

Housing & Community Development

PROCUREMENT & LABOR STANDARDS POLICIES & PROCEDURES

SECTION 3 | BABA | DAVIS-BACON & RELATED ACTS July 2025

HOUSING & COMMUNITY DEVELOPMENT DIVISION
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KISWAHILI

Wana jamii wanaeza omba huduma za utafsiri au zingine za kuhakikisha kwamba wanaeza shiriki kwa ukamilifu kwenye mchakato huu. Tafadhali wasiliana na Idara ya Makao na Maedeleo ya Jamii kupitia barua pepe: housing@cityofboise.org, simu: 208-570-6830, kuduma ya Simu ya Viziwi (TTY): 1-800-377-3529, Faksi: 208-384-4195, au ujifikishe kwa 150 N. Capitol Blvd (ghorofa ya pili)

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Članovi zajednice mogu zatražiti prevodjenje, tumačenje i/ili razuman smještaj kako bi osigurali da mogu u potpunosti sudjelovati u ovom procesu. Za podnošenje zahtjeva obratite se Odjelu za stanovanje i razvoj zajednice putem emaila: housing@cityofboise.org, telefon: 208-570-6830, TTY: 1-800-377-3529, fax: 208-384-4195, ili osobno na 150 N. Capitol Blvd (2. kat).

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للمشاركة و تقديم الطلبات من خلال تحديد موعد مقابلة شخصية او مقابلة عن طريق الهاتف وللاستفسارات او لطلب خدمات الترجمة ولتحديد المواعيد ، يرجى الاتصال بقسم الإسكان وتنمية المجتمع عبر البريد الإلكتروني: Housing@cityofboise.org ، فاكس: 208-384-4195 ، TTY: 1-800-377-3529 هاتف: 208-570-6830 ، ، (الطابق الثاني) 150 N. Capitol Blvd ، أو 150

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housing@cityofboise.org

تلفن: ۲۰۸-۵۷۰-۶۸۳۰

تلفن ناتوانان گفتاری و/یا ناشنوا: ۱-۸۰۰-۳۷۷-۳۵۲۹

شماره فکس: ۲۰۸-۳۸۴-۴۱۹۵

یا به صورت حضوری به ادرس

150 N. Capitol Blvd (2nd floor) (طبقه دوم)

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INTRODUCTION

This document outlines the policies and procedures related to compliance with labor standards and procurement related to projects funded with the federal resources from the U.S. Department of Housing and Urban Development (HUD), administered by the Housing and Community Development (HCD) Division of the City of Boise's Planning and Development Services Department.

HUD requires compliance with standards established in its program regulations, alongside numerous cross-cutting federal regulations related to labor and pay standards, contracting, and procurement. These requirements seek to ensure that projects funded through HUD's entitlement grants and other programs offer equal access to opportunities for employment, fair pay, and establish standards and preferences for procurement.

The City of Boise receives entitlement grant funds through the HOME Investment Partnerships Program (governed by the Cranston-Gonzales National Affordable Housing Act of 1990, as amended) and the Community Development Block Grant (governed by the Housing and Community Development Act of 1974, as amended). These programs' regulations establish labor standards (24 CFR 92.354 & 24 CFR 570.603) and requirements for minority outreach programs (24 CFR 92.351(b) & 24 CFR 570.607), alongside the applicability of uniform administrative requirements found at 2 CFR 200 (24 CFR 92.505 & 24 CFR 570.502).

The uniform administrative requirements found at 2 CFR 200 became effective for all federal agencies and their grantees in December 2014. These requirements address, among many other topics, procurement standards, competition, contracting with minority and women's business enterprises, and preferences for domestic product procurement.

This manual will address requirements and procedures for compliance with the following regulations:

- Procurement (2 CFR 200.318)
- Minority, Women, and Veteran-owned Business Enterprises (2 CFR 200.321)
- Section 3 (24 CFR Part 75)
- Build America, Buy America Act (2 CFR § 184)
- Davis-Bacon and Related Acts Provisions and Procedures (29 CFR Part 5 Subpart A)
- Copeland "Anti-Kickback" Act (29 CFR Part 3)

In the event standards in this handbook are more restrictive than those provided by other agencies, these standards shall supersede all other regulations, unless the differences are specifically dealt with in this handbook.

This handbook has been approved by Resolution by the Mayor and City Council. Any significant variation from these policies and procedures must be approved by the HCD Division Senior Manager.

All exhibits and documents in this handbook are subject to change as the program requires and are in no way intended to be complete.

Policies and procedures will be reviewed and updated on an annual basis, or more frequently as needed.

DEFINITIONS

Area Median Income (AMI): The midpoint of a region's income distribution as published annually by HUD – half of families in a region earn more than the median and half earn less than the median.

Build America, Buy America Act (BABA): The Build America, Buy America Act (the Act), enacted as part of the Infrastructure Investment and Jobs Act on November 15, 2021, established a domestic content procurement preference for all Federal financial assistance obligated for infrastructure projects after May 14, 2022. The domestic content procurement preference requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects are produced in the United States.

Buy America Preference (BAP): A domestic procurement preference, established in the Build America, Buy America Act, which requires the head of each Federal agency to ensure that none of the funds made available for a Federal award for an infrastructure project may be obligated unless all of the iron, steel, manufactured products, and construction materials incorporated into the project are produced in the United States.

Contractor: any entity entering into a contract with:

- A recipient (the City) to perform work in connection with a Section 3 project; or
- A subrecipient of the City for work in connection with a Section 3 project.

Copeland “Anti-Kickback” Act: The Copeland Act's Anti-Kickback provision prohibits contractors and subcontractors performing work on covered contracts from in any way inducing an employee to give up any part of the compensation to which he or she is entitled. The Copeland Act and implementing regulations also require contractors and subcontractors performing on covered contracts to pay their employees on a weekly basis and in cash or a negotiable instrument payable on demand and to submit weekly payroll reports of the wages paid to their laborers and mechanics during the preceding payroll period. Additionally, the Act's regulations at 29 CFR §§ 3.5 and 3.6 list payroll deductions that are permissible without the approval of DOL and those deductions that require consent of DOL and prohibit all other payroll deductions.

Cost per Point: An approach that compares the evaluation criteria score to proposed cost. This evaluation takes total points achieved by the proposer, then divides the cost on the bid proposal by the points to arrive at a “per point cost”. This method allows both cost and evaluation criteria to become part of the selection process.

Davis-Bacon: Under the Davis-Bacon and Related Acts and Reorganization Plan No. 14 of 1950, the U.S. Department of Labor is responsible for determining prevailing wages, issuing regulations and standards to be observed by federal agencies that award or fund projects subject to Davis-Bacon labor standards, and overseeing consistent enforcement of the Davis-Bacon labor standards. The Davis-Bacon and Related Acts apply to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area.

General Wage Determination: Contains, among other information, a list of wage and fringe benefit rates determined to be prevailing for various classifications of laborers or mechanics for specified type(s) of construction in a given area. The Department of Labor publishes “general wage determinations” under the Davis-Bacon Act on the DOL-approved website.

Implementation Plan: A document that outlines the subrecipient/developer's efforts towards meeting Section 3 benchmarks, including details concerning outreach efforts and reporting procedures, and will designate a Section 3 Coordinator responsible for compiling and reporting on all Section 3 requirements.

Infrastructure: Any activity related to the construction, alteration, maintenance, or repair of infrastructure. Infrastructure encompasses public infrastructure projects in the United States, which includes, at a minimum, the structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property; and structures, facilities, and equipment that generate, transport, and distribute energy including electric vehicle (EV) charging.

Labor Hours: The number of paid hours worked by persons on a Section 3 project.

Life Cycle Cost (LCC): The total cost of ownership over the life span of the asset. A procurement technique that takes into account operating, maintenance, the time value of money, disposal and other associated costs of ownership as well as the residual value of the asset.

Low-income Person: A person as defined in Section 3(b)(2) of the 1937 Act, at or below 80% AML. Note that Section 3 worker eligibility uses individual income rather than family/household income.

Material Supply Contracts: Contracts for the purchase of products and materials, including, but not limited to, lumber, drywall, wiring, concrete, pipes, toilets, sinks, carpets, and office supplies.

Minority-owned Business Enterprise (MBE): A business enterprise that is at least 51 percent owned and controlled by one or more minority or socially and economically disadvantaged persons. Such disadvantage may arise from cultural, racial, chronic economic circumstances or other similar causes.

Prevailing Wage: The wage paid to the majority (more than 50%) of the laborers or mechanics in the classification on similar projects in the area during a specific time period.

Professional Services: Non-construction services that require an advanced degree or professional licensing, including, but not limited to, contracts for legal services, financial consulting, accounting services, environmental assessment, architectural services, and civil engineering services.

Recipient: Any entity that receives funding from HUD that funds Section 3 projects, including, but not limited to, any State, local government, or other public agency, public or private nonprofit organization.

Section 3: Section 3 is a provision of the Housing and Urban Development (HUD) Act of 1968 that requires recipients of certain HUD financial assistance to provide training, employment, contracting, and other economic opportunities to low- and very low-income persons. The program is intended to foster local economic development, neighborhood economic improvement, and individual self-sufficiency.

Section 3 Business Concern: A business meeting at least one of the following criteria, documented within the last six-month period:

- It is at least 51 percent owned and controlled by low- or very low-income persons;
- Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers.

Section 3 Worker: Any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:

- The worker's income for the previous or annualized calendar year is below the income limit established by HUD.
- The worker is employed by a Section 3 business concern.
- The worker is a YouthBuild participant.

Service Area: 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.

Straight Points: An evaluation method that bases the selection process strictly on points awarded. The rationale is that the stated evaluation criteria are of the utmost importance, and cost is not a significant factor relating to selection.

Subcontractor: Any entity that has a contract with a contractor to undertake a portion of the contractor's obligation to perform work in connection with the expenditure of financial assistance for a Section 3 project.

Subrecipient: Subrecipient means the agency, organization, developer, or general contractor receiving HUD assistance through the City.

System for Award Management (SAM): The official U.S. Government system for contracting, wage determinations, entity information and reporting, and information about federal assistance and federal hierarchy. The system can be accessed at <https://www.sam.gov>.

Targeted Section 3 Worker: A Targeted Section 3 worker is a Section 3 worker who is employed by a Section 3 business concern or is a low-income resident from the service area or neighborhood of the project.

Total Cost of Ownership (TCO): A measure of all of the cost components associated with the procurement of a product or service. The sum of all fixed and variable costs attributed to a product or service.

Unique Entity Identifier (UEI): A distinct and unchanging code assigned to entities that are recipients or subrecipients of Federal funds. The universal identifier is used to track entities in federal systems and databases. It is issued by the System for Award Management.

Very low-income person: Defined as a person whose income is at or below 50% of the AMI.

Veteran-owned Business Enterprise (VBE): A business that is at least 51% owned, operated, and controlled by one or more U.S. military veterans

Women-owned Business Enterprise (WBE): An independent business concern that is at least 51 percent owned and controlled by one or more women who are U.S. citizens or Legal Resident Aliens; whose business formation and principal place of business are in the U.S. or its territories; and whose management and daily operation is controlled by a woman with industry expertise.

YouthBuild: YouthBuild programs receiving assistance under the Workforce Innovation and Opportunity Act (29 U.S.C. 3226).

GENERAL PROCUREMENT REQUIREMENTS

When goods and services are acquired with public funds (local or federal), procurement procedures must be followed in order to ensure that pricing is competitive, and the process is open and fair. The City of Boise (City) has established purchasing policies, outlined in its Business Operations Manual (BOM) section B8.00; in the event that a specific circumstance is not covered by those policies, the minimum requirements outlined at 2 CFR 200, subpart D, apply to both the City and its subrecipients when using City-administered federal funds.

Within the policies established in the BOM, the procedures for procurement, specified by the type of good or service and cost, establish the thresholds that must be followed. When subrecipients or contractors are procuring goods or services, they must follow the lower of the thresholds established by the City or identified in 2 CFR 200.320. The City and its subrecipients may always choose to follow a more formal level of procurement than required. See Appendix A for the City's Purchasing Matrix.

Type of Purchase/Contract	Cost	Procurement Method
Goods, Equipment, & all Services	< \$10,000	Micro Purchase
Goods & Equipment	\$10,001 - \$74,999	Small Purchase
	\$75,000 - \$149,999	Semi Formal
	\$150,000+	Formal
Construction	\$10,001 - \$49,999	Small Purchase
	\$50,000 - \$199,999	Semi-Formal
	\$200,000+	Formal
Personal Services	\$10,001 - \$74,999	Small Purchase
	\$75,000 - \$149,999	Semi-Formal
	\$150,000+	Formal
Professional Services	\$10,001 - \$149,999	Small Purchase
	\$150,000+	Formal
Design Professional Services	\$10,001 - \$49,999	Small Purchase
	\$50,000 - \$199,999	Semi Formal
	\$200,000+	Formal

Types of Purchases/Contracts

Design Professional Services

Purchases of services that require Professional Licenses (per Idaho State statute 67-2320), specifically engineering, architectural, landscape architecture, construction management, and professional land surveying.

Professional/Consultant Services

Purchases of specialized knowledge, experience and expertise, management, consulting, or similar professional service contracts which are by their nature unique. Examples include, but are not limited to, professional consulting, mapping, accounting, auditing, real estate, medical, and legal services.

Personal Services

Purchases of non-professional/consultant services. These differ from professional/consultant services in the nature of the service and require a business license, but do not require a professional license. Examples include, but are not limited to, janitorial, secretarial services, landscaping, and snow removal.

Construction

Purchases for the construction, installation, major maintenance, or repair of a building, facility, or infrastructure.

Equipment

Purchases of equipment used to conduct business.

Goods

Contracts for the purchase of personal property that does not qualify as equipment, parts or supplies.

Procurement Methods & Thresholds

Micro-Purchases (BOM Regulation 8.04h III.A.)

Supplies or services to be acquired that do not exceed the micro-purchase threshold of \$10,000 may be awarded without a competitive process. To the extent practicable, micro-purchases should be distributed equitably among qualified suppliers. The basis for determination that the price is reasonable must be documented and maintained in the project file.

Small Purchases (BOM Regulation 8.04h III.B)

Purchases of services, supplies, or equipment that exceed \$10,000, but are under the thresholds for Semi-Formal or Formal level processes require solicitation of a minimum of two price quotations from qualified sources. The price quotations must be documented and retained in the project file.

Semi-Formal Level Purchases (BOM Regulation 8.04c)

Purchases that meet the thresholds for Semi-Formal level processes must have a written bid request, which is advertised via the organization's standard methods. Bid proposals

are reviewed and the award is made to the proposer with either the highest ranking or the lowest cost that meets the minimum requirements.

Generally, at least three bids must be considered. If there are fewer than three bids considered, the project file must maintain documentation of the effort to obtain at least three bids. If two or more vendors tie for the lowest responsive bid, either vendor may be selected.

Formal Level Purchases (BOM Regulation 8.04h Ill.C. and 8.04d)

Formal level purchases may be handled via one of three options: Formal bid, Request for Proposal (RFP), or multi-step bid (also known as Request for Qualifications, "RFQ").

Formal bids require the preparation of bid specifications or a Statement of Work (SOW). The bidding opportunity must be advertised via the organization's standard methods. The bid proposals received are reviewed and evaluated. Bids may be evaluated based on Low Bid, Total Cost of Ownership, or Life Cycle Cost. The bid proposal meeting the needs of the organization at the lowest cost will be accepted.

Requests for Proposals (RFP) require the preparation of bid specifications or a SOW, and the bidding opportunity should be advertised via the organization's standard methods. The RFP will state the evaluation factors, which will be used to score and rank bid proposals by a team of evaluators. Discussions may be conducted with proposers for the purpose of clarification to assure full understanding of and responsiveness to, the solicitation requirements. An award may be made directly from proposals received or a "short list" of most qualified candidates may be established. The short list process may require a response and new evaluation criteria. Bids should be evaluated based on Total Cost of Ownership, Life Cycle Cost, Cost per Point, or Straight Points. The highest score should be given to the proposer whose proposal is determined to be most advantageous, taking into consideration cost and the evaluation factors established in the RFP.

Multi-Step / Request for Qualifications (RFQ) may be issued for projects when it is considered impractical to prepare a purchase description to support an award based on price. Typically, this process is used in the solicitation/purchase of very specialized products/services. The RFQ requests the submission of un-priced offers, to be followed by an Invitation for Bids limited to those vendors whose offers have been qualified under the criteria identified.

Sole-Source / Noncompetitive Proposals

Procuring a proposal from a sole source may only be used when one or more of the following circumstances apply:

- The item is only available from a single source.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- The federal awarding agency or pass-through entity expressly authorizes this method in response to a request from the City.
- After solicitation from a number of sources, competition is determined inadequate.

Competition

All procurement must be conducted in a free, open, and fair method. When the City is undertaking a project that meets the Semi-Formal or Formal Process requirements, bids will be solicited via the City's standard system of electronic bid distribution.

For projects receiving federal funding managed by a subrecipient or contractor, bids must be advertised using all available methods. If fewer than three bids are received, the City expects the subrecipient/contractor to maintain records in the project file documenting the effort to solicit bids from at least three firms.

Preferences

Whenever possible, even if not federally mandated, minority-owned businesses (MBE), women-owned businesses (WBE), veteran-owned businesses (VBE), and Section 3 business concerns should be used, per the Uniform Administrative Requirement regulations (2 CFR 200.321) and HOME Investment Partnership Program regulations (24 CFR 92.351(b)). This preference for MBE/WBE/VBE and Section 3 business concerns should be included in all bid documents. See Appendix B for Section 3 and MBE/WBE/VBE Bid Document Preference Language.

Submitted bids from Section 3 and/or MBE/WBE/VBE businesses must be given preference over other competing bids within 10% of total bid cost. If a Section 3 bid is identical to a MBE/WBE/VBE bid, then the Section 3 bid will be given preference.

