

Section 3

Compliance Plan



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INTRODUCTION

North Dakota Housing Finance Agency (NDHFA) and the entities to which it provides certain U.S. Department of Housing and Urban Development (HUD) funding must comply with Section 3 of the Housing and Urban Development Act of 1968 (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are beneficiaries of HUD-provided housing assistance or who reside in the communities where the HUD funding is expended.

Entities working on Section 3 Covered Projects, as the term is defined later in this Compliance Plan (Plan), must comply with HUD's Section 3 regulations at 24 CFR Part 75.

This Plan summarizes the Section 3 requirements of 24 CFR Part 75 as they pertain to the HUD programs administered by NDHFA. The Plan outlines what NDHFA and its housing partners must do to comply with Section 3 and identifies the record-keeping and reporting requirements which must be met.

SECTION 3 GENERAL PROVISIONS

1. Which Projects are Covered by Section 3?

A Section 3 Covered Project is any project involving the construction, reconstruction, conversion, or rehabilitation of housing or public infrastructure which receives HUD assistance in excess of \$200,000 from any combination of the following programs:

- CDBG (Community Development Block Grant)
- Disaster Recovery
- ESG (Emergency Solutions Grant)
- HOME (HOME Investment Partnership)
- HOPWA (Housing Opportunities for Persons with AIDS)
- HTF (National Housing Trust Fund)
- NSP (Neighborhood Stabilization Program 1, 2, and 3)
- Public Housing Capital Fund
- RAD (Rental Assistance Demonstration)
- Section 202 or 811

Section 3 applies to the entire project regardless of which costs are being paid with the HUD assistance. For example, assume a project combines \$300,000 HTF funding with \$120,000 of owner's cash reserves for a total project cost of \$420,000. Even if the developer chooses to pay the \$120,000 contract for heating system replacement with cash reserves, the entire project, including the heating contractor, is required to comply with Section 3.

The Project is considered to be the site or sites together with any building(s) and improvements located on the site(s) that are under common ownership, management, and financing.

2. Who Must Ensure Compliance with Section 3?

The following recipients of HUD funding must ensure compliance with Section 3:

- NDHFA and any subrecipient which awards HUD funding on behalf of NDHFA.
- Recipients of HUD assistance including the project's developer, owner, or sponsor.
- Contractors and Subcontractors:
 - Subcontractors of any tier.
 - Contracts of any size.

The following contracts are exempt from compliance with Section 3:

- Materials-only contracts for the purchase of supplies without installation.
- Contracts, subcontracts, grants, or subgrants subject to Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307) or subject to tribal preference requirements as authorized under 101(k) of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4111).

3. What does Section 3 Require?

Section 3 Covered Projects must strive to meet the following Section 3 Benchmarks:

- Twenty-five percent of total labor hours are worked by Section 3 Workers.
- Five percent of total labor hours are worked by Targeted Section 3 Workers.

Hours may be reported based on good-faith estimates.

The Section 3 regulations at 24 CFR Part 75 do not require the employment of Section 3 Workers or the contracting of Section 3 Business Concerns. Section 3 Workers and Section 3 Business Concerns are not exempt from meeting the qualifications for the position or the specifications of the contract.

4. Who is a Section 3 Worker?

A Section 3 Worker is any individual who fits one of the following categories:

- Currently or when hired in the last five years met the definition of low-income (80% of area median income or below), as established by HUD's income limits.
- Employed by a Section 3 Business Concern.
- A participant in the U.S. Department of Labor's YouthBuild programs.

To determine if an individual meets the definition of a Section 3 Worker or Targeted Section 3 Worker, the individual must complete and submit the Section 3 Worker Self-Certification form (Attachment F).

