

## Section 3 and MBE/WBE Certification for Contracting City of Boise

Project Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_

Contract Amount: \_\_\_\_\_

Idaho Contractor Number: \_\_\_\_\_

EIN/Tax ID Number: \_\_\_\_\_

Unique Entity Identifier (UEI): \_\_\_\_\_

### Minority and/or Women-Owned Business Enterprise (MBE/WBE)

**The business/contractor represents and certifies that it:**

**Is** /  **Is NOT** a Women-Owned Business Enterprise (WBE). A "Women-owned business enterprise," as used in this provision, means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

**Is** /  **Is NOT** a Minority Business Enterprise (MBE). A "Minority business enterprise," as used in this provision, means a business which is at least 51 percent owned or controlled by one or more minority group members or in the case of a publicly owned business, at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily operations are controlled by one or more such individuals.

**Check all that apply (required):**

Alaskan Native or American Indian

Asian or Pacific Islander

Black Non-Hispanic

Hispanic

White Non-Hispanic

### Section 3 Business Concern

**The business/contractor represents and certifies that it:**

**Is** /  **Is NOT** a Section 3 business concern

A Section 3 Business Concern meets one of the following:

- It is at least 51% or more owned by low- or very low-income persons at or below 80% area median income (currently: \$\_\_\_\_\_) based on individual income limits. See <https://www.huduser.gov/portal/datasets/il.html> for Boise City.
- Over 75% of the labor hours performed for the business over the prior three-month period were performed by low- or very low-income persons.
- It is a business at least 51% owned by current public housing residents or residents who currently live in Section 8 assisted housing.

## Section 3 Contract Certification

The contractor represents and certifies the following:

- The contractor is under no contractual or other impediment that would prevent them from complying with the 24 CFR Part 75 regulations.
- To the greatest extent feasible employment and other economic opportunities generated by a HUD-assisted project will be directed to low and very low-income persons, particularly who are recipients of HUD assistance for housing.
  - Section 3 workers and Targeted Section 3 workers, as defined by HUD, will be notified of availability of training and/or employment opportunities.
  - Labor organizations or representatives of workers with which the contractor has a collective bargaining agreement or other understanding, if any, will be sent a notice advising of the contractor's commitments under Section 3.
  - Post a 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 Section 3 preference, include job titles subject to hire, availability of apprenticeship and training positions, contact person, and the anticipated date the work shall begin.
- The contractor will track and certify ALL employee names, labor hours, and Section 3 worker/Targeted Section 3 worker status per project and provide this information to the City of Boise. Some exclusions apply for non-construction services contracts. See Section 3 Labor Hour Tracking form.
- 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 obligation under 24 CFR Part 75.
- The Section 3 clause will be included in every subcontract subject to compliance with regulations in 24 CFR Part 75 and agrees to collect and provide all subcontractor information and take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause. 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.

Noncompliance with HUD's regulations in 24 CFR Part 75 may result in sanctions, termination of contract for default, and debarment or suspension from future HUD-assisted contracts.

## Contractor Affirmation

I affirm that the above statements on the prior pages are true, complete, and correct to the best of my knowledge and belief. I understand that businesses who misrepresent themselves as a Minority Business Enterprise, Women-Owned Business Enterprise, or a Section 3 Business Concern and report false information to the City of Boise or its subrecipient 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 following information is correct to the best of my knowledge.

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

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

*\* Certification only valid on a per project basis*

*\* Section 3 definitions can be found at <https://www.ecfr.gov/current/title-24/subtitle-A/part-75/subpart-A/section-75.5>. General information and guidance can be found at <https://www.hudexchange.info/programs/section-3/>.*