Section 3 standards are race and gender neutral. A minority- and/or woman- and/or veteran-owned business enterprise must provide evidence that it meets at least one criterion of a Section 3 business concern outlined above in order to receive preference under Section 3. However, the City anticipates that Section 3 will serve to support, and not impede, contract opportunities for MBE/WBE/VBE businesses.

The City will, to the greatest extent feasible, offer contracting opportunities to Section 3 business concerns. However, in the event no Section 3 business bids on a contract, or bids but is not able to demonstrate to the City's satisfaction that it can perform successfully under the terms and conditions of the proposed contract, then that contract will be awarded to a non-Section 3 business concern that can meet the terms and conditions of the proposed contract through the competitive bidding process.

Affirmative Marketing

In order to ensure that MBE/WBE/VBE and Section 3 businesses receive information regarding bidding and employment opportunities, the City and its subrecipients/contractors must ensure that outreach to those firms is undertaken. Outreach requirements and specifications can be found in the *Section 3 Outreach* section of this manual.

Entity Requirements

The City will not award federal projects to any individual, corporation, or other entity that is suspended, debarred, or listed on the government wide exclusions in the System for Award Management (SAM).

UEI and SAM.gov Registration

All entities contracting with the City on a federally funded project, or who receive an award of federal funds as a subrecipient, developer, or subcontractor must obtain a Unique Entity ID (UEI) through the SAM.gov¹ system, per 2 CFR 25.300(a). Entities must have or obtain a UEI prior to execution of the subgrant agreement, contract, or loan and regulatory agreement.

Full registration in the SAM.gov system is required for developers and their general contractors (for housing development projects) and for the organization awarded a subgrant agreement or contract for any public service or public facilities/infrastructure projects. The developer, general contractor, or other awarded entity's registrations in the SAM.gov database must be active at the time of subgrant agreement, contract, or loan and regulatory agreement execution, and an active status must be maintained for the duration of the project or award term.

Subcontractors hired by the general contractor do not have to be registered, but the General Contractor must maintain documentation of the entity's UEI registration and must verify the entity's suspension and debarment status prior to entering into the subcontract.

See Appendix C for the SAM.gov Quick Start Guide for Getting a Unique Entity ID and Entity Registration Checklist.

Contractor Reporting

The developer/subrecipient or other awarded entity is responsible for providing the City's Compliance Team with information regarding the primary contract (typically between the developer and general contractor or the City and a general contractor) as well as all subcontracts.

The developer/subrecipient must provide the business name, address, UEI, contact information, contract details (total amount, execution date), business entity status, and demographics using the Contract Overview form. If Davis-Bacon applies to the project, this form will also be used to verify which individual is authorized to sign payroll reports on behalf of the company. Further information about this requirement can be found in the *Davis-Bacon Project Implementation* section of this manual.

The Contract Overview Form is also used to document that the general contractor has verified UEI and debarment status for all subcontractors as well as providing Section 3 certifications as applicable.

See Appendix D for the Contract Overview form.

Contract Requirements

Contracts, including subcontracts, must contain specific provisions. The following apply to all contracts:

- Contracts exceeding the simplified acquisition threshold² (\$250,000) must address administrative, contractual, or legal remedies in instances where contractors

¹ <https://sam.gov/entity-registration>

² 48 CFR 2.101 "Simplified acquisition threshold"

violate or breach contract terms and provide for sanctions and penalties as appropriate.

- Contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity, including how it will be affected and the basis for settlement.
- All contracts³ that meet the definition of "federally assisted construction contract" must include the equal opportunity clause (Appendix E)⁴
- All contracts exceeding \$100,000 that involve the employment of mechanics or laborers must include provisions that require contractors to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. Additionally, no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous⁵.
- All contracts and subgrants exceeding \$150,000 must contain a provision that requires compliance with applicable standards, orders, or regulations pursuant to the Clean Air Act⁶ and the Federal Water Pollution Control Act⁷, as amended.
- No contracts can be made to parties that have been listed on the governmentwide exclusions in the System for Award Management (SAM.gov). This includes any parties that have been disbarred, suspended, or otherwise excluded by agencies⁸.
- Any contractor applying for an award or bidding on a project exceeding \$100,000 must file the required Byrd Anti-Lobbying⁹ certification.

Section 3 Contracts

Federally funded projects that meet the applicability threshold for Section 3 are required to include the specific language regarding Section 3 in the bid documents and any subsequent contracts and/or subcontracts. Pursuant to 24 CFR 75.27, in the event Section 3 language is omitted (intentionally or unintentionally) from a contract, all contractors and subcontractors must still comply with Section 3 reporting requirements.

The developer and general contractor may not knowingly contract with any contractor that has been found in violation of Section 3 regulations. If a contractor is found in violation, appropriate actions must be taken including but not limited to cancellation of contract, debarment from contracting on projects using federal funding, requiring reporting before being reimbursed, or any remedies listed in the defaults section of the contract.

Further information about specific Section 3 contract requirements can be found in the *Section 3 Contracts* section of this manual.

3 Except as otherwise provided under 41 CFR Part 60

4 41 CFR 60-1.4

5 40 U.S.C. 3701-3708

6 42 U.S.C. 7401-7671q

7 33 U.S.C. 1251-1387

8 Executive Orders 12549 and 12689

9 31 U.S.C. 1352

Davis-Bacon Contracts

When applicable, all prime construction contracts in excess of \$2,000 must include a provision for compliance with the Davis-Bacon Act¹⁰. Contractors will be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages, specified in a wage determination made by the Secretary of Labor. Additionally, wages must be paid weekly.

Further information about Davis-Bacon wages and compliance can be found in the *Davis-Bacon* section of this manual.

Conflicts of Interest

No City employee, officer, agent, or subrecipient of City-administered funds may participate in the selection, award or administration of a contract if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Reporting

The City reports to HUD regarding federally funded contracts awarded.

Form 2516 is submitted annually to indicate the MBE/WBE/VBE and Section 3 status for each contract. Section 3 labor hours and outreach efforts are also reported in HUD's Integrated Disbursement and Information System (IDIS) for each applicable project.

Form 4710, submitted bi-annually in April and October for the preceding six-month period, details new contracting activity covered under the Davis-Bacon and Related Acts and includes the total dollar amount of all prime contracts awarded during the period and any enforcement actions taken to correct instances of non-compliance.

SECTION 3

Overview

The Section 3 program requires recipients of funds from the U.S. Department of Housing and Urban Development (HUD) to direct employment, training, and contracting opportunities to low-income individuals and the businesses that employ these persons within their community. Section 3 is a provision of the HUD Act of 1968 and is found at 12 U.S.C. 1701u. The regulations are found at 24 CFR Part 75.

Per the statutory language, recipients of HUD funds (i.e. entitlement communities and their sub-grantees and contractors) must ensure that "to the greatest extent feasible," when HUD funds are used to assist housing and community development projects, the preference for construction-related training, jobs, and contracting opportunities go to low- and very-low income persons and to businesses that are owned by low- and very low-income persons, businesses that hire them, and Minority-, Women-owned, or Veteran-Owned Business Enterprises (MBE/WBE/VBE).

¹⁰ 40 U.S.C. 3141-3144 and 3146-3148

Applicability

Section 3 applies to housing rehabilitation, housing construction, and other public construction projects that exceed \$200,000 of financial assistance from one or more HUD programs (e.g., HOME, CDBG, HTF, etc.). Section 3 requirements do not apply to contracts for material supply only.

It is critical for developers/subrecipients to disclose **all** funding sources which **may be** used for the project, even those that are not officially approved or awarded. If at any point in the project the \$200,000 threshold is exceeded, Section 3 will be triggered and will apply retroactively.

Benchmarks

The U.S. Department of Housing and Urban Development (HUD) has established Section 3 labor hour benchmark goals, and recipients of federal funds must demonstrate efforts to meet these benchmarks to the "greatest extent feasible" by providing training, contracting, and employment opportunities to low- and very low-income persons (Section 3 workers and Targeted Section 3 workers) and to Section 3 Business concerns.

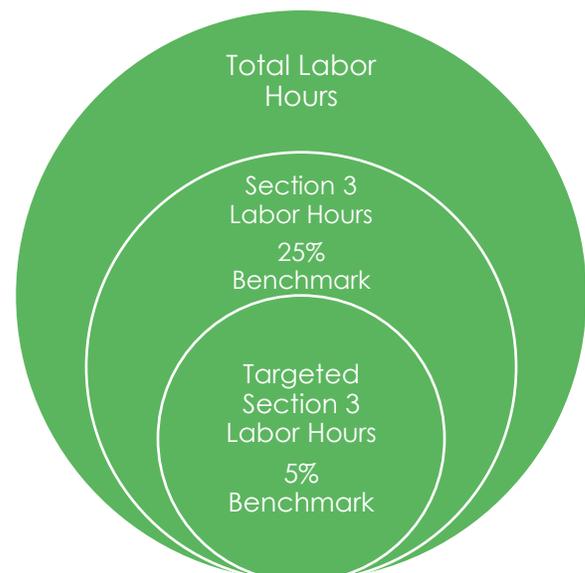
The general contractor and all subcontractors must track all labor hours worked on a project, including a breakdown of Section 3 worker hours, Targeted Section 3 worker hours, and non-Section 3 worker hours. Subcontractors that only provide or deliver materials and supplies are not subject to Section 3 labor hour rules.

HUD establishes and updates benchmarks for Section 3 workers and/or Targeted Section 3 workers through a document published in the Federal Register, at least once every 3 years. The City will review and update the Section 3 requirements outlined in this manual every 3 years, or as needed.

Benchmark Goals

- Section 3 workers: 25% or more of total labor hours worked by all workers on a project.
- Targeted Section 3 workers: 5% or more of total labor hours worked by all workers on a project.

When reporting Section 3 worker and Targeted Section 3 worker labor hours, it is important to note that the count of Targeted worker labor hours is included within the count of the overall Section 3 worker labor hours. Therefore, the total percentage of total labor hours that need to be performed by a combination of Section 3 workers and Targeted Section 3 workers is 25 percent, with at least 5 percent of the total labor hours performed by Targeted Section 3 workers.



Certifications

Business Concern Certification

Businesses seeking a preference in contracting on applicable Section 3 projects may qualify to be certified as a Section 3 business concern if they can document that they have met at least one of the following criteria within the previous six-month period:

- At least 51 percent of the business is owned and controlled by low- or very low-income persons, **or**
- at least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing, **or**
- over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers.

This certification is documented on the Contract Overview Form (Appendix D).

Worker Certification

Section 3 workers must complete a self-certification regarding their income, to be kept on file by the general contractor or subcontractor. For the purposes of Section 3 compliance, individual income rather than family/household income is used to determine eligibility based on the location of the project. For example, a worker who lives 50 miles from the project will compare their income to the limits for the location of the project site. The income limits are published annually at <https://www.huduser.gov/portal/datasets/il.html>

Section 3 workers must certify that they meet one or more of the following criteria currently, or when hired (if they were hired within the past five years):

- They are/were a low or very low-income person; **or**
- They are employed by a Section 3 business concern; **or**
- They are a YouthBuild participant.

Targeted Section 3 workers must certify that they are a Section 3 worker and meet one or more of the following criteria:

- They are employed by a Section 3 business concern; **or**
- They currently meet, or when hired met, at least one of the following categories (as documented within the past five years):
 - They live within the service area or neighborhood of the project; **or**
 - They are/were a YouthBuild participant.

See Appendix F for the Section 3 Worker Self-Certification Form.

Section 3 Project Implementation

The City and its developers/subrecipients must follow written procurement procedures for each Section 3 project, which, at a minimum, meet the General Procurement Requirements outlined in this document, governed by the City's BOM and 2 CFR 200.

Developers/subrecipients must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

See Appendix G for a chart outlining the responsibilities of the City the developer/subrecipient, and the general contractor during each phase of the project.

Section 3 Coordinator

The developer/subrecipient must designate a Section 3 Coordinator, who will serve as the central point of contact for Section 3 compliance during the project. The Section 3 Coordinator is responsible for gathering and reviewing labor hour documentation for submission to the City with draw requests.

Bidding

Section 3 and MBE/WBE/VBE applicability and preference language must be included in bid solicitation and collect completed Certifications for Contracting with each bid. The developer/subrecipient must maintain all records with bid procurement and if a Section 3 or MBE/WBE/VBE business concern is not selected, must document why. The City may request to see bid responses as part of monitoring during the project.

See Appendix B for Section 3 Bid Document Language (includes MBE/WBE/VBE preference).

Outreach

The City or its subrecipients/developers (and their contractors/subcontractors) should employ the following strategies to provide notice of Section 3 contracting and/or employment opportunities. The following details both the required and optional additional outreach methods to be used for all Section 3 bidding opportunities.

Required:

- Add Section 3 language to all RFPs, procurement documents, bid offerings, and contracts.
- Advertise contracting and job opportunities in local community papers, with local service organizations, and online job boards such as Indeed, Craigslist, etc.
- Post job advertisement flyers in common areas of public and affordable housing developments, community boards available near the job site, and on the actual job site. The notices should provide general information about the work to be contracted and how to apply or learn more.
- Provide notice of contracting opportunities to all known MBE/WBE/VBE and Section 3 business concerns. The notice must be provided in sufficient time to ensure firms can respond to bid invitations. If available, the City will share a list of known Section 3 and MBE/WBE/VBE contractors appropriate for the project.

Potential additional steps:

- Coordinate pre-bid meetings to inform Section 3 business concerns of upcoming contracting opportunities.
- Coordinate with business assistance agencies and contractor associations to inform them of contracting opportunities and request their assistance in identifying Section 3 and MBE/WBE/VBE business concerns. These organizations could include local community development organizations, business development agencies (Chamber of Commerce), and minority contracting associations.
- Host one or more job fairs.
- Provide technical assistance to help Section 3 business concerns understand and bid on contracts.
- Divide contracts into smaller jobs to facilitate participation by Section 3 business concerns.

It is the responsibility of developers/subrecipients, contractors, and subcontractors to implement efforts to achieve Section 3 compliance. If the Section 3 benchmarks are not met, documentation of outreach efforts will be required, along with information about why meeting the benchmarks was not attainable despite comprehensive efforts. All contractors submitting bids or proposals to the City or the developer/subrecipient will sign an outreach effort certification stating that they will comply with the requirements and outreach plan of Section 3. Additional Section 3 and MBE/WBE/VBE outreach ideas can be seen on the Outreach Certification Form. The City may request proof of outreach efforts as part of project compliance monitoring. The subrecipient should retain documentation in their project files.

See Appendix H for the Section 3 Outreach Certification form.

Bid Selection

Bid selection will be dependent on several factors including, but not limited to, preferences for MBE/WBE/VBE and Section 3 business concerns, overall cost, and cost reasonableness. Submitted bids from Section 3 and/or MBE/WBE/VBE businesses will be given preference over other competing bids within 10% of total bid cost. If a Section 3 bid is identical to a MBE/WBE/VBE bid then the Section 3 bid will be given preference.

Developers/subrecipients must make their best efforts to award contracts and subcontracts to business concerns that provide economic opportunities to Section 3 workers in the following priority:

1. Businesses that provide economic opportunities to Section 3 workers residing in the neighborhood of the project
2. YouthBuild programs
3. MBE/WBE/VBE businesses

Contracts

To ensure regulatory compliance, the standard Section 3 language must be included in all contracts awarded for Section 3 projects. No subrecipient/developer may knowingly contract with any contractor that has been found in violation of Section 3 regulations. If a contractor is found in violation, appropriate actions must be taken including but not limited to cancellation of contract, debarment from contracting on projects using federal funding, requiring reporting before being reimbursed, or any remedies listed in the defaults section of the contract. Pursuant to 24 CFR 75.27, in the event Section 3 language is omitted (intentionally or unintentionally) from a contract, all contractors and subcontractors must still comply with Section 3 reporting requirements.

See Appendix I for Section 3 contract language.

Reporting

The Section 3 Coordinator will collect and submit the labor hour certifications for all on site work hours performed in relation to the project to the City on a monthly basis. All hours worked on the project from the previous month must be reported, including a breakdown of Section 3 worker hours and Targeted Section 3 worker hours. Section 3 and Targeted Section 3 workers must be listed individually with their name, month/date of birth (ex: 12/15), job title, length of time employed, and number of hours worked. All non-Section 3 workers may be aggregated and reported on a single line. If any new Section 3 workers/businesses have been hired by any contractors or subcontractors within the

month, certification paperwork must be collected by the Section 3 Coordinator and submitted the next month.

The Section 3 Coordinator must ensure the hours being submitted reflect the work completed within that month and must submit the hours using the City's template, which will be provided at the time of contract/agreement execution.

Compliance

Section 3 documentation (including labor hours and any previously unsubmitted business certifications) is due with each draw request. If any required Section 3 documentation is missing or incomplete, the invoices from the contractor or subcontractor with missing information will not be reimbursed until all reporting is current. If the deficiencies have not been cured by the next draw request, then all reimbursements and invoices for all contractors and subcontractors will be held until the project is in compliance again.

If a contractor or subcontractor is non-compliant with Section 3 for more than two draw periods, the City may take additional steps, including retention of payments and recommendation of debarment from federally-funded projects.

Project Closeout

Upon completion of the project, HCD staff will conduct a final review of the project's overall performance and compliance.

The City will not release the final retention payment until all cross-cutting federal requirements (including Section 3) have been met and documentation has been submitted in the required formats. It is strongly encouraged that the retention held by the General Contractor on subcontracts is not released until the City confirms that all Section 3 requirements and documentation have been submitted satisfactorily. Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of the contract for default, and debarment or suspension from future HUD-assisted contracts.

Document Retention

The subrecipient/developer is responsible for maintaining all project related files, including all worker/employer certifications and documentation for 5 years from the closeout date of the project (date the project is marked complete in HUD's Integrated Disbursement & Information System [IDIS]).

The City will retain and dispose of its project records and financial documents in accordance with the regulations of the federal funding source (HOME, CDBG, etc.) and the HCD Record Retention and Disposition Policy, which will be for no less than seven (7) years or the life of the project, whichever is longer.