5. Who is a Targeted Section 3 Worker?

A Targeted Section 3 Worker is a Section 3 Worker who fits one of the following categories:

- Employed by a Section 3 Business Concern.
- Currently lives or when hired within the last 5 years lived within the Neighborhood Service Area of the project.
 - The Neighborhood Service Area is defined as an area within one mile of the Section 3 Covered Project or, if fewer than 5,000 people live within one mile, within a circle centered on the Section 3 Covered Project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.
- Currently is or when hired within the last 5 years was a resident of public housing or housing assisted with project-based or tenant-based Section 8 rental assistance.
- Currently is or when hired within the last five years was a participant in the U.S. Department of Labor's YouthBuild program.

6. What is a Section 3 Business Concern?

A Section 3 Business Concern is a business that can provide evidence that they meet (or have met within the last 6 months) one of the following criteria:

- At least 51 percent owned and controlled by Section 3 Workers.
- At least 75 percent of labor hours over the prior three-month period are performed by Section 3 Workers.
- At least 51 percent owned and controlled by current residents of public housing or housing assisted with project-based or tenant-based Section 8 rental assistance.

A business must complete Attachment D – Section 3 Business Concern Certification for NDHFA to determine whether or not it is a Section 3 Business Concern.

NDHFA encourages Section 3 Business Concerns to register on the National Section 3 Business Registry at www.hud.gov/sec3biz.

All employees of a Section 3 Business Concern are Section 3 Workers and Targeted Section 3 Workers.

7. What are NDHFA's Responsibilities?

- NDHFA must assist Recipients and Contractors on Section 3 Covered Projects to be educated on and to comply with Section 3.

- NDHFA must monitor the performance of Recipients and Contractors on Section 3 Covered Projects with respect to their meeting the objectives and requirements of Section 3.
- NDHFA must report Section 3 data annually to HUD.

If the project contains multiple HUD sources, not all of which are administered by NDHFA, then each agency must separately administer Section 3 compliance and reporting for their respective HUD funding sources. One agency shall not administer Section 3 for all HUD funding sources unless all HUD sources are administered by one agency.

8. What are the Recipient's Responsibilities?

The Recipient (developer/owner/sponsor) must, to the greatest extent feasible, ensure that contracting, employment, and training opportunities arising in connection with the Section 3 Covered Project are provided to Section 3 Business Concerns and Section 3 Workers, both in their own operations and that of their Section 3 Contractors.

At the time of an award of HUD assistance, the Recipient must provide to NDHFA the following to demonstrate compliance with Section 3 on their own behalf:

- Attachment C – Section 3 Acknowledgement
- Attachment D – Section 3 Business Concern Certification

The Recipient must implement procedures designed to notify potential Section 3 Workers about training and employment opportunities and potential Section 3 Business Concerns about contracting opportunities generated by a Section 3 Covered Project.

The Recipient is required to collect and review for completeness and accuracy, Section 3 documentation from each contractor at various times throughout the project:

- At Construction Start.
- At each draw request, regardless of the source of funds requested in the draw.

The Recipient must ensure that all solicitations and contracts related to Section 3 Covered Projects clearly indicate the project is subject to Section 3. All potential respondents should be educated about their responsibilities under Section 3. All Section 3 Covered Contracts must include the Section 3 clause contained in Attachment B.

The Recipient is responsible for ensuring the compliance of all contractors on a Section 3 Covered Project. Contracts must not be entered into with entities which have violated Section 3.

9. What are the Section 3 Contractor's Responsibilities?

Section 3 Contractors must, to the greatest extent feasible, ensure that contracting, employment, and training opportunities arising in connection with the Section 3 Covered Project are provided to Section 3 Business Concerns and Section 3 Workers, both in their own operations and that of their Section 3 Contractors (subcontractors).

Section 3 Contractors must implement procedures designed to notify potential Section 3 Workers about training and employment opportunities and potential Section 3 Contractors (subcontractors) about contracting opportunities generated by a Section 3 Covered Project.

Section 3 Contractors must ensure that all solicitations and subcontracts related to Section 3 Covered Projects clearly indicate the job is subject to Section 3. All potential respondents should be educated about their responsibilities under Section 3. All Section 3 Covered Contracts must include the Section 3 clause contained in Attachment B.

