* including all contracts of any size.
- *Core Employees Lists* for Developer and all Contractors/Subcontractors awarded \$100,000+.
- *Documentation of Good Faith Efforts* to utilize certified Section 3 businesses.
- *Section 3 Employment Plan* documenting project's estimated overall and Section 3 hiring opportunities.

### V. Section 3 Compliance Narrative

Please describe the strategies and tactics you will utilize to achieve Section 3 hiring and contracting goals.

### VI. Section 3 Reporting Obligations

Each quarter, Developer must submit *Workforce* and *Business Utilization Reports* detailing progress and good faith efforts toward meeting Section 3 hiring and contracting goals. Reports are due the 15<sup>th</sup> of the month following the end of the quarter (1/15, 4/15, 7/15 & 10/15).

### VII. Non-Compliance

Failure to comply with and/or demonstrate good faith efforts to satisfy Section 3 employment and contracting requirements may result in sanctions, probation, withholding of payments or debarment.

***I understand Section 3 requirements and, upon receipt of covered assistance, will take affirmative action to satisfy and document good faith efforts to comply with all Section 3 notification, information, hiring, contracting and reporting obligations.***

<b>Contractor Contact:</b>	<b>Title:</b>
<b>Signature:</b>	<b>Date:</b>

### Section 3 Narrative

Please describe the strategies, method and tactics you will utilize to comply with Section 3 hiring and contracting requirements.

### Section 3 Clause

- A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u ( Section 3 ). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible be directed to low-and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 Clause and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 Clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause. Upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135, the contractor will not subcontract with any subcontractor where the contractor has notice of 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 contractor for default, and debarment or suspension from future HUD assisted contracts.



## Section 3 Clause Acknowledgement, Intent to Comply & Strategic Plan – CONTRACTOR



<b>Project:</b>		<b>Date:</b>
<b>Contractor:</b>		
<b>Address:</b>		
<b>City &amp; State Zip:</b>	<b>Email:</b>	
<b>Contact:</b>	<b>Phone:</b>	<b>Fax:</b>

### I. Section 3 of the Housing and Urban Development (HUD) Act of 1968

- Section 3 promotes economic development and individual self-sufficiency by ensuring opportunities generated by HUD financial assistance are directed to low-income persons and businesses which hire them.
- Section 3 requirements apply to projects receiving \$200,000+ in Federal assistance for housing construction and rehabilitation and to contractors receiving \$100,000+ who must comply with Section 3 requirements in the same manner as direct recipients.

### II. Section 3 Clause

All contracts associated with a Section 3-covered project must include the Section 3 Clause (attached).

### III. Section 3 Compliance Goals

- Employment: at least 30% of the aggregate number of new hires must be Section 3 residents.
- Contracting: at least 10% of the total dollar amount of all covered construction contracts and at least 3% of all other contracts must be awarded to certified Section 3 businesses.

### IV. Employment & Contracting Information

The following information must be submitted prior to Developer's first disbursement request.

- Core Employees List for all Contractors awarded \$100,000+.
- Section 3 Employment Plan documenting estimated overall and Section 3 hiring opportunities.
- Section 3 Compliance Narrative describing strategies to be utilized to achieve Section 3 hiring goals.

### VI. Section 3 Reporting Obligations

Each quarter, contractors awarded \$100,000+ must submit a Workforce Utilization Report detailing progress and good faith efforts toward meeting Section 3 hiring goals. Reports are due the 15<sup>th</sup> of the month following the end of the quarter (1/15, 4/15, 7/15 & 10/15).

### VII. Section 3 Business Certification

Businesses meeting one or more of these criteria are strongly encouraged to seek Section 3 certification.

- 1) at least 51% percent owned by Section 3 residents;
- 2) at least 30% of permanent, full-time employees are Section 3 residents, and/or;
- 3) award 25%+ of all subcontracts to Section 3 business concerns.

\* Section 3 residents earn 80% or less of the Area median Income (AMI).

### VIII. Non-Compliance

Failure to comply with and/or demonstrate good faith efforts to satisfy Section 3 employment and contracting requirements may result in sanctions, probation, withholding of payments or debarment.

**I understand Section 3 requirements and will take affirmative action to satisfy and document good faith efforts to comply with all Section 3 notification, information, hiring, contracting and reporting obligations.**

<b>Contractor Contact:</b>	<b>Title:</b>
<b>Signature:</b>	<b>Date:</b>

### Section 3 Clause

- A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u ( Section 3 ). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible be directed to low-and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 Clause and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 Clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause. Upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135, the contractor will not subcontract with any subcontractor where the contractor has notice of 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 contractor for default, and debarment or suspension from future HUD assisted contracts.



### Section 3 Workforce Utilization Form



Please list all new hires for this quarter and attach a Section 3 Resident Income Verification (Form D) for each new hire who qualifies as a Section 3 resident.

Project Name:		Project #:		Contract #:	
Developer/Owner: Address: City & State: Zip:				Date :	
Section 3 Contact:		Phone:	Fax:	Email:	
Quarterly Report Period: Jan.-March <input type="checkbox"/> April - Jun. <input type="checkbox"/> July - Sept. <input type="checkbox"/> Oct. - Dec. <input type="checkbox"/>					
New Hires This Report Period		Hire Date	Section 3 Resident?	Job Title/Trade	
Name: Address: City, State Zip:			<input type="checkbox"/>	Title: Trade:	
Name: Address: City, State Zip:			<input type="checkbox"/>	Title: Trade:	
Name: Address: City, State Zip:			<input type="checkbox"/>	Title: Trade:	
Name: Address: City, State Zip:			<input type="checkbox"/>	Title: Trade:	
Name: Address: City, State Zip:			<input type="checkbox"/>	Title: Trade:	
Name: Address: City, State Zip:			<input type="checkbox"/>	Title: Trade:	
Good Faith Efforts to comply with Section 3 hiring requirements. Attach separate sheet, if necessary.					
For Departmental Use:	Total New Hires:		Total Section 3 Hires:		% Section 3 Hires: %

For assistance please contact Section 3 Compliance Unit  
Phone: 216-664-4092 Email: jamoroso@city.cleveland.oh.us  
On-Line Forms, Information & Resources: <http://cd.city.cleveland.oh.us/quicklinks>