Complaint Procedure

In an effort to resolve complaints generated due to non-compliance through an internal process, the City encourages submittal of such complaints to the project's Section 3 Coordinator.

Complaints of non-compliance should be filed in writing and must contain the name of the complainant and brief description of the alleged violation of the Section 3 regulations. Complaints must be filed within fifteen (15) calendar days after the complainant becomes aware of the alleged violation.

An investigation will be conducted if the complaint is found to be valid. The Section 3 Coordinator will conduct an informal, but thorough investigation affording all interested parties, if any, an opportunity to submit testimony and/or evidence pertinent to the complaint.

The Section 3 Coordinator will provide written documentation detailing the findings of the investigation to the City. The City will review the findings for accuracy and completeness before it is released to complainants. The findings will be made available no later than thirty (30) days after the filing of the complaint. If complainants wish to have their concerns considered by an outside agency, the complaint may be filed with HUD's Section 3 Office of Field Policy and Management.

Seattle Regional Office
Federal Office Building
ATTN: Section 3 Office of Field Policy and Management
909 1st Ave, Suite 200
Seattle, WA 98104
(206) 220-5362

Complainants may also be eligible to bring complaints under other federal laws. The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information (medical history or predisposition to disease). For more information about complainant rights, please contact EEOC at: www.EEOC.gov.

The Department of Labor Office of Federal Contract Compliance Programs (OFCCP) enforces, for the benefit of job seekers and wage earners, the contractual promise of affirmative action and equal employment opportunity required of those who do business with the Federal government. More information about the services they provide can be obtained at: <http://www.dol.gov/ofccp/>.

BUILD AMERICA, BUY AMERICA (BABA) ACT

Overview

The Build America, Buy America Act (BABA) was signed into law on November 15, 2021, as part of the Infrastructure Investment and Jobs Act. The BABA statute became effective on May 14, 2022. In addition to providing funding for roads, bridges, rails, and high-speed internet access, it created an incentive to increase domestic manufacturing across the country through the inclusion of BABA's "Buy America Preference" (BAP). In general, the BAP requires that all iron, steel, manufactured products, and construction materials used in infrastructure projects funded with Federal financial assistance (FFA) must be produced in the United States.

The federal regulations and statutory requirements of BABA can be found at 2 CFR § 184, with further implementation guidance issued by HUD in CPD Notice 2023-12.

Applicability

Covered Programs

The Covered Programs which are, or may be, administered by the City to which BABA applies are the Community Development Block Grant program, Section 108 Loan Guarantee, HOME Investment Partnerships Program (HOME), Continuum of Care, and programs with competitively awarded funds as specified in their respective Notice of Funding Opportunities (NOFOs) or Requests for Funding (RFFs). (See CPD Notice 2025-01, which superseded CPD-2023-12, for revised list of covered programs and updated implementation guidance.)

Projects

BABA applies to the purchase of specific materials when funds from Covered Programs are used for the construction, alteration, maintenance, or repair of infrastructure. Infrastructure is broadly defined and includes buildings and real property. For Covered CPD Programs this includes, but is not limited to:

- road and sidewalk improvement projects;
- water, sewer, and other utility projects;
- broadband infrastructure;
- housing construction and rehabilitation;
- community facility construction and rehabilitation;
- homeless shelter construction and rehabilitation;
- other activities defined as infrastructure at 2 CFR 184.4(c) & (d).

CPD Notice 25-01 provided further clarification regarding BABA's applicability to housing projects. Housing projects with one to four units are considered "private" and therefore the development or rehabilitation of the units, onsite utilities, and related activities are not subject to the BAP. Housing projects with five or more units are considered public infrastructure and are subject to the BAP, unless another waiver or exemption applies.

Materials

The materials BABA requirements apply to ("covered materials") are generally categorized as: 1) iron and/or steel products, 2) manufactured products, 3) construction materials, or Section 70917(c) materials. The categorization of covered materials is made based on the status of the material when it arrives at the work site (e.g. wet concrete or hot asphalt are not subject to the BAP).

Iron/steel products are articles, materials, or supplies that consist wholly or predominantly (exceeding 50% of the total cost of all its components) of iron, steel, or a combination of both.

Manufactured products are articles, materials, or supplies that have been processed into a specific form or shape or combined with other materials, articles, or supplies to create a product with different properties than the individual articles, materials, or supplies.

Construction materials are articles, materials, or supplies that consist of only one of the following listed items:

- Non-ferrous metals
- Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables)

- Glass (including optic glass)
- Fiber optic cable (including drop cable)
- Optical fiber
- Lumber
- Engineered wood
- Drywall

Section 70917(c) materials are cement and cementitious materials, aggregates (stone, sand, or gravel), and aggregate binding agents or additives.

Implementation Schedule

HUD issued a waiver allowing BABA to be implemented incrementally over the course of two years. The table below identifies the date at which BABA will apply to each type of material, by funding program.

The date of obligation refers to the date on which HUD executed the grant agreement with the City (or other administering entity) for the funding award.

BAP will apply to	Iron & Steel	Construction Materials – specifically listed	Construction Materials – not Listed	Manufactured Products
CBDG Formula Grants	Funds obligated after 11/15/22	As of the date HUD obligates FFA from FY24 appropriations	As of the date HUD obligates FFA from FY25 appropriations	As of the date HUD obligates FFA from FY25 appropriations
HOME	FFA obligated by HUD on or after 8/23/24			
All other HUD FFA¹¹	FFA obligated by HUD on/after 2/22/24	FFA obligated by HUD on/after 8/23/24		

WAIVERS

HUD has issued several waivers, in addition to the phased implementation schedule, that are currently in effect for Covered CPD Programs.

General Applicability Waivers

Exigent Circumstances: This waiver may apply when there is an urgent need by a CPD grantee to immediately complete an infrastructure project because of a threat to life, safety, or property of residents and the community. This waiver's effective period will end on 11/23/2027, or earlier as HUD may announce via Notice.

¹¹ Section 108 Loan Guarantee, Housing Trust Fund, Emergency Solutions Grants, Continuum of Care funds, Housing Opportunities for Persons with AIDS, Self-Help Homeownership Opportunity Program, Community Project Funding, and competitively awarded HUD funds

De Minimis, Small Grants, and Minor Components: This waives the BAP for all infrastructure projects whose total cost (from all funding sources) is equal to or less than the simplified acquisition threshold at 2 CFR 200.1 (currently \$250,000). This Notice also waives the application of the BAP for a de minimis portion of an infrastructure project, meaning a cumulative total of no more than five percent of the total cost of the iron, steel, manufactured products, and construction materials used in and incorporated into the infrastructure project, up to a maximum of \$1 million. This waiver's effective period will end on 11/23/2027, or earlier as HUD may announce via Notice.

Project Specific Waivers

A project-specific waiver may be requested by the grantee (the City) if the waiver falls into one of three categories:

- if applying the domestic content procurement preference would be inconsistent with the public interest,
- if type of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities of a satisfactory quality, or
- if the inclusion of those products and materials will increase the cost of the overall project by more than 25 percent.

Waiver Requests

A project-specific waiver from the BAP may be requested if one of the three criteria (defined above) are met. In order for the City to request the waiver from HUD, either City staff managing the project or the City's subrecipient/developer must complete the necessary market research to support the need for a waiver.

Market research strategies may include:

- Document the report showing results of supplier scouting services provided by the NIST MET¹², or similar supplier scouting service.
- Document that the purchaser has made a good faith effort to contact a minimum of three manufacturers or suppliers to determine if a BABA-compliant material is available in sufficient quantity and satisfactory quality.

The project information and other required components should be submitted to HUD using the waiver application found at: <https://babawaiver.hud.gov/s/>.

See Appendix J for a PDF version of the waiver application.

HUD may request additional information as needed, and if approved, the proposed waiver will be published in the Federal Register for public comment. Ultimately the request will be sent from HUD to the Made In America Office (MIAO) for approval.

Project Implementation

Bidding and Contracts

City staff and/or its subrecipients/developers should complete the City's BABA Compliance Form (Appendix K) before beginning any project using Covered Program funds in order to determine if and/or how BABA requirements will apply to the project.

¹² <https://www.nist.gov/mep/supply-chain/supplier-scouting>

To comply with BABA, the BAP must be included in the bid documents and contracts (including subawards, contracts, subcontracts, and purchase orders) for the work performed or products supplied for infrastructure projects funded through Covered Programs.

See Appendix L for BABA and BAP clauses for bids and contracts.

Compliance

Project Records

All projects to which BABA applies must document compliance regarding the source of iron and steel, manufactured products, and/or construction materials used.

Project files should contain:

- Project budget, including total project cost and the cost of Covered Materials
- Procurement lists of Covered Materials purchased for the project, either by the grantee, subrecipient, or contractor. The list should contain:
 - Type of covered material, (iron, steel, manufactured product, or construction material)
 - Product or Material
 - FFA Source(s)
 - FFA Obligation Date(s)
 - Costs per unit
 - Total cost of product purchase or contract
 - Manufacturer or Vendor
 - Actual purchaser (grantee, sub-recipient, contractor)
 - Special Quality Standards, if applicable; and
 - U.S. Made verification, if available (Made in the USA label, product specifications, vendor or contractor certification, etc.).
- Documentation supporting the Covered Materials incorporated into the project were made in the United States. This documentation may include one or more of the following:
 - A copy of the label indicating the product was made in the United States
 - A copy of the product description or technical specifications that provides sufficient detail to conclude that the Covered Materials comply with BABA
 - A certificate or other documentation from the manufacturer demonstrating that the Covered Materials comply with BABA
 - A signed certification from the contractor of a project certifying compliance with BABA. (See Appendix 3 for an example.)
 - A signed certification from the manufacturer of the Covered Materials certifying compliance with BABA.
- Results of market research and product sourcing to include, for example, the following:
 - Results of a supplier scouting search conducted by NIST MEP or another supplier scouting service
 - Copies of web searches used (e.g., PDF/JPEG copies of web pages showing search terms and results including sources considered, eliminated, and chosen for further research)
 - Copies of email, fax, or mail correspondence with Covered Materials

- manufacturers or suppliers; and
- Records of phone communications with Covered Materials manufacturers or suppliers, including:
 - Dates and times of phone calls,
 - Phone numbers used,
 - Whether the phone communication was successful in making it possible to reach a staff person manufacturer or supplier able to respond to questions about BABA compliance, or whether the attempt at communication was unsuccessful (e.g., left a message, phone line was busy, or phone line was disconnected),
 - If the phone communication resulted in reaching someone, the name of the person contacted,
 - Notes describing the substance of the conversation (e.g., manufactured product is assembled in U.S., but the manufacturer is uncertain whether 55% of the value of the materials/components are sourced in the United States).

Record Retention

Product certifications must be submitted to and maintained by the City in the project files throughout the record retention period, as required by the CPD program-specific records requirements and/or HCD Records Retention Policy.

DAVIS-BACON ACT

Overview

The Davis-Bacon Act (DBA) was enacted in 1931 and requires the payment of locally prevailing wages and fringe benefits on Federal construction contracts in excess of \$2,000. Congress subsequently incorporated the DBA prevailing wage requirements into numerous statutes, referred to as "Related Acts". Regulatory guidance is found at 40 U.S.C. 3141 and 3701 and 29 CFR Parts 1, 3, and 5. A final rule published in the Federal Register on 8/23/23 updated the Davis-Bacon and Related Acts Regulations and went into effect on 10/23/23.

The Davis-Bacon and Related Acts (DBRA) apply to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Contractors and subcontractors on DBRA projects must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area.

Under the Davis-Bacon and Related Acts and Reorganization Plan No. 14 of 1950, the U.S. Department of Labor is responsible for determining prevailing wages, issuing regulations and standards to be observed by federal agencies that award or fund projects subject to Davis-Bacon labor standards, and overseeing consistent enforcement of the Davis-Bacon labor standards.

Wage Determinations

Wage determinations are made by the Wage and Hour Division (WHD) of the U.S. Department of Labor. Determinations are based on location (county and state) and the type of construction the project requires. Construction types are:

- **Building:** Construction of sheltered enclosures with walk-in access for the purpose of housing persons, machinery, equipment, or supplies.
- **Residential:** Construction, alteration, or repair of single-family houses or apartment buildings of no more than four stories in height.
- **Highway:** Construction, alteration, or repair of roads, streets, highways, runways, taxiways, alleys, trails, paths, parking areas, and other similar projects.
- **Heavy:** All projects not classified as either building, highway, or residential.

Multiple wage determinations may apply when a project includes multiple types of work. Wage determinations are published annually, but also may be modified by WHD during the course of a year.

After contract award, if it is determined that additional work classifications are required because the wage decision lacks all the necessary classifications and wage rates, the prime contractor and, if applicable, its subcontractors employing workers in such classification(s) shall request an additional work classification and propose a wage rate and fringe benefits for such classification on form SF-1444, *Request for Authorization of Additional Classifications and Rates*. The contractor or subcontractor shall make its request through the City and the City shall assist the employer in preparing the request. Additional work classifications and wage rates may be requested *only* after the wage decision effective “lock-in” date.

Lock-In Date

Wage decisions become effective or “locked-in” for a contract or project on the date the contract is awarded. After that point subsequent modifications are not effective for that contract/project. The “lock-in” date is also referred to as the “wage decision effective date.” When projects are competitively bid, general wage decisions are locked-in on the date that bids are opened, provided that the contract is awarded within 90 days after bid opening. If the contract is awarded more than 90 days after bid opening, the general wage decision must be updated as of the date of the award.

Wage Rates and Fringe Benefits

Wages, including fringe benefits, must meet or exceed the rates set by the Secretary of Labor, regardless of any contracts with the employer. Payments for fringe benefits under the Davis-Bacon Act are considered part of wages. Workers must be paid according to the wage determination for the work they actually perform, and if they work in multiple classifications, they must be compensated accordingly with accurate payroll records.

Overtime

Overtime pay for laborers or mechanics under federal law is based on their regular hourly wage. Standard overtime pay is calculated at a rate of 1.5 times their regular wage. However, if their employer pays extra benefits or contributions beyond the required wage, their regular hourly rate is adjusted by subtracting the higher of either:

- The actual cost of those benefits, or
- The required amount of those benefits that were not actually paid.

This ensures overtime pay is calculated fairly based on actual wages and benefits received.

Apprenticeships

Apprentices can be paid less than the predetermined wage if they are registered in a certified apprenticeship program with the U.S. Department of Labor or a recognized State Apprenticeship Agency. Probationary apprentices may also receive lower wages for the first 90 days if certified as eligible. If an apprenticeship program loses approval, apprentices must be paid the full applicable wage.

Apprentices must receive fringe benefits according to their program. If no benefits are specified, they must be paid the full fringe benefits listed in the wage determination.

The ratio of apprentices to journey workers must follow the limits set by the registered program or local regulations. Any worker classified as an apprentice who is not properly registered or exceeds the allowed ratio must be paid at the full wage rate for the work performed.

Contractors with apprentices working under approved programs must maintain written evidence of the registration of apprenticeship programs, the registration of the apprentices, and the ratios and wage rates prescribed in the applicable programs.

Supervisory Employees

Superintendents, foremen, and other supervisory or clerical positions are not subject to prevailing wage rates and do not need to be reported. Any superintendent or similar role who devotes more than 20 percent of their time during a workweek to mechanical or laborer duties are subject to prevailing wage rates for the appropriate classification and must be paid for the time worked in such roles.

Applicability

The wage standards and requirements of the Davis-Bacon Act apply to programs administered by the City as outlined in the table on the following page.

Program	DBA Applies To	Exempt Housing and Rehabilitation Activities	Exempt Activities
Community Development Block Grant (CDBG)	Construction contracts in excess of \$2,000 ¹³ for public facilities, or rehabilitation or construction of residential properties with 8 or more units	Rehabilitation or construction of residential properties with 7 or less units	Real property acquisition, purchase of equipment, architectural and engineering fees, services (legal, accounting, construction management), non-construction items (furniture, business licenses, taxes), demolition activities
HOME Investment Partnerships Program (HOME)	Rehabilitation or construction of housing with 12 or more HOME-assisted units	Rehabilitation or construction of 11 or fewer HOME-assisted units	Services (tenant-based rental assistance or supportive services)

Project Implementation

Bidding

The Davis-Bacon prevailing wage requirements must be included in bid solicitations. Additionally, the bid documents must include the prevailing wage determinations for each type of construction included in the project. The subrecipient must maintain all procurement records, which the City may request to see as part of monitoring during the project.

Wage Determinations can be found at: <https://sam.gov/wage-determinations>

Contracts

Once the project has been awarded to a firm/company, the contract documents must also outline the Davis-Bacon requirements and include the “locked-in” applicable wage determinations, as described above, from WHD.

See Appendix M for Davis-Bacon bid and contract language.

Upon initial award of a Davis-Bacon contract, the firm/company must complete the Contractor Overview form (Appendix D) that verifies which individual is authorized to sign payroll reports on behalf of the company.

¹³ Labor standards provisions do not apply to employees of the grantee, only to employees of contractors or subcontractors.

The wage determination (including any additional classifications, wage rates and the Davis-Bacon poster (WH-1321) must be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

See Appendix N for Davis-Bacon poster (WH-1321).

Copeland “Anti-Kickback” Act

The Copeland Act's Anti-Kickback provision prohibits contractors and subcontractors performing work on covered contracts from in any way inducing an employee to give up any part of the compensation to which he or she is entitled.

Payroll Requirements

The Copeland Act and implementing regulations require contractors and subcontractors performing on covered contracts to pay their employees on a weekly basis and in cash or a negotiable instrument payable on demand. Additionally, contractors and subcontractors must submit weekly payroll reports of the wages paid to their laborers and mechanics during the preceding payroll period.