Section 3 Contractors are responsible for ensuring the Section 3 compliance of all their subcontractors, regardless of the size of the contract. Subcontracts must not be entered into with entities which have violated Section 3. Likewise, all subcontractors are responsible for the lower tier subcontractors underneath them.

Section 3 Contractors must provide to the Recipient (i.e., the developer) the following to demonstrate compliance with Section 3:

- At the time the contract is executed:
 - Attachment C – Section 3 Acknowledgment.
 - Attachment D – Section 3 Business Concern Certification.
 - Schedule of Contracts on the contractor's format of choice, so long as the following information is clearly provided:
 - Name and contact information for all contracts.
 - Commercial and Government Entity (CAGE) code number for all contracted entities. (See section 12 of this manual.)
 - Identify any materials-only contracts.
 - The total of all contracts must equal the dollar amount of the general contract.
 - Any subcontractors who are subcontracting out a portion of their contract must also provide a schedule of their contract, the purpose being to identify all contractors working on the Section 3 Covered Project.
- At each draw request:
 - Attachment E – Section 3 Work Hours and Outreach Efforts for Each Financial Draw
 - Certified payroll with employee hours may be provided in lieu of Part I of Attachment E.
 - Part II of Attachment E must always be submitted.
 - Attachment F – Section 3 Worker Self-Certification (*Only need to provide once per employee working on the project.*)

10. What if the Section 3 Benchmarks are Not Met?

If the Section 3 Covered Project fails to meet the Section 3 Benchmarks listed in section 3 of this manual, the Recipient must demonstrate why it was not possible. Justification should describe the efforts that were taken, barriers encountered, and other relevant information that will allow HUD to make a determination regarding Section 3 compliance.

Recipients and contractors on Section 3 Covered Projects must undertake efforts to facilitate training and employment opportunities to Section 3 Workers as well as award contracts to Section 3 Business Concerns. Those efforts must be documented in detail and reported to NDHFA on Attachment E. Examples of evidence of efforts include copies of direct mail solicitations, email and internet outreach efforts, formal advertisements, flyers or brochures, sign-in lists from job fairs and other public meetings, and agendas and/or meeting notes from meetings with contractors.

Examples of efforts to generate training and employment opportunities for Section 3 Workers and contract opportunities to Section 3 Business Concerns include, but are not limited to, the following:

- Post jobs on HUD's Section 3 Opportunity Portal (<https://hudapps.hud.gov/OpportunityPortal/>).
- Search for potential job applicants and subcontractors on HUD's Opportunity Portal (<https://hudapps.hud.gov/OpportunityPortal/>).
- Inform Job Service North Dakota of job opportunities.
- Advertise employment or contracting opportunities in local media.
- Search for potential subcontractors on HUD's Section 3 Business Registry (<http://www.hud.gov/Sec3Biz>).
- Hold or participate in job fair(s).
- Conduct direct on-the-job training (including apprenticeships).

- Assist indirect training through support of off-site training opportunities.
- Target advertising for training and employment to residents of public housing.
- Connect residents with supportive services such as education or financial literacy.
- Provide technical assistance to Section 3 Workers for job readiness (provide resume assistance, coaching, interview clothing, test fees, transportation, assist with college or vocational education, assist in finding childcare).
- Provide technical assistance to Section 3 Business Concerns (provide bonding assistance, guaranties, or other efforts to help Section 3 Business Concerns provide viable bids).
- Maintain a file of eligible qualified Section 3 Workers for future employment positions.
- Target advertising for training and employment to the Neighborhood Service Area of the project.
- Consult with agencies administering YouthBuild and other federally funded training programs.
- Consult with probation and parole agencies, unemployment compensation programs, and community organizations which serve Section 3 Workers.
- Employing a job coordinator or contracting with a business concern that is licensed in the field of job placement, that will undertake on behalf of the contractor the efforts to match eligible and qualified Section 3 Workers with training and employment positions.