Payroll Reports: On a weekly basis, a certified payroll report (signed and dated by the employee indicated on the Contractor Overview form) and a statement of compliance that certifies the accuracy of the report must be submitted to the City's Compliance Team. The Compliance Team will verify that the wages are correct, per the wage determination, and that any over-time was paid at the correct rate. The report must be signed with an original, handwritten signature or a legally valid electronic signature. Payroll reports are due within seven days after the regular payment date of the payroll period.

Payroll Reports should be submitted using Form WH-347, or via a City-approved software program.

Draw requests/pay applications will not be approved if any firm has an outstanding payroll report or other requested documentation.

See Appendix O for Form WH-347.

Interviews

From time to time the City's Compliance Team will visit the jobsite to conduct interviews with laborers and mechanics employed on projects subject to Federal prevailing wage requirements. The information gathered is evaluated for general compliance and compared to certified payroll reports submitted by the respective employer. The interview and the information collected are considered confidential; the interviews will be conducted individually and privately. All laborers and mechanics employed on the job site must be made available for interview at the interviewer's request. The employee's participation, however, is voluntary.

See Appendix P for the Interview Form (HUD-11).

Closeout

All required documentation must be submitted to the City's Compliance Team before the final draw will be paid and the project marked complete in the City's reporting system.

Retention

Each contractor and subcontractor must ensure all Davis-Bacon records be retained for three years following project completion. It is imperative that subcontractors who perform discrete tasks for a short period of an otherwise lengthy project are kept informed about the completion of the project to ensure they don't dispose of records prematurely. These records include, but are not limited to:

- Basic records, containing:
 - the name, Social Security number, last known address, telephone number, and email address of each worker,
 - Each worker's correct classification(s) of work performed,
 - hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in 40 U.S.C 3141 (2)(B) of the DBA,
 - daily and weekly number of hours worked in total and on each covered contract,
 - deductions made,
 - and actual wages paid.
- Contractors and subcontractors are required to maintain records of their fringe benefits plans or programs that:
 - show that the commitment to provide such benefits is enforceable,
 - that the plan or program is financially responsible,
 - that the plan or program has been communicated in writing to the laborers or mechanics affected,
 - and records which show the costs anticipated or the actual cost incurred in providing such benefits.
- Contractors and subcontractors are also required to maintain:
 - written evidence of the registration of apprenticeship programs,
 - the registration of the apprentices,
 - and the ratios and wage rates prescribed in the applicable programs,
 - certified payrolls and certificates of compliance,
 - copies of prime and sub-contracts,
 - and other related documents including bids, proposals, amendments, modifications and extensions.

If a contractor fails to submit records or make them available for review by the City, DOL or the applicable federal agency, they may face a suspension of payments, advances, or guarantees of funds. And if the request for records comes from the Wage and Hour Division (WHD), the contractor may also be precluded from using the records in an administrative proceeding.

APPENDICES

Appendix A: City Purchasing Matrix

Document Type: Exhibit
 Number: B8.04aa
 Revised: 12.31.23
 Effective: 01.01.24

PROCUREMENT PROCESS MATRIX

Procurement **Guideline** for Reference Only - Consult Your Purchasing Liaison
 Purchase Order Required on all Procurements ≥10k
 Federally Funded Procurements May Have Different Requirements

Process Types & Requirements	Purchasing Process	Written Contract	Advertisement	Tax Notification ≥ \$50k	① Insurance Requirements	③ Public Works License	Payment & Performance Bonds	Significant Local Economic Presence (SLEP)
Goods & Equipment ≤ \$74,999	N/A	≥\$10K May be Required	N/A	N/A	Per Contract	N/A	Per Contract	N/A
Goods & Equipment ≥ \$75,000 to \$149,999	Semi-Formal Level Contact Purchasing	May be Required	May be Requested	N/A	Per Contract	N/A	Per Contract	N/A
Goods & Equipment ≥ \$150,000	Formal Level Contact Purchasing Requires Council Approval	May Be Required	Required	N/A	Per Contract	N/A	Per Contract	May Require Council Approval
Construction ≤ \$49,999	N/A	Required ≥\$10K Recommended for All	N/A	Required	Per Contract	Recommended	Per Contract	N/A
③ Construction ≥ \$50,000 to \$199,999	Semi-Formal Level Contact Purchasing	Required	May be Requested	Required	Per Contract	Required	Per Contract	N/A
③ Construction ≥ \$200,000	Formal Level Contact Purchasing Requires Council Approval	Required	Required	Required	Per Contract	Required	Per Contract	N/A
③ (manual labor) Personal Services ≤ \$74,999	N/A	Required ≥\$10K	N/A	N/A	Per Contract	Per Contract	Per Contract	N/A
③ (manual labor) Personal Services ≥ \$75,000 to \$149,999	Semi-Formal Level Contact Purchasing	Required	May Be Requested	N/A	Per Contract	Per Contract	Per Contract	N/A
③ (manual labor) Personal Services ≥ \$150,000	Formal Level Contact Purchasing Requires Council Approval	Required	Required	N/A	Per Contract	Per Contract	Per Contract	May Require Council Approval
⑤ ④ Exempt Professional Service ≤ \$149,999	Prior Approval from Purchasing Required	Required (≤ 1 Year Term)	N/A	N/A	Per Contract	N/A	N/A	N/A
⑤ ④ Professional Service ≥ \$150,000	Formal Level Contact Purchasing Requires Council Approval	Required	Required	N/A	Per Contract	N/A	N/A	May Require Council Approval
④ (Statute 67-2320) Design Professional Services ≤ \$49,999	N/A	Required	N/A	N/A	Per Contract	N/A	N/A	N/A
④ (Statute 67-2320) Design Professional Services ≥ \$50,000 to \$199,999	Semi-Formal Level Contact Purchasing	Required	May be Requested	N/A	Per Contract	N/A	N/A	N/A
④ (Statute 67-2320) Design Professional Services ≥ \$200,000	Formal Level Contact Purchasing Requires Council Approval	Required	Required	N/A	Per Contract	N/A	N/A	May Require Council Approval
Sole Source Purchases ≥ \$75,000	Contact Purchasing Requires Council Approval	May be Required	Required	N/A	Per Contract	N/A	Per Contract	N/A
Emergency Purchases Goods ≥ \$75,000 Construction ≥ \$50,000	Contact Purchasing Requires Mayor Approval	May be Required	N/A	Required On ≥\$50,000 Construction	Per Contract	Required On ≥\$50,000 Construction	Per Contract	N/A

Exclusions for Complete List See IC 67-2803 Exclusions to bidding (not contracts) include: travel and training; used personal property; goods for direct resale; purchases from Idaho Correctional Industries; repair of heavy equipment; Public Utilities; used equipment from auction; software maintenance, support and licenses of existing system/platform.

KEY NOTES:
 ① As a general rule, Automobile, General Liability and Worker's Compensation Insurance are required on ALL contracts unless an exemption is requested and approved by Risk Management. Worker Comp exemptions can be requested when Contracting Entity is a Sole Proprietor and has no employees.
 ② Legal Contracts are Exempt (IC §§ 67-2803, 67-2807, 67-2808, R-28125) and by contract only require Workers Compensation and Professional Liability Insurance Coverage. Contract Length and Renewals are not limited.
 ③ If Public Works License is REQUIRED: Engineer/Architect must approve plans for mechanical, structural, electrical, and plumbing for all Public Works Construction.
 ④ Includes Professional Engineering, Architectural, Landscape Architecture, Const. Management, Professional Land Surveying Services. (Statute 67-2320) Professional Licenses Required
 ⑤ Idaho Reciprocal Code § 67-2329

NOTES:
 ► Co-Operative Purchases (CP) Primary Entity is required to monitor and track Certificates of Insurance. City of Boise will only monitor and track if we have issued a separate contract.
 ► Federal Funds: These rules MAY not apply to Federally funded projects, please reference the grant and contact your purchasing
 ► Exempt Professional services that exceed 1 year require Council approval.

Appendix B: Section 3 & MBE/WBE/VBE Bid Document Preference Language

Section 3 and MBE/WBE/VBE Preference Clauses

In accordance with Executive Orders 11625 and 12432, and revisions to Guidance for Federal Financial Assistance (2 CFR 200), owner/subrecipient must make efforts to encourage the use of minority, women, and veteran's business enterprises in connection with federally-funded activities. Owner will cooperate with the City in its minority outreach program to ensure the inclusion, to the maximum extent possible, of minorities, women, and veterans, and entities owned by minorities, women, and veterans, in the procurement of property and services including, without limitation, real estate firms, construction firms, financial institutions, investment banking firms, underwriters, accountants, and providers of legal services;

- 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 W.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, ensure that employment and training opportunities arising, and contract for work awarded, in connection with Section 3 projects are provided to Section 3 workers and to business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or nonmetropolitan county) in which the project is located.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR § 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 § 75 regulations.
- C. Owner shall include appropriate Section 3 references and requirements from 24 CFR 75 in all solicitations and contracts for covered construction work and shall further require that its general contractor(s) include such provisions in all subcontracts. Owner shall further take all necessary steps (including by requiring the same in all contracts and subcontracts) to collect and report upon i) total labor hours worked in the Project's development, ii) labor hours worked by Section 3 workers, and iii) labor hours worked by Targeted Section 3 workers. Owner shall further report labor hours in such categories, in a form specified by or otherwise acceptable to the City, not later than ninety (90) days following completion of construction.
- D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR § 75.27, 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 § 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 § 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 § 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR § 75.
- F. Noncompliance with HUD's regulations in 24 CFR § 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

Minority Business Enterprise/Women's Business Enterprises/Veteran Business Enterprise

Affirmative steps will be taken to assure that small, minority, disadvantaged, woman, and veteran owned businesses and firms located in labor surplus areas are used when possible as sources of supplies, equipment, construction, and services. Affirmative steps shall include the following:

- 1. Include any such qualified firms on solicitation lists.
- 2. Assure that such firms are solicited whenever there are potential sources. Solicit firms from the Idaho Department of Transportation's Disadvantaged Business Enterprise Directory (<http://itd.idaho.gov/civilldbefirms.htm>).
- 3. When economically feasible, divide total requirements into small tasks or quantities so as to permit such firms maximum participation.
- 4. Where possible, establish delivery schedules which will encourage such participation.
- 5. Use the services and assistance of the Small Business Administration, the Office of Minority Enterprise U.S. Department of Commerce, the Community Services Administration, sam.gov, and/or other sources when appropriate.

Section 3, Compliance and Provision of Training, Employment and Business Opportunities

For contracts and subcontracts in excess of \$200,000 in total federal funding, work to be performed is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended. The purpose of Section 3 is to ensure opportunities for training and employment arising in connection with this project be extended to low-income residents in the area. Further the contractor will, to the greatest extent feasible, utilize business concerns located in or substantially owned by residents of the project area in the award of contracts and purchase of services and supplies. 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.

Appendix C: SAM.gov Quick Start Guide for Getting a Unique Entity ID and Entity Registration Checklist



Quick Start Guide for Getting a Unique Entity ID

Quick Start Guide for Getting a Unique Entity ID

 SAM.gov is an official website of the United States government. There is no charge to register or maintain your entity registration in SAM.gov.

You can get a Unique Entity ID for your organization without having to complete an entity registration. If you only conduct certain types of transactions, such as reporting as a subaward, you may not need to complete an entity registration. Your entity may only need a Unique Entity ID. [Learn more about the difference between getting a Unique Entity ID only and registering your entity.](#)

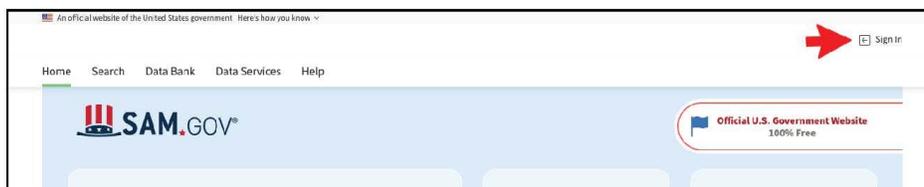
If your entity is registered in SAM.gov, you already have a Unique Entity ID

If you have an active or inactive registration in SAM.gov today, you've already been assigned a Unique Entity ID. It's available on your entity registration record in SAM.gov. [Learn how to view your Unique Entity ID.](#)

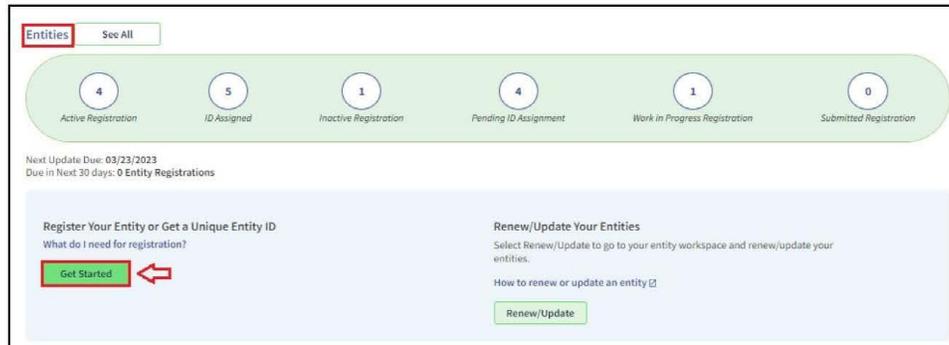
If your entity is not registered in SAM.gov and you only want a Unique Entity ID

If you want only to get a Unique Entity ID and do not want to complete an entity registration in SAM.gov, follow these steps:

1. Go to SAM.gov and select "Sign In" from the upper right corner of the page.

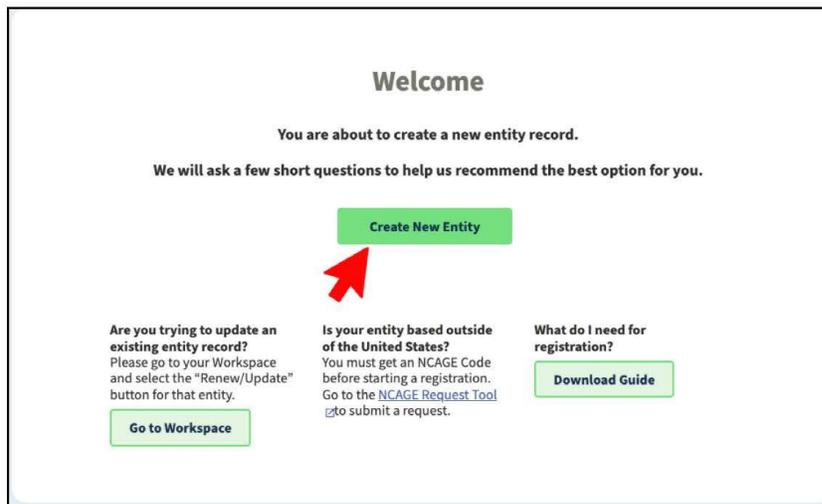


- a. When you select sign in, you will be prompted to accept the U.S. Government System terms to sign into the SAM.gov website. Select the green "Accept" button.
 - b. If you do not have a SAM.gov account, you must create one. SAM.gov uses Login.gov for usernames and passwords. [View more help with using Login.gov.](#) Once you create your user account, return to SAM.gov to complete your profile.
2. Once you sign in, the system navigates you to your Workspace. On the "Entities" widget, select the "Get Started" button.



The screenshot shows the 'Entities' dashboard with a progress bar at the top. The progress bar includes the following categories and counts: Active Registration (4), ID Assigned (5), Inactive Registration (1), Pending ID Assignment (4), Work In Progress Registration (1), and Submitted Registration (0). Below the progress bar, it states 'Next Update Due: 03/23/2023' and 'Due in Next 30 days: 0 Entity Registrations'. The main content area is divided into two sections: 'Register Your Entity or Get a Unique Entity ID' with a 'Get Started' button and 'Renew/Update Your Entities' with a 'Renew/Update' button. A red arrow points to the 'Get Started' button.

- On the next page is a welcome screen. Select the "Create New Entity" button.



The screenshot shows the 'Welcome' screen with the heading 'Welcome' and the sub-heading 'You are about to create a new entity record.' Below this, it says 'We will ask a few short questions to help us recommend the best option for you.' There are three main sections: 'Are you trying to update an existing entity record?' with a 'Go to Workspace' button; 'Is your entity based outside of the United States?' with a 'Download Guide' button and a link to the 'NCAGE Request Tool'; and a central 'Create New Entity' button. A red arrow points to the 'Create New Entity' button.

4. This page asks, “What is your goal?” Select the option most relevant to you. Select, “Next.”

What is your goal?

I want to do business... (Select the option most relevant to you)

Directly with the U.S. federal government.

With a business or other organization which receives funds directly from the U.S. federal government.

Other.

Select the answer that best fits your intentions today:

Provide goods or services as a federal subcontractor. ?

Receive a subaward under a federal grant/financial assistance program. ?

Apply as a direct vendor for federal funds distributed by a government entity other than the federal government. ?
(e.g. state, local, tribal, territorial)

Apply as a grantee for federal funds distributed by a government entity other than the federal government. ?
(e.g. state, local, tribal, territorial)

Just browsing. I don't have anything specific in mind today, but might be interested in future work with organizations who receive funds directly from the U.S. federal government.

Participate in, or apply for, other programs. Please describe.
Please specify

e.g. Program Name

123 characters allowed



Quick Start Guide for Getting a Unique Entity ID

5. Next, answer the question, “Who required your entity to be in SAM.gov?” Select “Next.”

Who required your entity to be in SAM.GOV?

Only select the primary source.

Federal government

Federal Hierarchy (Optional)

Enter Code or Name

U.S. state or territory government or office

Local government office, i.e., of a county or a city

Tribal government or office

A company or business

Hospital system or healthcare organization (for profit or non-profit)

Non-profit organization

University or research facility (for profit or non-profit)

Industry group, professional association, trade publication, etc.

APEX Accelerators (formerly known as PTACs)

I decided on my own

None of the above
Please specify

e.g. Program Name

123 characters allowed

- SAM.gov will suggest the Unique Entity ID. Choose the green "Select" button at the bottom of the column.

Choose an Option

It looks like you don't intend to do business directly or indirectly with the U.S. federal government. We recommend you choose **Unique Entity ID Only**.

	Recommended Unique Entity ID Only
What you get:	
Unique Entity ID <input type="radio"/>	✓
Entity Available in Search <input type="radio"/>	✓
CAGE Code <input type="radio"/>	—
When you need it:	
To receive an award from someone else receiving federal funds <input type="radio"/>	✓
To apply directly for federal grants or loans <input type="radio"/>	—
To bid on federal contracts (prime) <input type="radio"/>	—
What you must complete:	
Entity Validation <input type="radio"/>	✓
IRS Taxpayer Validation <input type="radio"/>	—
CAGE/NCAGE Validation <input type="radio"/>	—
Level of Effort <input type="radio"/>	Lowest
Expiration <input type="radio"/>	—

Select

See other options if you believe you need more than a Unique Entity ID


Download Your Registration Guide

Download Guide

<
×

#Previous
Cancel

7. The “Enter Entity Information” page displays. Enter your organization’s legal business name, doing business as name (if applicable), and physical address. Then, select “Next.”

Enter Entity Information

Enter your current, correct legal business name and physical address, then select **Next**.

Legal Business Name
If you are acting on behalf of a limited partnership, LLC, or corporation, your legal business name is the name you registered with your state filing office.

Doing Business As (Optional)
Doing business as is the commonly used other name, such as a franchise, license name, or acronym. Leave blank if not applicable.

Physical Address
Your physical address is the street address of the primary office or other building where your entity is located. A post office box may not be used as your physical address.

Country

 x ▾

Street Address 1

Street Address 2 (Optional)

ZIP Code

City

State / Territory ⓘ

8. The “You Are About to Validate Your Entity” page displays. Check that you can provide documentation to validate your business, if required. Select, “Next.”

You Are About to Validate Your Entity

What is validation? ⓘ

The information you provide here will be used throughout the federal government. Make sure that your information is current and correct.

Before you get started, make sure you can officially document your entity's

- [Legal business name](#) ⓘ
- [Physical address](#) ⓘ (no P.O. boxes or virtual offices)
- [Start year](#) ⓘ
- [National identifier](#) ⓘ (non-U.S. entities only)
- **Country or state of incorporation, if applicable**

Some entities may need to provide documentation to complete validation, which will take additional time to process.

I can provide **official documentation**, if necessary, to validate my entity.

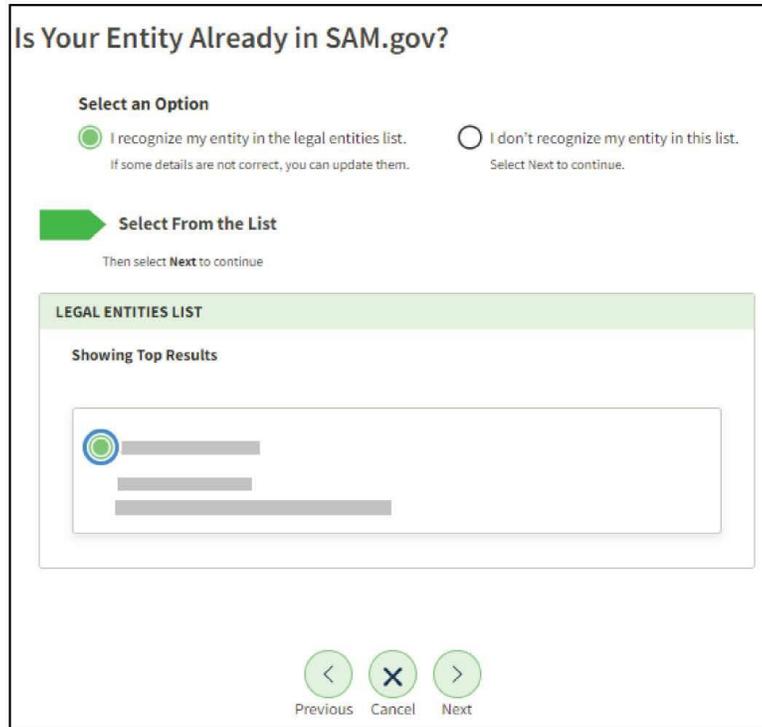


Are you prepared for validation and registration?

[Download Guide](#)

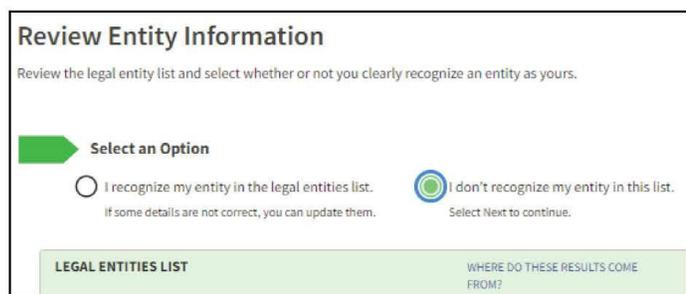
NOTE: If you need to validate your entity, [please see the “Documenting your entity” section](#) of this guide.

9. The “Is Your Entity Already in SAM.gov?” page displays. Select whether or not you recognize your organization in the list displayed. If your organization is listed, select the radio button next to it. Then, select “Next.”

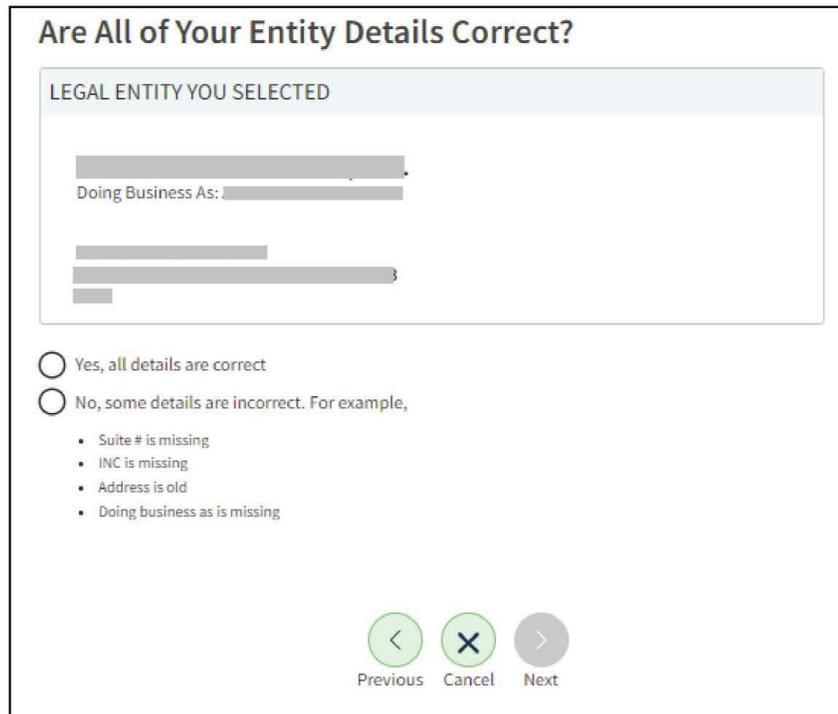


If you do not recognize your business in the list, select “I don’t recognize my entity in this list” and select “Next”.

Proceed to Step 11 (Skip Step 10).



10. The “Are All of Your Entity Details Correct?” page displays. Review the information for your business. Select “Yes, all details are correct.” Then select, “Next.”



Are All of Your Entity Details Correct?

LEGAL ENTITY YOU SELECTED

Doing Business As: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Yes, all details are correct

No, some details are incorrect. For example,

- Suite # is missing
- INC is missing
- Address is old
- Doing business as is missing

Previous Cancel Next

11. The “Enter Incorporation Information” page displays. Enter the start year and state of incorporation for your business. Then, select “Next.”

Enter Incorporation Information

Start Year

State of Incorporation

Start Year could be

- your year of incorporation
- your "established date"
- the year you legally began doing business
- the year you received your employer identification number (EIN)

State of incorporation could be where

- you incorporated your organization
- you filed your certificate or articles of formation
- your organization is located, if not incorporated

<
X
>

Previous Cancel Next

12. The "Request Unique Entity ID" page displays. Review and confirm your business name, DBA, and address are accurate. If you don't want your business included in public search, deselect the green box outside of "Include in public search." If you deselect the checkbox:
 - a. Your information will be visible to you, other users with a role with your entity, and U.S. federal government users.
 - b. Your information will not be visible to any other users when searching SAM.gov.
 - c. Your information is **still available** under the U.S. Freedom of Information Act (FOIA) and is included in data extracts and [application programming interface](#) (API) data.
13. Select the box that you are authorized to conduct transactions on behalf of your company. Then, select the "Receive Unique Entity ID" green rectangle.

Request Unique Entity ID

You have validated the following entity.

VALIDATED ENTITY

██

Doing Business As: ██

██

██

██

Include in public search

This means your registration status, legal business name, physical address, and other non-sensitive information can be displayed on SAM.gov to any authenticated user. If you feel the public display of your basic entity information poses a security threat or danger to you or your organization, you can restrict the public viewing of your registration record in SAM.gov by deselecting the checkbox.

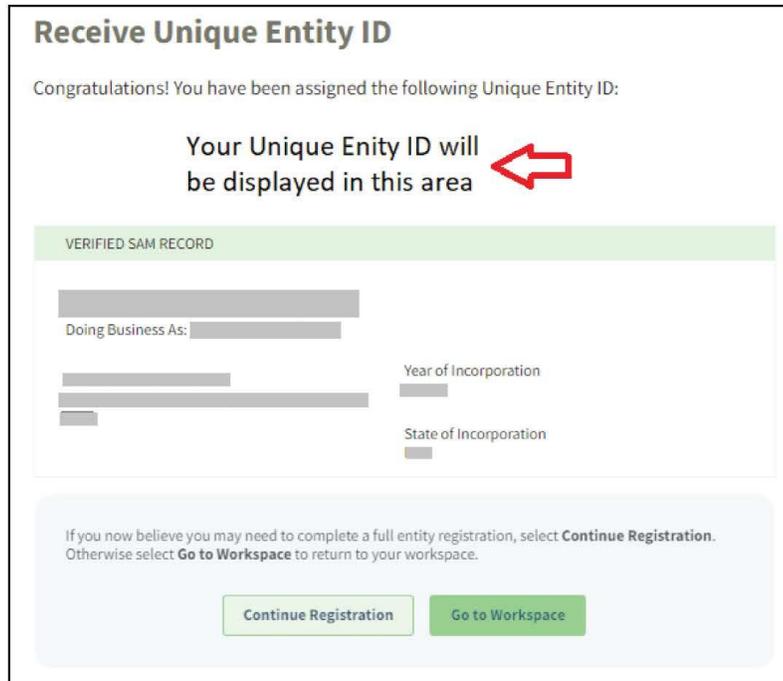
If you choose to restrict your information from public view, it will also not be visible to other non-federal entities or state and local governments who may wish to do business with you. Certain programs may require you to be included in public search. Either way, your non-sensitive entity information remains available to federal government users and is available through public data services. [Learn more about SAM.gov public search.](#)

Before requesting your Unique Entity ID, please certify under penalty of law that you are authorized to conduct transactions for this entity to reduce the likelihood of unauthorized transactions. Then select **Receive Unique Entity ID**.

I certify that I am authorized to conduct transactions on behalf of the entity.

Receive Unique Entity ID

14. The “Receive Unique Entity ID” page displays. Your 12-character Unique Entity ID is displayed on this screen. Select “Continue Registration” or “Go to Workspace.”



Documenting your entity

15. Your entity name and address will be [validated](#) by the SAM.gov EVS. The EVS independently verifies an entity's existence, location, and uniqueness. You can review the process for entity validation [here](#).
16. If you do not find your information when validating your entity in SAM.gov, you must [submit documentation](#) to prove your entity's legal business name, physical address, start year, and state of incorporation. Once you submit your documents, you will get a reference ID number and you will have to wait for the EVS to enter or update your validation data before you can proceed.
17. If you submit documentation, then the entity validation service will update your entity information. Once that has happened, return to SAM.gov to [complete your validation](#).

How do I check the status of my entity?

To check the status of your Unique Entity ID or registration, [see How do I check the status of an entity registration or Unique Entity ID assignment in SAM.gov?](#)



Prepare for Entity Registration in SAM.gov



SAM.gov is an official website of the United States government. SAM.gov is FREE to use. There is no charge to get a Unique Entity ID, register your entity, and maintain your entity registration at SAM.gov.

What can you do with this guide?

The questionnaires and checklists here will help you gather the information you need and prepare to answer the questions in your entity registration.



All Awards registration allows you to bid on contracts and other procurements, as well as apply for financial assistance. Look for the icon on the left to submit an All Awards registration.

[Jump to All Awards entity registration questionnaires and checklists](#)



Financial Assistance Awards Only registration allows you to apply for financial assistance, or grants and loans, only. Look for the icon on the left to submit a Financial Assistance Only registration.

[Jump to Financial Assistance Awards Only entity registration questionnaires and checklists](#)

For All Awards registrations, prepare these sections:	For Financial Assistance Awards Only registrations, prepare these sections:
<ul style="list-style-type: none"> • Unique Entity ID • Core Data • Assertions • Reps & Certs • Architect and Engineering Responses • Defense FAR Supplement (DFARS) questionnaire (if applicable) • Points of Contact (POCs) • SBA supplemental page (If you are a small business) 	<ul style="list-style-type: none"> • Unique Entity ID • Core Data • Reps & Certs • Points of Contact (POCs)



All Awards Registration Questionnaires and Checklists

You need to enter the following information for an All Awards entity registration:

ID Unique Entity ID

After you select your purpose of the registration (All Awards) and your entity type, you will enter the following information to get a Unique Entity ID:

- Legal Business Name
- Physical Address (A post office box may not be used as your physical address)
- Date of Incorporation
- State of Incorporation (Entities outside the U.S. may need to provide alternate information)
- National Provider Identifier (NPI) (Non-U.S. entities only)

Your entity name and address will be [validated by SAM.gov](#). If SAM.gov cannot validate your entity, you can [create a help ticket](#) with the Federal Service Desk from the page. Once you receive your Unique Entity ID, you can continue the registration.

You will also select whether you want your entity to be visible in public search results:

Note: Publicly viewable entity records display your record status, legal business name, and physical address on SAM.gov. You can restrict the public viewing of your record by deselecting the checkbox. If you restrict your information, it will not be visible to other non-federal entities or state and local governments who may wish to do business with you. However, your non-sensitive entity information remains available to federal government users and those who download the SAM public data file.



Core Data

Core data includes the following information:

Business Information

- Organization start date
- Date on which your company's fiscal year ends
- Organization's division name and number (optional)
- Organization's website URL (optional)
- Marketing Partner Identification Number (MPIN) (You will create this when you register.)
- Physical address (auto-filled from [Unique Entity ID section](#))
- Mailing address (You can copy your physical address or enter a different address.)
- Taxpayer Identification Number (TIN) (U.S. entities only)

IRS Consent

- IRS Consent Form (taxpayer name and address) (U.S. entities only)



U. S. General Services
Administration



Entity Registration Checklist

CAGE or NCAGE Code

- CAGE Code (U.S. entities only) (If you do not have a CAGE code, select “No” and one will be assigned to your entity after you submit your registration.)
- NCAGE Code (Non-U.S. entities) (If your entity is based outside of the U.S., you must go to the [NCAGE Request Tool](#) and request an NCAGE code before starting a SAM.gov registration.)

Ownership Details

- Is your entity owned or controlled by another entity? (yes or no)
 - If yes, is your immediate owner located outside the U.S. and its territories? (yes or no)
 - If yes, enter your immediate owner’s NCAGE Code. (Required for non-U.S. entities to start a registration)

Predecessor Details

- Is your entity a successor to a predecessor entity that held a federal contract or grant within the last three years? (yes or no)
 - If yes, provide your three most recent predecessors in reverse chronological order (newest to oldest). Start by entering your most recent predecessor’s CAGE or NCAGE Code.