11. Request for Funds

NDHFA must approve every draw request for compliance with Section 3 regardless of the source(s) of funds in the draw. **Draws will not be released until Section 3 compliance is satisfied.**

12. SAM Registration

In accordance with 24 CFR 200.206 (d), all contractors working on a Section 3 Covered Project must demonstrate their eligibility to do business with the federal government by being registered on the System for Award Management (SAM) at SAM.gov. Contractors must provide their assigned CAGE code number as proof of SAM registration.

What are the Recipient, Contractor and Subcontractors' Responsibilities?

	Construction Start	Each Draw
Developer	<ul style="list-style-type: none"> • Attachment C • Attachment D 	Developers should coordinate the collection of the items listed below, ensure they are complete, and compile and submit them to NDHFA.
General Contractor	<ul style="list-style-type: none"> • Attachment C • Attachment D • Schedule of Contracts; total must match the General Contract total. • Contract with Section 3 clause. 	<p>If paid by the current draw request, regardless of source of funds:</p> <ul style="list-style-type: none"> • Attachment E for the period since the last Attachment E. <ul style="list-style-type: none"> ○ Certified payrolls with employee hours may be submitted in lieu of Part I of Attachment E. ○ Part II of Attachment E must always be submitted.* • Attachment F for each employee listed on the Attachment E that has not already submitted an Attachment F.
Subcontractors	<ul style="list-style-type: none"> • Attachment C • Attachment D • Schedule of Contracts (if applicable). Total must match. • Contract with Section 3 clause. 	<p>If paid by the current draw request, regardless of source of funds:</p> <ul style="list-style-type: none"> • Attachment E for the period since the last Attachment E. <ul style="list-style-type: none"> ○ Certified payrolls with employee hours may be submitted in lieu of Part I of Attachment E. ○ Part II of Attachment E must always be submitted.* • Attachment F for each employee listed on the Attachment E that has not already submitted an Attachment F.

*Proof of all efforts to identify and provide training and employment opportunities to Section 3 Workers and Section 3 Business Concerns should be sent to NDHFA as soon as it is available. Examples include but are not limited to: advertisements in media, flyers, signs, contact with employment agencies, housing authorities or local community development agencies.

All Section 3 covered contracts must include the following 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 shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are beneficiaries of HUD housing assistance or who reside in the communities where the HUD funding is expended.
- 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 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 that 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.
- D. 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.



SECTION 3 ACKNOWLEDGMENT
PLANNING AND HOUSING DEVELOPMENT DIVISION
SFN 60815 (06/21)

Section 3 is a provision of the Housing and Urban Development Act of 1968 that promotes local economic development and individual self-sufficiency for projects funded by the U.S. Department of Housing and Urban Development (HUD).

Section 3 requires that, to the greatest extent possible, economic opportunities that are generated by the use of federal funds be made available to low-income persons, particularly those who receive federal financial assistance for housing and those residing in communities where the financial assistance is expended. Section 3 established benchmark goals of 25 percent of total labor hours worked by Section 3 Workers, and 5 percent of total labor hours worked by Targeted Section 3 Workers, as those terms are defined in North Dakota Housing Finance Agency's Section 3 Compliance Manual (Manual).

Person Completing the Form	Recipient/Contractor
Name of HUD-funded Project	City Project is Located

Therefore, I, the person named above, on behalf of Recipient/Contractor hereby certify that upon being awarded a contract to participate in the HUD-funded project named above (Project), the Recipient/Contractor:

1. Has received, read, and understands the Manual and all of its Attachments A through G.
2. Has read the Section 3 regulations at 24 CFR Part 75.
3. Is under no contractual or other impediment that would prevent it from complying with the Section 3 requirements.
4. Will comply with HUD's Section 3 regulations at 24 CFR Part 75.
5. Will comply with all policies and procedures outlined in the Manual.
6. Will ensure that NDHFA promptly receives all required Section 3 documentation identified in the Manual.
7. Will include the Section 3 Clause in every contract related to this Project.
8. Will not contract with any entity that has been found in violation of any provision of 24 CFR Part 75 or has not registered with the System for Award Management at SAM.gov.
9. Will provide a copy of the Manual to all entities with which Recipient/Contractor contracts to work on the Project.
10. Understands that draw requests will be delayed until all Section 3 requirements are met.