General Information

- Country of Incorporation
- State of Incorporation (U.S. entities only)
- Company Security Clearance (optional)
- Highest Employee Security Clearance Level (optional)
- Institution Type (e.g., foundation, hospital, educational, if applicable)
- Disadvantaged Business Enterprise (must be certified by a federal agency)
- Native American Entity Type (if applicable)
- Organization Factors (e.g., S corporation, LLC, foreign-owned)
- Entity Structure (e.g., Corporate Entity-Not Tax Exempt, Corporate Entity-Tax Exempt, Sole Proprietorship)
- Profit Structure (e.g., for-profit, non-profit)
- Socioeconomic Categories (e.g., veteran-owned, minority-owned)

Financial Information

- Accept credit cards as a method of payment (yes or no)
- Electronic Funds Transfer (optional for non-U.S. entities)
 - Account type
 - Routing number
 - Account number
- Automated Clearing House



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Entity Registration Checklist

- U.S. phone number
- Remittance Address
 - Name and address

Executive Compensation Questions

- Answer yes if in the last fiscal year:
 - 80% or more of your organization's revenue come from federal sources (e.g., contracts, grants, loans, etc.);
 - your total revenue from federal sources exceeded \$25 million.
- Does the public have access to information about the compensation of the senior executives in your business or organization? (yes or no)
 - If yes to the first two questions and no to the third question:
 - Provide names, titles, and total compensation values of your top five executive compensated employees

Proceedings Questions

- Is your organization responding to a federal procurement opportunity that contains the provision at [FAR 52.209-7](#)?
- Is your organization subject to the clause in [FAR 52.209-9](#) in any current federal contracts?
- Is your organization applying for a federal grant opportunity that contains the award term and condition described in [C.F.R. 200 Appendix XII](#)?
 - If yes to all of the previous questions, answer the following questions:
 - Does your organization have current federal contracts or grants with a total value (including any exercised or unexercised options) greater than \$10 million?
 - Within the last five years, has the organization or any of its principals, in connection with the award to or performance by the business or organization of a federal contract or grant, been subject of a federal or state:
 - Criminal proceeding resulting in a conviction or other acknowledgment of fault
 - Civil proceeding resulting in a finding of fault with a monetary fine, penalty, reimbursement, restitution, and/or damages greater than \$5,000, or other acknowledgment of fault, and/or
 - Administrative proceedings resulting in a finding of fault with either a monetary fine or penalty greater than \$5,000 or reimbursement, restitution, or damages greater than \$100,000, or other acknowledgment of fault?
 - If you answer yes to all three above questions, you must provide the following detailed information about each current proceeding against your entity:
 - Instrument



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Entity Registration Checklist

- State
- Instrument Number
- Type of Proceeding
- Disposition
- Description of the Proceeding

Assertions

Assertions include the following information:

Goods and Services

- North American Industry Classification System (NAICS) codes
 - Go to <https://www.census.gov/naics/> to lookup NAICS codes for your organization
- Product Service Codes (PSCs) (optional)
 - Go to <https://www.acquisition.gov/content/product-and-service-code-manual> to lookup PSCs for your organization

Size Metrics

- Worldwide (organizational size information according to [13 CFR 121](#))
 - Annual receipts
 - Number of employees
- Locations (optional)
 - Annual receipts
 - Number of employees

Electronic Data Interchange (EDI)

- Do you wish to enter EDI Information for your non-government entity? (yes or no)

Disaster Response Information

- Do you wish to be included in the Disaster Response Registry? (yes or no)
 - If yes, does your company require bonding to bid on contracts? (yes or no)
 - If yes, provide in whole dollars:
 - Construction bonding level, per contract
 - Construction bonding level, aggregate
 - Service bonding level, per contract
 - Service bonding level, aggregate
 - Geographical area served (any state, one state, or multiple states)





Representations and Certifications

Representations and Certifications include the following information:

FAR Response 1

- (1) Name and title of person(s) responsible for determining prices offered in bids and proposals for your entity
- (2) Does your entity have other plants or facilities at different addresses routinely used to perform on contracts? (yes or no)
 - If yes, enter the place of performance address, owner name, and owner address for each facility
- (3) TIN is on file (This is usually entered as a part of Core Data. If not, you can enter it here.)
- (4) Is your entity following the [guidelines established by the Environmental Protection Agency \(EPA\)](#) for recovered material? (yes, no, or vendor will provide information with specific offers to the government)

FAR Response 2

- (5) Is your entity a small business concern and qualifies as a labor surplus area (LSA) concern? (yes or no) (If your entity is not a small business based on the size metrics data provided in the [Assertions section](#), you will not be able to answer this question.)
 - If yes, indicate the LSA in which the manufacturing or production costs amount to more than 50% of contract price.
- (6) Is your entity owned or controlled by a common parent that files its Federal Income Tax returns on a consolidated basis? (yes or no)
 - If yes, provide the company name and tax identification number.
- (7) Is your entity or any of its principals currently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any federal agency? (yes or no)
- (8) (part 1) In the past three years, has your entity, or any of its principals, been convicted or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) contract or subcontract; violation of federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating federal criminal tax laws, or receiving stolen property? (yes or no)
- (8) (part 2) In the past three years, has your entity been notified of any delinquent federal taxes in an amount that exceeds \$3,000 for which liability remains unsatisfied? (yes or no)
- (9) Is your entity, or any of its principals, presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in either part of Question 8? (yes or no)
- (10) Within the past three years, has your entity been terminated for cause? (yes or no)



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- (11) List the name of any HUBZone small businesses participating in a HUBZone Joint Venture with your entity. If your entity is not participating in a HUBZone Joint Venture, select “None.”
- (12) Reserved (no answer required)
- (13) If you indicated that you are a Joint Venture Women Owned Small Business on the General Information page in the [Core Data section](#), provide the name of the company participating in the Joint Venture with your entity.
- (14) If you indicated that you are a Joint Venture Economically Disadvantaged Women Owned Small Business on the General Information page in the [Core Data section](#), provide the name of the company participating in the Joint Venture with your entity.
- (15) Does your entity provide any data to the government that qualifies as limited rights data or restricted computer software? (yes, no, or vendor will provide information with specific offers to the government)
 - If yes, please list limited rights data or restricted computer software.

FAR Response 3

- (16) Your structure type and how your business or organization is defined by the IRS will be pre-filled based on your answers on the General Information page of the [Core Data section](#). If you selected “Other” as your type, you will be provided with a box to enter more information.
- (17) Is your entity a small disadvantaged business concern? (yes or no) (If your entity is not a small disadvantaged business based on the size metrics data provided in the [Assertions section](#), you will not be able to answer this question.)
- (18) Reserved (no answer required)
- (19) Does your entity deliver any end products (from the corresponding country of origin) that are listed on the [List of Products Requiring Federal Contractor Certification as to Forced or Indentured Child Labor](#) under Executive Order No. 13126? (yes or no)
- (20) Has your entity held previous contracts/subcontracts subject to [Federal Acquisition Regulation \(FAR\) 52.222-26 \(Equal Opportunity\)](#)? (yes or no)
- (21) Are any end products delivered to the Government by your entity foreign (non-domestic) end products? (yes, no, or vendor will provide this information with specific offers to the government)
 - If yes, list the products and their corresponding country of origin.
- (22) Has your entity filed all required Equal Employment Opportunity compliance reports? (yes or no)
- (23) Choose the statement that best applies to your entity’s affirmative action programs. The statements you may choose from are:
 - Your entity has developed and has on file affirmative action programs required by Secretary of Labor Regulations
 - Your entity does not have developed and does not have on file affirmative action programs required by Secretary of Labor Regulations





Entity Registration Checklist

- Your entity has not had previous contracts subject to written affirmative action program requirements from Secretary of Labor Regulations
- (24) Does your entity provide maintenance, calibration, and/or repair of information technology, scientific and medical and/or office and business equipment? (yes, no, or vendor will provide information with specific offers to the government.)
 - If yes, you need to answer additional questions about who services your equipment, if your equipment is used regularly outside of government purposes, if it is sold or traded to the general public, if your service prices are based on an established catalog or on market prices, and if your entity uses wage and fringe benefits plans for all service employees performing work under government contracts as it uses for equivalent employees servicing the same equipment for commercial customers.

FAR Response 4

- (25) Does your entity provide services as described in [FAR 22.1003-4\(d\) \(1\)](#) (Service Contract Labor Standards), [FAR 52.212-3](#) (Commercial Products and Commercial Services), and [FAR 52.222-52](#) (Service Contract Labor Standards to Contracts for Certain Services-Certification)? (yes, no, or vendor will provide information with specific offers to the government.)
 - If yes, you need to answer additional questions about whether your services are offered and sold regularly to non-government customers in substantial quantities in the course of normal business operations, if your service prices are based on an established catalog or on market prices, whether you can ensure each service employee will spend less than 20% of their time servicing the government contract, and if your entity uses wage and fringe benefits plans for all service employees performing work under government contracts as it uses for equivalent employees servicing the same equipment for commercial customers.
- (26) If any of the PSCs you entered in the Goods and Services page in the [Assertions section](#) are Federal Supply Codes (FSC), you need to provide whether the place of manufacture for each FSC code is in the U.S. or outside the U.S.
- (27) Is your entity an inverted domestic corporation? (yes or no)
- (28) Is your entity a subsidiary of an inverted domestic corporation? (yes or no)
- (29) Reserved (no answer required)
- (30) Is your entity a corporation with a delinquent tax liability? (yes or no)
- (31) In the last 24 months, has your entity been convicted of a felony criminal violation under a federal law? (yes or no)
- (32) Did your entity receive \$7.5 million or more in federal contracts during the previous federal fiscal year, requiring it to publicly disclose greenhouse gas emissions and reduction goals, or did your entity receive less than \$7.5 million federal contracts during the previous federal fiscal year and still want to publicly disclose greenhouse gas emissions and reduction goals? (yes or no)
 - If yes, add a URL to a publicly accessible website to access the results of a greenhouse gas inventory.



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Entity Registration Checklist

- Additionally, does your entity, through itself or its immediate owner or highest-level owner, publicly disclose a quantitative greenhouse gas emissions reduction goal? (yes or no)
 - If yes, add a URL to a publicly accessible website to access the target to reduce absolute emissions or emissions intensity by a specific quantity or percentage.
- (33) (part 1) Does your entity provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument? (yes or no)
- (33) (part 2) Does your entity use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services? (yes or no)

Architect-Engineer Response

- (34) If you did not enter a NAICS code connected to architect and engineer activities, you will see the following text “Our records indicate that <Entity Name> has not selected NAICS 541310, 541320, 541330, 541360, 541370, 541410 or 541620. SF 330, Part II information is not applicable.” You will not be asked any additional questions on this page.
- If you did enter one of the applicable NAICS codes, you can provide additional information to complete your SF 330 Part II.
 - Are you interested in applying for Federal Architect-Engineer contracts under [FAR Part 36](#) and want to enter an SF 330, Part II for this entity? (yes, no, or vendor will provide information with specific offers to the government)
 - If yes, then you will be required to enter additional information.
 - List any former firm names and the year established used by the entity in the past six years. If there are no other names, select “None.”
 - Enter the number of employees for the entity by function code and discipline. If you have more than one discipline within your firm, you will need to create a new table for each discipline by selecting “Add New Discipline Details.”
 - List the profile codes, experience, and annual average revenue for the last five years.
 - List the professional services revenues for the entity in the last three years.
 - Enter the name and title of the person certifying the Architect-Engineer information.

Defense Response

- (35) Does your entity wish to bid on or currently hold any Department of Defense (DoD) issued or DoD-funded contracts? (yes or no)
 - If yes, you must answer Questions 36–42. If no, the answers to questions 36–42 will be answered as “Not Applicable.”



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Entity Registration Checklist

- (36) Do you anticipate that supplies will be transported by sea in the performance of any contract or subcontract resulting from this solicitation? (yes or no)
- (37) Are prices set forth in contracts that are based on the wage rate(s) or material price(s) established and controlled by a foreign government and do not include contingency allowances to pay for possible increases in wage rates or material prices? (yes or no)
 - If yes, provide the name of the host country.
- (38) Is your entity effectively owned or controlled by a foreign government? (yes or no)
 - If yes, provide the name and contact information for someone at your entity who can answer questions about disclosure. You must also provide the name and address of the entity/entities controlled by a foreign government, description of interest, ownership percentage, and the foreign government country.
- (39) Is your entity a foreign entity in which the government of a covered foreign country has an ownership interest that enables the government to affect satellite operations? (yes or no)
- (40) Is your entity foreign and if so, does it plan to provide or use launch or other satellite services under the contract from a covered foreign country? (yes or no)
- (41) Is your entity offering commercial satellite services provided by a foreign entity in which the government of a covered foreign country has an ownership interest that enables the government to affect satellite operations? (yes or no)
- (42) Is your entity offering commercial satellite services provided by a foreign entity that plans to or is expected to provide or use launch or other satellite services under the contract from a covered foreign country? (yes or no)

Financial Assistance Response

- Do you wish to apply for a federal financial assistance project or program, or is your entity currently the recipient of funding under any federal financial assistance project or program? (yes or no)
 - If yes, the financial assistance representations and certifications will display. You must read and certify your entity attests to the accuracy of the representations and certifications listed. [Go to Appendix I to review the financial assistance representations and certifications.](#)



Points of Contact (POCs)

POCs include the following information:

Mandatory POCs

Enter the first and last name, email, phone number, and address (if applicable) for these mandatory POCs:

- Accounts Receivable POC
- Electronic Business POC
- Government Business POC



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Entity Registration Checklist

Optional POCs

Enter the first and last name, email, phone number, and address (if applicable) for these optional POCs:

- Past Performance POC
- Past Performance Alternate POC
- Electronic Business Alternate POC
- Government Business Alternate POC
- Additional Optional POCs as Needed

Small Business Certification

Small Business Association (SBA) Profile

- If you have selected at least one small business NAICS code, you will be provided [a link to the SBA Supplemental Page](#). If you would like to provide additional information for market research, or are applying for SBA's HUB zone or 8(a) programs, use that link to complete the SBA profile. A new window will open and take you to the SBA page. Make sure to go back to the SAM.gov window to submit your registration.

This concludes the information for an All Awards registration.





Financial Assistance Awards Only Registration Questionnaires and Checklists

You need to enter the following information for a Financial Assistance Awards Only entity registration:

ID Unique Entity ID

After you select your purpose of the registration (All Awards) and your entity type, you will enter the following information to get a Unique Entity ID:

- Legal Business Name
- Physical Address (A post office box may not be used as your physical address)
- Date of Incorporation
- State of Incorporation (U.S. entities only)

Your entity name and address will be [validated by SAM.gov](#). If SAM.gov cannot validate your entity, you can [create a help ticket](#) with the Federal Service Desk from the page. Once you receive your Unique Entity ID, you can continue the registration.

You will also select whether you want your entity to be visible in public search results:

Note: Publicly viewable entity records display your record status, legal business name, and physical address on SAM.gov. You can restrict the public viewing of your record by deselecting the checkbox. If you restrict your information, it will not be visible to other non-federal entities or state and local governments who may wish to do business with you. However, your non-sensitive entity information remains available to federal government users and those who download the SAM public data file.

id Core Data

Core data includes the following information:

Business Information

- Organization start date
- Date on which your company's fiscal year ends
- Organization's division name and number (optional)
- Organization's website URL (optional)
- Marketing Partner Identification Number (MPIN) (You will create this when you register.)
- Physical address (auto-filled from Unique Entity ID section)
- Mailing address (You can copy your physical address or enter a different address.)
- Taxpayer Identification Number (TIN) (U.S. entities only)

IRS Consent

- IRS Consent Form (taxpayer name and address) (U.S. entities only)



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Entity Registration Checklist

CAGE or NCAGE Code

- CAGE Code (U.S. entities only) (If you do not have a CAGE code, select “No” and one will be assigned to your entity after you submit your registration.)
- NCAGE Code (Non-U.S. entities) (If your entity is based outside of the U.S., you must go to the [NCAGE Request Tool](#) and request an NCAGE code before starting a SAM.gov registration.)

General Information

- Country of Incorporation
- State of Incorporation (U.S. entities only)
- Company Security Clearance (optional)
- Highest Employee Security Clearance Level (optional)
- Institution Type (e.g., foundation, hospital, educational, if applicable)
- Disadvantaged Business Enterprise (must be certified by a federal agency)
- Native American Entity Type (if applicable)
- Organization Factors (e.g., S corporation, LLC, foreign-owned)
- Entity Structure (e.g., Corporate Entity-Not Tax Exempt, Corporate Entity-Tax Exempt, Sole Proprietorship)
- Profit Structure (e.g., for-profit, non-profit)
- Socio-economic Categories (e.g., veteran-owned, minority-owned)

Financial Information

- Accept credit cards as a method of payment (yes or no)
- Electronic Funds Transfer (optional for non-U.S. entities)
 - Account type
 - Routing number
 - Account number
- Automated Clearing House
 - U.S. phone number
- Remittance Address
 - Name and address

Executive Compensation Questions

- Answer yes if in the last fiscal year:
 - 80% or more of your organization’s revenue come from federal sources (e.g., contracts, grants, loans, etc.);
 - your total revenue from federal sources exceeded \$25 million.
- Does the public have access to information about the compensation of the senior executives in your business or organization? (yes or no)
 - If yes to the first two questions and no to the third question:



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Entity Registration Checklist

- Provide names, titles, and total compensation values of your top five executive compensated employees

Proceedings Questions

- Is your organization responding to a federal procurement opportunity that contains the provision at [FAR 52.209-7](#)?
- Is your organization subject to the clause in [FAR 52.209-9](#) in any current federal contracts?
- Is your organization applying for a federal grant opportunity that contains the award term and condition described in [C.F.R. 200 Appendix XII](#)?
 - If yes to all of the previous questions, answer the following questions:
 - Does your organization have current federal contracts or grants with a total value (including any exercised or unexercised options) greater than \$10 million?
 - Within the last five years, has the organization or any of its principals, in connection with the award to or performance by the business or organization of a federal contract or grant, been subject of a federal or state:
 - Criminal proceeding resulting in a conviction or other acknowledgment of fault
 - Civil proceeding resulting in a finding of fault with a monetary fine, penalty, reimbursement, restitution, and/or damages greater than \$5,000, or other acknowledgment of fault, and/or
 - Administrative proceedings resulting in a finding of fault with either a monetary fine or penalty greater than \$5,000 or reimbursement, restitution, or damages greater than \$100,000, or other acknowledgment or fault?
 - If you answer yes to all three above questions, you must provide the following detailed information about each current proceeding against your entity:
 - Instrument
 - State
 - Instrument Number
 - Type of Proceeding
 - Disposition
- Description of the Proceeding



Representations and Certifications

Representations and Certifications include the following information:



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Entity Registration Checklist

Financial Assistance Response

- Does your entity wish to apply for federal financial assistance project or program or is your entity currently a recipient of funding under a federal financial assistance project or program? (yes or no)
 - If yes, the financial assistance representations and certifications will display. You must read and certify your entity attests to the accuracy of the representations and certifications listed. [Go to Appendix I to review the financial assistance representations and certifications.](#)



Points of Contact (POCs)

POCs include the following information:

Mandatory POCs

Enter the first and last name, email, phone number, and address (if applicable) for these mandatory POCs:

- Accounts Receivable POC
- Electronic Business POC
- Government Business POC

Optional POCs

Enter the first and last name, email, phone number, and address (if applicable) for these optional POCs:

- Past Performance POC
- Past Performance Alternate POC
- Electronic Business Alternate POC
- Government Business Alternate POC
- Additional Optional POCs as Needed

This concludes the information for a Financial Assistance Awards Only registration.



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Appendix I

Financial Assistance General Certifications and Representations

If you are completing a Financial Assistance Awards Only registration or completing an All Awards registration and wish to also apply for federal financial assistance projects or programs, you must certify your entity attests to the accuracy of the following:

1. Has the legal authority to apply for federal assistance and the institutional, managerial and financial capability to ensure proper planning, management, and completion of any financial assistance project covered by this Certifications and Representations document (See [2 C.F.R. §200.113](#) Mandatory disclosures, [2 C.F.R. §200.214](#) Suspension and debarment, [OMB Guidance A- 129](#), "Policies for Federal Credit Programs and Non-Tax Receivables ");
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives (See [2 C.F.R. §200.302](#) Financial Management and [2 C.F.R. §200.303](#) Internal controls);
3. Will disclose in writing any potential conflict of interest to the federal awarding agency or pass through entity in accordance with applicable federal awarding agency policy (See [2 C.F.R. §200.112](#) Conflict of interest);
4. Will comply with all limitations imposed by annual appropriation acts;
5. Will comply with the U.S. Constitution, all federal laws, and relevant Executive guidance in promoting the freedom of speech and religious liberty in the administration of federally-funded programs (See [2 C.F.R. §200.300](#) Statutory and national policy requirements and [2 C.F.R. §200.303](#) Internal controls);
6. Will comply with all applicable requirements of all other federal laws, executive orders, regulations, and public policies governing financial assistance awards and any federal financial assistance project covered by this certification document, including but not limited to:
 1. Trafficking Victims Protection Act (TVPA) of 2000, as amended, [22 U.S.C. §7104\(g\)](#);
 2. Drug Free Workplace, [41 U.S.C. §8103](#);
 3. Protection from Retaliation of Disclosure of Certain Information, [41 U.S.C. §4712](#);
 4. National Environmental Policy Act of 1969, as amended, [42 U.S.C. §4321 et seq](#);
 5. Universal Identifier and System for Award Management, [2 C.F.R. part 2](#);
 6. Reporting Subaward and Executive Compensation Information, [2 C.F.R. part 170](#);



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7. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement), [2 C.F.R. part 180](#);
8. Civil Actions for False Claims Act, [31 U.S.C. §3730](#);
9. False Claims Act, [31 U.S.C. §3729](#), [18 U.S.C. §§287](#) and [1001](#);
10. Program Fraud and Civil Remedies Act, [31 U.S.C. §3801 et seq](#);
11. Lobbying Disclosure Act of 1995, [2 U.S.C. §1601 et seq](#);
12. Title VI of the Civil Rights Act of 1964, [42 U.S.C. §2000d et seq](#);
13. Title VIII of the Civil Rights Act of 1968, [42 U.S.C. § 3601 et seq](#);
14. Title IX of the Education Amendments of 1972, as amended; [20 U.S.C. §1681 et seq](#)
15. Section 504 of the Rehabilitation Act of 1973, as amended; [29 U.S.C. §794](#); and
16. Age Discrimination Act of 1975, as amended, [42 U. S.C. §6101 et seq.](#)



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Entity Registration Checklist

Appendix II

What is an entity?

The term “entity” refers to prime contractors, organizations or individuals applying for assistance awards, those receiving loans, sole proprietors, corporations, partnerships, and any U.S. federal government agencies desiring to do business with the government. “Entity” can also refer to a party that has been suspended or debarred, is covered by a prohibition or restriction, or is otherwise excluded from doing business with the government.

What is entity registration?

An entity registration allows you to bid on government contracts and apply for federal assistance. We will assign you a Unique Entity ID as part of entity registration.

Comprehensive and current entity information is essential for the federal award process. It is important to prepare your information and allow sufficient time to understand and accurately complete your registration. You only need to complete and manage it here to remain eligible for federal awards. You must renew your registration every 365 days for it to remain active.

When will my registration become active?

Allow at least **ten business days** after you submit your registration for it to become active in SAM.gov. If your entity fails TIN or CAGE code validation, you will receive an email with instructions on updating your information and resubmitting your registration. Please check your spam or junk mail for messages during this time; messages will be sent to the Government Business POC. You may need to work with the IRS or CAGE to update your information before resubmitting your registration.

How do I check the status of my entity registration?

If you have a role with an entity and are signed in to your SAM.gov account, you can check your entity registration status. You can also check the status of an entity’s registration as a federal user. If none of these is the case, you cannot check an entity’s registration status.

1. Sign in to SAM.gov. You must be signed in to check your registration status.
2. From the home page, select the “Check Registration Status” button. The page is also linked in the footer of all pages on SAM.gov.
3. Enter a Unique Entity ID or CAGE Code and select “Search.” The entity’s registration status will display below.



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Appendix D: Contractor Overview Form



CONTRACT OVERVIEW FORM

Project Name: _____
 Contract Number: _____

GENERAL CONTRACTOR INFORMATION

Business Legal Name:		Business Address:	
Unique Entity Identifier:	ID Contractor's License:	Project Point of Contact (POC) Name:	
Contract Amount:	Execution Date:	POC Phone Number and/or Email Address:	
Business Owner/Entity Demographics: (check all that apply)			
Asian/Pacific Islander		Hispanic	
White Non-Hispanic		Black Non-Hispanic	
Alaska Native/American Indian			
Business Status: (check all that apply)		Applicable Federal Regulations:	
MBE WBE VBE Section 3		Section 3 Davis Bacon BAP None	
I certify that I have verified the UEI and Debarment Status of the following subcontractors: _____ GC Initials			
_____		_____	
_____		_____	
_____		_____	
General Contractor Authorized Signature: ***		Payroll Documentation (Davis Bacon Projects only):	
Signature	_____	Individual Authorized to Sign Payroll Forms	
Name	_____	Email Address of Payroll Signer	
Title	_____	Phone Number of Payroll Signer	
Date	_____	Signature of Payroll Signer	

*****By signing, the contractor affirms 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 a Minority Business Enterprise, Women-Owned Business Enterprise, Veteran-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.

See reverse for definitions and Section 3 Contract Certification

DEFINITIONS

VBE – Veteran Owned Business	a business that is at least 51% owned and controlled by one or more veterans, which is a person who served in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable.
WBE – Women Owned Business	a business that is at least 51% owned by a woman or women who are U.S. citizens and who also control and operate the business.
MBE – Minority Owned Business	a business that is at least 51% owned or controlled by one or more minority group members or in the case of a publicly owned business, at least 51% 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.
Section 3 Business Concern	A business that meets one of the following: <ul style="list-style-type: none"> • Is at least 51% or more owned and controlled by low- or very low-income persons at or below 80% of area median income based on individual income (effective 6/1/25: \$59,950). • Is at least 51% owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing. • Over 75% of the labor hours performed for the business over the prior 3-month period were performed by low- or very low-income persons.

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.



CONTRACT OVERVIEW FORM

Project Name: _____
 Contract Number: _____

SUBCONTRACTOR INFORMATION

Type of Work:		Business Legal Name:	
EIN:	ID Contractor's License:	Business Address:	
Contract Amount:	Execution Date:	Business Status: (check all that apply) <div style="text-align: center; font-size: small;"> <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> VBE <input type="checkbox"/> Section 3 </div>	
Business Owner/Entity Demographics: (check all that apply)		<input type="checkbox"/> Alaska Native/American Indian <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Hispanic <input type="checkbox"/> White Non-Hispanic <input type="checkbox"/> Black Non-Hispanic	
Contractor Authorized Signature: ***		Payroll Documentation (Davis Bacon Projects only):	
_____ Signature		_____ Individual Authorized to Sign Payroll Forms	
_____ Name		_____ Email Address of Payroll Signer	
_____ Title		_____ Phone Number of Payroll Signer	
_____ Date		_____ Signature of Payroll Signer	

*****By signing, the contractor affirms 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 a Minority Business Enterprise, Women-Owned Business Enterprise, Veteran-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.

See reverse for definitions and Section 3 Contract Certification

CONTRACTOR OVERVIEW FORM, rev. July 2025

DEFINITIONS

VBE – Veteran Owned Business	a business that is at least 51% owned and controlled by one or more veterans, which is a person who served in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable.
WBE – Women Owned Business	a business that is at least 51% owned by a woman or women who are U.S. citizens and who also control and operate the business.
MBE – Minority Owned Business	a business that is at least 51% owned or controlled by one or more minority group members or in the case of a publicly owned business, at least 51% 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.
Section 3 Business Concern	A business that meets one of the following: <ul style="list-style-type: none"> • Is at least 51% or more owned and controlled by low- or very low-income persons at or below 80% of area median income based on individual income (effective 6/1/25: \$59,950). • Is at least 51% owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing. • Over 75% of the labor hours performed for the business over the prior 3-month period were performed by low- or very low-income persons.

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.

Appendix E: Equal Opportunity Clause Bid and Contract Language

Equal Opportunity Clauses for Bids and Contracts

During the performance of this contract, the Contractor agrees as follows:

1. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during their employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees, and applicants for employees, notices to be provided setting forth the provisions of this nondiscrimination clause.
2. The Contractor will, in all solicitation or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.
3. The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

Appendix F: Section 3 Worker Self-Certification Form

Section 3 Worker and Targeted Section 3 Worker Self-Certification Form

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.

Project Name: _____

Contractor Name: _____

Contractor Phone: _____

Contractor Address: _____

Section 3 Worker or Targeted Section 3 Worker Status

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 (<https://www.ecfr.gov/current/title-24/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. Do you live within 1 mile of the project site?
 Yes No
3. What is the amount of individual income you believe you earned for the previous calendar year?
\$ _____

Select from ONE of the following options below (as defined in attached Section 3 Income Limits & Definitions):

I qualify as a:

- Section 3 Worker
 Targeted Section 3 Worker

Section 3/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: _____

For Business/Contractor Administrative Use Only

Is the employee a Section 3 Worker based on their self-certification? Yes No

Is the employee a Targeted Section 3 Worker based on their self-certification? Yes No

Was this an applicant who was hired as a result of the Section 3 project? Yes No

What was the date of hire? _____

EMPLOYERS MUST RETAIN THIS FORM IN THEIR SECTION 3 COMPLIANCE FILE FOR FIVE (5) YEARS FROM DATE OF PROJECT COMPLETION.

Section 3 Income Limits & Definitions

Eligibility Guidelines

The worker's income must be at or below 80% AMI (based on an individual income, not total household income).

Effective Date	Household Size	Low Income (\leq 80% AMI)
June 1, 2025	1 person	\$59,950

**Income limits revised by HUD every year. For most recent income limits:
<https://www.huduser.gov/portal/datasets/il.html>*

Section 3 Worker Definition:

A Section 3 Worker must meet **one** of the following criteria currently or when hired within the past 5 years:

- A low or very low-income resident (making at or below 80% AMI annually) from the previous calendar year for the **project** area (Boise), based on individual income limits from the prior calendar year)
- Employed by a Section 3 business concern
- A YouthBuild participant

Targeted Section 3 Worker Definition (for worker self-certification determination):

A Targeted Section 3 Worker is a Section 3 Worker who **also** meets at least **one** of the following criteria:

- Employed by a Section 3 business concern or
- Currently meets or when hired within the past five years met at least one of the following categories:
 - Living within the service area or the neighborhood of the project, as defined in 24 CFR 75.5 (an area within 1 mile of the project or, if fewer than 5,000 people live within 1 mile of the 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)
 - A YouthBuild participant

Appendix G: Table of Section 3 Responsibilities

Section 3 Project Responsibilities by Phase

Phase	Developer/ Subrecipient Responsibilities	General Contractor (GC) Responsibilities	City Responsibilities
Application	Review City's Labor Standards Manual	N/A	N/A
	Designate a Section 3 Coordinator	N/A	N/A
Pre-Construction: General Contractor Selection	Submit draft of GC bid document to the City prior to release	N/A	Review to ensure required language is included
	Provide proof of outreach to City	Submit list of bids received to Section 3 Coordinator	Confirm preferences for Section 3 & MBE/WBE/VBE business concerns were prioritized during bid selection
	Submit signed GC contract, UELs, and any Section 3 & MBE/WBE/VBE Certifications to City	Submit Section 3 & MBE/WBE/VBE Certifications to Section 3 Coordinator as applicable	Review documentation for completeness, verify debarment status of GC
Pre-Construction: Subcontractor Selection	Provide Section 3 bidding and contract language to GC for subcontracts	Ensure all bid documents and contracts have required Section 3 clauses.	N/A
	Submit proof of outreach efforts to the City	Document and submit Section 3 outreach efforts for subcontract bids to Section 3 Coordinator	Verify sufficient outreach has been conducted
	Confirm preferences for Section 3 & MBE/WBE/VBE business concerns were prioritized during subcontractor bid selection	Submit list of bids received to Section 3 Coordinator	N/A

	Provide UEs for all selected subcontractors to the City	Submit UEs for all subcontractors to Section 3 Coordinator	Confirm non-debarment status of selected subcontractors
	Provide copies of contracts and certifications to the City	Submit signed contracts and Section 3 & MBE/WBE/VBE certifications for each selected subcontractor to Section 3 Coordinator	Ensure GC and subcontractors have submitted certification paperwork
During Construction	Submit all labor hours and any new certifications to City with each draw	Collect and submit all labor hours and new certifications to the Section 3 Coordinator with each draw request	Review labor hours and certifications to ensure completion before Draw Approval
Closeout	Notify City that all work is complete on project and submit any outstanding labor hours and certifications	Ensure that all labor hours and certification have been submitted to the Section 3 Coordinator for all contracts	Conduct final review of project's performance and compliance with Section 3; issue closeout statement to GC

Appendix H: Section 3 Outreach Certification Form

Section 3/MBE/WBE/VBE Outreach Efforts

Instructions: Check all outreach efforts conducted by the developer, subrecipient, contractors, and subcontractors. Attach and submit supporting documentation/proof for any reported outreach efforts (posters/brochures, map/list of locations/addresses, photos, websites, screenshots, dates of postings, etc.).

Project Information

Project Name: _____

Developer/Subrecipient/Contractor Name: _____

Phone: _____

Address: _____

Nature of Section 3 Outreach Efforts (*check all that apply*):

- Outreach efforts to generate job applicants who are Public Housing Targeted Workers
- Outreach efforts to generate job applicants who are Other Funding Targeted Workers
- Direct on-the-job training (including apprenticeships)
- Indirect training such as arranging for, contracting for, or paying tuition for off-site training
- Technical assistance to help Sect. 3 workers compete for jobs (e.g., resume assistance, coaching)
- Outreach efforts to identify and secure bids from Section 3 business concerns
- Technical assistance to help Sect. 3 business concerns understand/bid on contracts
- Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns
- Provided/connected residents with assistance in seeking employment, including: drafting resumes, interview preparation, finding job opportunities, connection residents to job placement services
- Held one or more job fairs
- Provided/connected residents with supportive services that can provide direct services or referrals
- Provided/connected residents with supportive services that provide one or more of: work readiness health screenings, interview clothing, uniforms, test fees, transportation
- Assisted residents with finding childcare
- Assisted residents to apply for/attend community college/4-yr educational institution
- Assisted residents to apply for or attend vocational/technical training
- Assisted residents to obtain financial literacy training and/or coaching
- Bonding assistance, guaranties, or other efforts to support viable bids from Sect. 3 business concerns
- Provided/connected residents with training on computer use or online technologies
- Advertised job postings at visible locations on the project site
- Advertised job postings on local job boards, public housing offices, community hubs, service providers, etc.
- Advertised job postings on social media and employment platforms such as Facebook, Boise Craigslist, Indeed, etc.

Advertised job postings on targeted online platforms – please specify: _____

Other – please specify: _____

Nature of Minority, Women, and Veteran-Owned Business Outreach Efforts (check all that apply):

- Advertised job postings at visible locations on the project site
- Advertised job postings on local job boards, public housing offices, community hubs, service providers, etc.
- Advertised job postings on social media and employment platforms such as Facebook, Boise Craigslist, Indeed, etc.
- Advertised job postings on targeted online platforms – please specify: _____

Other – please specify: _____

If at project closeout there is missing or incomplete documentation, the City reserves the right to withhold a portion of final retainage or impose other penalties if corrective actions are unable to be remedied. All evidence of qualitative efforts to assist low and very low-income persons with employment and training opportunities are to be documented and submitted to the City for review.

Developer/Subrecipient/Contractor certifies they have read and fully understand and acknowledge the obligation to comply with all Section 3 requirements.

Printed Name

Title

Signature

Date

Appendix I: Section 3 Contract Language

SECTION 3 CONTRACT 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 W.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, ensure that employment and training opportunities arising, and contract for work awarded, in connection with Section 3 projects are provided to Section 3 workers and to business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or nonmetropolitan county) in which the project is located.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR § 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 § 75 regulations.

C. Owner shall include appropriate Section 3 references and requirements from 24 CFR 75 in all solicitations and contracts for covered construction work and shall further require that its general contractor(s) include such provisions in all subcontracts. Owner shall further take all necessary steps (including by requiring the same in all contracts and subcontracts) to collect and report upon i) total labor hours worked in the Project's development, ii) labor hours worked by Section 3 workers, and iii) labor hours worked by Targeted Section 3 workers. Owner shall further report labor hours in such categories, in a form specified by or otherwise acceptable to the City, not later than ninety (90) days following completion of construction.

D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR § 75.27, 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 § 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 § 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 § 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR § 75.

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

Appendix J: BABA Waiver Application

OMB No: 2511-0002
Expires: 2/29/2027

BUILD AMERICA BUY AMERICA WAIVER REQUEST

This data collection is for submitting a waiver request to the Build America, Buy America requirements. According to the Build America Buy America Act (BABAA), “none of the funds made available for a Federal Financial Assistance program for infrastructure, including each deficient program, may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States.”

Waivers are explained in the [Office of Management and Budget Memorandum 22-11](#) and required by the [Infrastructure, Investments and Jobs Act \(IIJA\)](#) sections 70901 through 70952. Each waiver request must provide responses to the form questions, as applicable. Instructions are provided in the next paragraph. Contact your Department of Housing and Urban Development representative for your award or for additional assistance with completing this data collection.