Print Name	Signature	Date
Title	Company	



SECTION 3 BUSINESS CONCERN CERTIFICATION
PLANNING AND HOUSING DEVELOPMENT DIVISION
SFN 60813 (06/21)

BUSINESS INFORMATION

Name of Business		SAM Registration CAGE Number	
Address		City	State
		ZIP Code	
Contact Name	Telephone Number	Email Address	

Please check all that apply:

<input type="checkbox"/> This business is at least 51 percent owned and controlled by low-income persons, defined as those with household income below 80 percent of the HUD-defined area median income. This business meets the definition of a Section 3 Business Concern.
<input type="checkbox"/> At least 75 percent of this business' labor hours are performed by low-income workers, defined as those with household income below 80 percent of the HUD-defined area median income. This business meets the definition of a Section 3 Business Concern.
<input type="checkbox"/> This business is at least 51 percent owned and controlled by current residents of public housing or housing assisted with project-based or tenant-based Section 8 rental assistance. This business meets the definition of a Section 3 Business Concern.
<input type="checkbox"/> None of the above. This business does not meet the definition of a Section 3 Business Concern.

North Dakota Housing Finance Agency encourages Section 3 Business Concerns to register on the National Section 3 Business Registry at www.hud.gov/sec3biz.

Organization Name	
Representative Name	Title
Signature	Date



**SECTION 3 WORK HOURS AND OUTREACH EFFORTS
FOR EACH FINANCIAL DRAW**
PLANNING AND HOUSING DEVELOPMENT DIVISION
SFN 61348 (06/21)

Contractor Name		Time Period Covered (mm/dd/yyyy) to	
Name of Project		Location of Project (City/County)	
Person Completing Form	Telephone Number	Email Address	

PART I: TIME LOG *(Attach additional sheets if necessary.)*

Include Attachment F for each employee listed below who has not already completed an Attachment F.

Employee Name	Number of Hours Worked on the Project Since Last Report	Is the employee a Section 3 Worker? <input type="checkbox"/> Yes <input type="checkbox"/> No	Is the employee a Targeted Section 3 Worker? <input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Total Hours this Period		Total Sec 3 Worker Hours	Total Targeted Sec 3 Worker Hrs.

SECTION 3 WORKER BENCHMARK CALCULATION

1: Total Number of Hours Worked on the Project by this Company this Period	
2: Total Number of Hours Worked by Section 3 Workers this Period	
Percent of Hours Worked by Section 3 Workers (Line 2 Divided by Line 1)	

TARGETED SECTION 3 WORKER BENCHMARK CALCULATION

A: Total Number of Hours Worked on the Project by this Company this Period	
B: Total Number of Hours Worked by Targeted Section 3 Workers this Period	
Percent of Hours Worked by Targeted Section 3 Workers (Line B Divided by Line A)	

PART II: OUTREACH EFFORTS

Indicate the efforts made, **since the last report**, to direct employment and other economic opportunities toward low-income persons, particularly those who reside near the project or are recipients of government assistance for housing. Please provide detailed explanations for each effort selected. Proof of these efforts must be submitted as part of the required documentation. (Check all that apply.)

<input type="checkbox"/> No efforts made since last report. Explain:
<input type="checkbox"/> Posted job on HUD's Section 3 Opportunity Portal (https://hudapps.hud.gov/OpportunityPortal/). Explain:
<input type="checkbox"/> Searched for potential job applicants and subcontractors on HUD's Opportunity Portal (https://hudapps.hud.gov/OpportunityPortal/). Explain:
<input type="checkbox"/> Informed Job Service North Dakota of job opportunities. Explain:
<input type="checkbox"/> Advertised employment or contracting opportunities in local media. Explain:
<input type="checkbox"/> Searched for potential subcontractors on HUD's Section 3 Business Registry (http://www.hud.gov/Sec3Biz). Explain:
<input type="checkbox"/> Participated in a job fair. Explain:
<input type="checkbox"/> Conducted on-the-job training (including apprenticeships). Explain:
<input type="checkbox"/> Assisted indirect training through our support of off-site training opportunities. Explain:
<input type="checkbox"/> Targeted advertising for training and employment specifically to residents of public housing. Explain:
<input type="checkbox"/> Connected Section 3 Workers with supportive services such as education or financial literacy. Explain:
<input type="checkbox"/> Provided technical assistance to Section 3 Workers for job readiness. Examples include resume assistance, coaching, interview clothing, test fees, transportation, assistance with college or vocational education, assistance in securing childcare. Explain:
<input type="checkbox"/> Provided technical assistance to Section 3 Business Concerns. Examples include providing bonding assistance, guaranties, or other efforts to help Section 3 Business Concerns provide viable bids. Explain:
<input type="checkbox"/> Maintained a file of eligible qualified Section 3 Workers for future employment positions. Explain:
<input type="checkbox"/> Targeted advertising for training and employment to the Neighborhood Service Area (usually defined as within one-mile) of the project. Explain:
<input type="checkbox"/> Consulted with agencies administering YouthBuild and other federally funded training programs. Explain:
<input type="checkbox"/> Consulted with probation and parole agencies, unemployment compensation programs, and community organizations which serve Section 3 Workers. Explain:
<input type="checkbox"/> Employed a job coordinator or contracted with a business that is licensed in the field of job placement, that will undertake on our behalf the efforts to match eligible and qualified Section 3 Workers with training and employment positions. Explain:

Other efforts made.

Explain:

The undersigned, being duly authorized on behalf of the above-named company, hereby declares and affirms that the information contained herein is, to the best of his/her knowledge and belief, in all things complete, true, and correct. Misrepresentation of any kind will be grounds for appropriate sanctions under 24 CFR Part 75.

Representative Name	Title
Signature	Date

DEFINITIONS OF TERMS ON THIS FORM FROM FEDERAL REGULATION (24 CFR Part 75)

Section 3 Worker means (24 CFR 75.5):

Any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:

- (i) The worker's income for the previous or annualized calendar year is below the income limit established by HUD. (80% of area median income – see attached chart)
- (ii) The worker is employed by a Section 3 Business Concern (defined below).
- (iii) The worker is a YouthBuild participant.

Targeted Section 3 Worker means (24 CFR 75.21):

A Targeted Section 3 Worker is a Section 3 worker who is:

- (1) A worker employed by a Section 3 business concern; or
- (2) A worker who currently fits or when hired fit at least one of the following categories, as documented within the past five years:
 - (i) Living within the service area or the neighborhood of the project, as defined in 24 CFR 75.5; or
 - (ii) A YouthBuild participant.

Section 3 Business Concern means (24 CFR 75.5):

A business concern meeting at least one of the following criteria, documented within the last six-month period:

- (i) It is at least 51 percent owned and controlled by low- or very low-income persons;
- (ii) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
- (iii) It is a business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

Neighborhood Service Area means (24 CFR 75.5):

An area within one mile of the Section 3 project or, if fewer than 5,000 people live within one mile of a Section 3 project, within a circle centered on the Section 3 project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.

HUD Section 3 Worker Maximum Employee Income Limits Limits Effective as of: 04/01/2021

North Dakota	Employee
Adams	48100
Barnes	48100
Benson	48100
Billings	55950
Bottineau	48100
Bowman	52950
Burke	52750
Burleigh	55950
Cass	51150
Cavalier	48550
Dickey	48100
Divide	52400
Dunn	54150
Eddy	48100
Emmons	48100
Foster	48100
Golden Valley	48100
Grand Forks	48100
Grant	48100
Griggs	48100
Hettinger	48100
Kidder	48100
LaMoure	48100
Logan	48100
McHenry	49600
McIntosh	48100
McKenzie	55250
McLean	48100
Mercer	54800
Morton	55950
Mountrail	49800
Nelson	48100
Oliver	48100
Pembina	48100
Pierce	48100
Ramsey	49950
Ransom	48100
Renville	48100
Richland	48100
Rolette	48100
Sargent	50300
Sheridan	48100
Sioux	48100
Slope	48100
Stark	55950
Steele	48100
Stutsman	48100
Towner	48100
Traill	49200
Walsh	48100
Ward	48100
Wells	48100
Williams	55950

1. Use the limit associated to the county of the Employee's Permanent Address.

2. If the county associated to the Employee's Permanent Address is not listed;
 - A.) Search HUD's Income Limits Dataset using the county's 1 person 80% limit here - <https://www.huduser.gov/portal/datasets/il.html>
 - or
 - B.) Contact NDHFA's Planning & Housing Development Division at 701-328-8080 or HFAPlan@nd.gov (provide the Employee's State and County)



SECTION 3 WORKER SELF-CERTIFICATION
PLANNING AND HOUSING DEVELOPMENT DIVISION
SFN 60814 (09/21)

EMPLOYEE INFORMATION

Name		Date Hired (mm/yyyy)	
Permanent Address	City	State	ZIP Code

Check all that apply:

<input type="checkbox"/> My income, annualized for the current calendar year or for the previous calendar year, is/was below the published HUD-defined area median income (see attached income chart) <input type="checkbox"/> I was hired within the last five years, when hired my income was below the HUD-defined area median income. (see attached income chart) I meet the definition of a Section 3 Worker.
<input type="checkbox"/> I live within the Neighborhood Service Area* of the project. I meet the definition of a Targeted Section 3 Worker.
<input type="checkbox"/> I am employed by a Section 3 Business Concern. (Confirm with your Employer) I meet the definitions of a Section 3 Worker and a Targeted Section 3 Worker.
<input type="checkbox"/> I am a YouthBuild participant, either currently or when I was hired in the last five years. I meet the definitions of a Section 3 Worker and a Targeted Section 3 Worker.
<input type="checkbox"/> None of the above. I do not meet the definition of a Section 3 Worker or of a Targeted Section 3 Worker.

*Neighborhood Service Area: An area within one mile of the Section 3 Project or, if fewer than 5,000 people live within one mile, within a circle centered on the Section 3 Project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.

I certify that this statement is true and correct.

Signature	Date
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HUD Section 3 Worker Maximum Employee Income Limits Limits Effective as of: 04/01/2021

North Dakota	Employee
Adams	48100
Barnes	48100
Benson	48100
Billings	55950
Bottineau	48100
Bowman	52950
Burke	52750
Burleigh	55950
Cass	51150
Cavalier	48550
Dickey	48100
Divide	52400
Dunn	54150
Eddy	48100
Emmons	48100
Foster	48100
Golden Valley	48100
Grand Forks	48100
Grant	48100
Griggs	48100
Hettinger	48100
Kidder	48100
LaMoure	48100
Logan	48100
McHenry	49600
McIntosh	48100
McKenzie	55250
McLean	48100
Mercer	54800
Morton	55950
Mountrail	49800
Nelson	48100
Oliver	48100
Pembina	48100
Pierce	48100
Ramsey	49950
Ransom	48100
Renville	48100
Richland	48100
Rolette	48100
Sargent	50300
Sheridan	48100
Sioux	48100
Slope	48100
Stark	55950
Steele	48100
Stutsman	48100
Towner	48100
Traill	49200
Walsh	48100
Ward	48100
Wells	48100
Williams	55950

1. Use the limit associated to the county of the Employee's Permanent Address.

2. If the county associated to the Employee's Permanent Address is not listed;
 - A.) Search HUD's Income Limits Dataset using the county's 1 person 80% limit here - <https://www.huduser.gov/portal/datasets/il.html>
 - or
 - B.) Contact NDHFA's Planning & Housing Development Division at 701-328-8080 or HFAPlan@nd.gov (provide the Employee's State and County)