Instructions: The applicant needs to complete questions 1 through 17, sign and certify the form, and email the waiver request to BuildAmericaBuyAmerica@hud.gov.

Required fields are marked with an asterisk (*)

Questions to be Answered by the Grantee

1. Submitter Contact Information

Legal Name *		Unique Entity Identifier (UEI) *
Address 1 *		
Address 2		
City *	County/Parish	State
Territory/Province	Country *	Zip/Postal Code *

2. Submitter Email *

3. Submitter Phone Number *

4. Federal Financial Assistance Identification Number (FAIN/Award Number) and Name *

4.1 Provide the SAM.gov Assistance Listing number. *

4.2 Provide the SAM.gov Assistance Listing name. *

5. Housing and Urban Development (HUD) Program Name *

6. Federal Financial Assistance Funding Amount *

7. Infrastructure Project *

7.1 State the Infrastructure Project description and location, to the extent known.

7.2 Is your project co-funded by other Federal Agencies beside HUD? * Yes No

- **If yes:** Complete section 7.2.1
- **If no:** Proceed to question 8

7.2.1 If you answered yes to question 7.2, does HUD provide the largest amount of funding to the project? Please note, if HUD is not the largest funder, you must apply for a waiver through the Federal Agency that provided the largest amount of funding to the project. Yes No

7.2.1a If you answered yes to question 7.2.1, please list the other Federal Agencies involved, including the Program, Office, and contact information for each Agency.

Federal Agency	Office	Program	Contact Information

7.2.1b If you answered no to question 7.2.1, please explain why you are submitting a waiver application to HUD. You must apply for a waiver through the Federal Agency that provided the largest amount of funding to the project. Your application will not be reviewed by HUD unless an explanation is provided.

8. Total funding, including federal and non-federal shares: *

9. Total estimated infrastructure costs, including all federal and non-federal shares (to the extent known): *

10. Listing of Materials, Technical Specifications, and Quantity: *

HUD requires the name of the iron or steel item, manufactured product, or construction material proposed to be excepted from BABAA requirements, including name, cost, countries of origin (if known), and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code. Please note if you have multiple products you would like HUD to review, please submit a waiver application for each product. Links to manuals that provide the PSC and NAICS codes:

- **PSC Codes:** <https://www.acquisition.gov/psc-manual>
- **NAICS Codes:** <https://www.census.gov/naics/>

10.1 Technical specification description of the item to be waived, if applicable.

10.2 Quantity required:

11. Waiver Type *

Choose ONE of the three waiver types listed in this section and only answer the questions applicable to the chosen waiver type.

- **Nonavailability waivers:** Complete section 11.1
 - **Unreasonable Cost waivers:** Complete section 11.2
 - **Public Interest waivers:** Complete section 11.3
-

11.1 Nonavailability Waiver

Applicable responses to the following are required:

11.1.1 A description of the due diligence performed by the applicant, including names and contact information of the manufacturers, distributors, or suppliers contacted for quotes (minimum 3), and the responses provided. *Attach documentation for additional support if needed.*

11.1.2 In the instance that the lead time to obtain a BABA compliant item is excessive, please attach documentation which indicates: the sum of the project cost and product that was identified, the cost differential between the BABA compliant product and the Non-BABA compliant product that increases the overall project cost to be above the threshold of 25%, and any quality or quantity issues that were interfaced in the BABA compliant process. Attach documentation for additional support if needed.

11.2 Unreasonable Cost Waiver (BABA compliance increases total project cost by more than 25 percent)

Applicable responses to the following are required:

11.2.1 What is the additional cost of the BABA compliant item, compared to using iron and steel, manufactured products, and construction materials of non-domestic or unknown origin? Please demonstrate how the BABA compliant item increases the total project cost by more than 25 percent. Attach documentation of prices for BABA compliant and non-compliant items for the cost comparison. *Attach documentation for additional support if needed.*

11.3 Public Interest Waiver

11.3.1 Explain how waiving the BABA requirement for this project or product serves the public interest. Attach documentation for additional support if needed.

12. Additional Waiver Information

Provide any additional information for HUD's consideration of the requested waiver.

13. Anticipated Impacts *

Identify any anticipated impacts if no waiver is issued. *Attach documentation for additional support if needed.*

14. Certification *

Certification that the Federal assistance recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct.

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802)."

15. Certifying Official Name: *

16. Certifying Official Signature: *

17. Date of Certification: *

Public Posting of Waiver Request Information

The BABAA domestic sourcing requirements waiver authority generally requires the Federal awarding agency to post this waiver information for a period of public comment and review. The Department will not publicly post information considered to be personally identifiable information (PII), including signatures and specific contact information such as an email address and phone number. However, all other information contained in this form, along with any supporting documentation, may be publicly posted so that the public has adequate information to comment on your requested waiver of the BABAA domestic sourcing requirements. If you feel that some of the information contained in this waiver request is “proprietary information” and do not want this information disclosed, please follow the instructions in “Submission of Proprietary Information”, below. Please note that your designations of exempt material are not binding on the Department.

Submission of Proprietary Information

FOIA exempts from mandatory disclosure any “trade secrets or commercial or financial information obtained from a person and privileged or confidential.” 5 U.S.C. 552(b)(4) (Exemption 4). In accordance with Exemption 4, the Department will maintain as confidential any documents submitted by you, or prepared by the applicant or grantee, that are both customarily and actually treated as private by the applicant or grantee, or closely held and not publicly disseminated. If you feel that some or all of this submission falls within the scope of Exemption 4 and is entitled to confidential treatment, you must indicate the specific information the applicant or grantee considers proprietary in a cover attachment to this form. Please note that your designations of exempt material are not binding on the Department.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 2511-0002. Public reporting burden for this collection of information is estimated to average 10 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is *required to obtain or retain benefit* (with section 70914 of the [Build America Buy America Act \(Pub. L. No. 117-58 §§ 70901-70952\)](#)). If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact your assigned program officer directly.

-- END OF FORM

Appendix K: BABA Compliance Form

BABA Compliance Form						
Project Name:	Test	IDIS Activity ID and Type:				
Address:						
Completed by:				Date:		
Budget:						
Fund Source	Amount:		Grant Year(s)			
<i><== Unhide rows 11-15 to add additional sources</i>						
Are the funds being used for an infrastructure project? Yes						
<i>If yes, enter project description:</i>						
Continue to next section.						
Does the project use funds from any covered CPD programs? Yes						
<i>If yes, enter ==>> Source: Amount:</i>						
Continue to next section.						
Were CPD funds obligated on or after the effective date of the BAP? Yes						
Continue to next section.						
Does the project use products subject to the Buy America Preference (BAP)? Yes						
<i>If yes, fill out table below:</i>						
Material	Classification	Cost of Product	Implementation Date	Does BABA Apply?	Waiver Applied?	
				Yes	None	
<i><== Unhide rows 40-48 to add additional sources</i>						
Continue to next section.						
Is the project covered in whole or part by any of the HUD general waivers? No						
Continue to next section.						
Could the project qualify for a project-specific waiver? Yes						
Include results of local MEP Center's supplier scouting process.						
Enter the kind and date of waiver application:				Date:		
Enter application response and date received:				Date:		

Appendix L: BABA and BAP Language for Bids and Contracts

BABA and BAP Clauses for Bids and Contracts

Pursuant to the Build America, Buy America Act (BABA), enacted as part of the Infrastructure Investment and Jobs Act (IIJA). Pub. L. 117-58, 41 U.S.C. § 8301 note, the Federal Financial Assistance used to fund this infrastructure project is required to apply a domestic content procurement preference (the “Buy America Preference” or “BAP”) for all construction, alteration, maintenance, or repair of infrastructure, including buildings and real property, unless application of the BAP has been waived by HUD. Additional details on fulfilling the BABA requirements can be found at <https://www.hud.gov/baba>.

Appendix M: Davis Bacon Bid and Contract Language

Bid Doc Language

Davis-Bacon and Related Acts

Requires workers to receive no less than the prevailing wages as computed by the USDOL and issued in the form of federal wage decisions for each classification of work. The law applies to construction, alteration or repair contracts over \$2,000 aggregate. Those Davis-Bacon provisions contained in U.S. Department of Housing and Urban Development assisted construction programs are known as "Related Acts." All rulings and interpretations of the Davis-Bacon and Related Acts are contained in 29 CFR Part 1, 3, and 5 are herein incorporated by reference in this contract. A sample Davis Bacon Wage Determination is included as (Attachment B). Weekly payroll forms must be completed on the Department of Labor WH-347 Form (Attachment C) and submitted weekly to Owner. The Davis-Bacon poster, incorporated in this document as (Attachments E) and a copy of the applicable Davis-Bacon wage decision, must be displayed at the job site of every project subject to Davis-Bacon wage requirements. The poster and wage decision must be protected from the elements and displayed in a prominent and accessible place where it may be easily seen by employees.

Copeland "Anti-Kickback" Act

Requires Contractors to pay employees at least once a week, and without any deductions or rebates except permissible deductions. The Act also requires Contractors to maintain payroll records and submit weekly certified payroll reports (CPRs) through the prime Contractor to the contracting agency. It applies to all contracts covered by Davis-Bacon. Violation of this act is a criminal offense. The Contractor shall comply with the requirements of 29 CFR Part 3 which are incorporated by reference in this contract.

Contract Work Hours and Safety Standards Act, Sections 103 and 107

CWHSSA applies only to contracts over \$100,000. The Fair Labor Standards Act applies to contracts of \$100,000 or less. Overtime (Off) compensation must be paid under both laws. CWHSSA requires workers to receive Off compensation at a rate of one and one-half (1 and Yi) times their base hourly wage plus full fringe [1 and Yi x base)+ fringe= overtime compensation] after they have worked forty (40) hours in one week. In the event of Off violation, the CWHSSA renders the Contractor liable to the underpaid workers for wage restitution and to the United States for liquidated damages. Computation of liquidated damages is at the rate of \$10 for each calendar day that each individual was required or permitted to work in excess of a standard work week of forty (40) hours without payment of the required overtime rate. Intentional violation of CWHSSA are considered a federal criminal misdemeanor.

WORKER RIGHTS UNDER THE DAVIS-BACON ACT

FOR LABORERS AND MECHANICS WORKING ON FEDERAL OR FEDERALLY ASSISTED CONSTRUCTION PROJECTS

The law requires employers to display this poster where workers can readily see it.

PREVAILING WAGES

You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this notice for the work you perform.

OVERTIME

You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.

ENFORCEMENT

Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

APPRENTICES

Apprentice rates apply only to apprentices properly registered under approved federal or state apprenticeship programs.

RETALIATION

The law prohibits discharging or otherwise retaliating against workers for filing a complaint, cooperating in an investigation, or testifying in a proceeding under the Davis-Bacon and Related Acts.

PROPER PAY

If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:

or contact the U.S. Department of Labor's Wage and Hour Division.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

866-487-9243
dol.gov/agencies/whd



WH1321 REV 07/24

DERECHOS DE LOS TRABAJADORES BAJO LA LEY DAVIS-BACON

PARA OBREROS Y MECÁNICOS QUE TRABAJAN EN PROYECTOS DE CONSTRUCCIÓN FEDERAL O CON ASISTENCIA FEDERAL

La ley exige que los empleadores coloquen este cartel en un lugar donde los trabajadores puedan verlo fácilmente.

SALARIOS PREVALECIENTES

No se le puede pagar menos de la tasa de pago indicada en la Decisión de Salarios Davis-Bacon fijada con este Aviso para el trabajo que Ud. desempeña.

SOBRETIEEMPO

Se le ha de pagar no menos de tiempo y medio de su tasa básica de pago por todas las horas trabajadas en exceso de 40 en una semana laboral. Existen pocas excepciones.

CUMPLIMIENTO

Se pueden retener pagos por contratos para asegurarse que los obreros reciban los salarios y el pago de sobretiempo debidos, y se podría aplicar daños y perjuicios si no se cumple con las exigencias del pago de sobretiempo. Las cláusulas contractuales Davis-Bacon permiten la rescisión del contrato y la exclusión de los contratistas de futuros contratos federales durante tres años. El contratista que falsifique los registros certificados de las nóminas de pago o induzca devoluciones de salarios puede ser sujeto a procesamiento civil o criminal, multas y/o encarcelamiento.

APRENDICES

Las tasas de aprendices sólo se aplican a aprendices correctamente inscritos bajo programas federales o estatales aprobados.

REPRESALIAS

La ley prohíbe despedir o tomar represalias contra los trabajadores por presentar una queja, cooperar en una investigación o testificar en un procedimiento bajo la Ley Davis-Bacon y Leyes Relacionadas.

PAGO APROPIADO

Si no recibe el pago apropiado, o precisa de información adicional sobre los salarios aplicables, póngase en contacto con el Contratista Oficial que aparece abajo:

o póngase en contacto con la División de Horas y Salarios del Departamento de Trabajo de los EE.UU.



DIVISIÓN DE HORAS Y SALARIOS
DEPARTAMENTO DE TRABAJO DE LOS EE.UU.

866-487-9243
dol.gov/agencies/whd



WH1321 SPA REV 07/24

Appendix P: Interview Form HUD-11

Record of Employee Interview	U.S. Department of Housing and Urban Development Office of Davis-Bacon and Labor Standards	OMB Approval No. 2501-0009 (exp. 03/31/2028)
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Instructions

General:

This form is to be used by HUD and local agency staff for recording information gathered during on-site interviews with laborers and mechanics employed on projects subject to Federal prevailing wage requirements. Typically, the staff that will conduct on-site interviews and use this form are HUD staff and fee construction inspectors, HUD Labor Standards staff, and local agency labor standards contract monitors.

Information recorded on the form HUD-11 is evaluated for general compliance and compared to certified payroll reports submitted by the respective employer. The comparison tests the veracity of the payroll reports and may be critical to the successful conclusion of enforcement actions in the event of labor standards violations. The thoroughness and accuracy of the information gathered during interviews is crucial.

Note that the interview itself and the information collected on the form HUD-11 are considered confidential. Interviews should be conducted individually and privately. All laborers and mechanics employed on the job site must be made available for interview at the interviewer's request. The employee's participation, however, is voluntary. Interviews shall be conducted in a manner and place that are conducive to the purposes of the interview and that cause the least inconvenience to the employer(s) and the employee(s).

Completing the form HUD-11

Items 1a - 1c: Self-explanatory

Items 2a – 2d: Enter the employee's full name, a telephone number where the employee can be reached, email address and the employee's home address. Many construction workers use a temporary address in the locality of the project and have a more permanent address elsewhere from which mail may be forwarded to them. Obtain a more permanent address, if available. Ask the employee for a form of identification (e.g., driver's license) to verify their name.

Items 3a – 4c: Enter the employee's responses. Ask the employee about the frequency of pay (weekly, biweekly, semi-monthly or other).

Items 5 – 7: Be certain that the employee's responses are specific. For example, job classification (#5) must identify the trade involved (e.g., Carpenter, Electrician, Plumber) – responses such as "journeyman" or "mechanic" are not helpful for our purposes.

Items 8 – 12b: Self-explanatory

Items 13 – 15c: These items represent some of the most important information that can be gathered while conducting on-site interviews. Please be specific about the duties you observed the employee performing. It may be easiest to make these observations before initiating the interview. Please record any comments or remarks that may be helpful. For example, if the employee interviewed was working with a crew, how many workers were in the crew? Was the employee evasive?

The level of specificity that is warranted is directly related to the extent to which interview(s) or other observations indicate that there may be violations present. If interviews indicate that there may be underpayments involving a particular trade(s), the interviewer is encouraged to interview as many workers in that trade(s) that are available.

Items 16 – 17b: The information on the form HUD-11 may be reviewed for general compliance, initially. For example, are the job classification and wage rate stated by the employee compatible with the classifications and wage rates on the applicable wage decision? Are the duties observed by the interviewer consistent with the job classification?

Item 18: Please place here any additional information you may want to document or continuing information from other lines that do not fit in their block space.

Once the corresponding certified payroll reports are received, the information on the HUD-11 shall be compared to the payroll reports. Any discrepancies noted between the HUD-11 information and that on the payroll report shall be noted in Item 16, Remarks. If discrepancies are noted, follow-up actions to resolve the discrepancies must be taken.

Previous editions are obsolete

Form HUD-11 (03/2025)

Record of Employee Interview	U.S. Department of Housing and Urban Development Office of Davis-Bacon and Labor Standards	OMB Approval No. 2501-0009 (exp. 03/31/2028)
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Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The information is collected to ensure compliance with the Federal labor standards by recording interviews with construction workers. The information collected will assist HUD in the conduct of compliance monitoring; the information will be used to test the veracity of certified payroll reports submitted by the employer. **Sensitive Information.** The information collected on this form is considered sensitive and is protected by the Privacy Act. The Privacy Act requires that these records be maintained with appropriate administrative, technical, and physical safeguards to ensure their security and confidentiality. In addition, these records should be protected against any anticipated threats or hazards to their security or integrity that could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom the information is maintained. **The information collected herein is voluntary, and any information provided shall be kept confidential.**

Note: Please ensure responses are legible and easy to read.

1a. Project Name	2a. Employee's Full Name
1b. Project Number	2b. Employee's Phone Number (including area code) and Email Address
1c. Contractor or Subcontractor (Employer—not individual's name or supervisor's name)	2c. Employee's Home Address & Zip Code
2d. Verification of identification? Yes <input type="checkbox"/> No <input type="checkbox"/>	

3a. How long on this job and average weekly hours worked?	3b. Last date on this job before today?	3c. Number of hours last day on this job?	4a. Hourly Rate of Pay	4b. Fringe benefits? Medical Yes <input type="checkbox"/> No <input type="checkbox"/> Pension Yes <input type="checkbox"/> No <input type="checkbox"/>	4c. Frequency of Pay: Weekly <input type="checkbox"/> Biweekly <input type="checkbox"/> Semi-monthly <input type="checkbox"/> Other <input type="checkbox"/>
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5. Your Job Classification(s) (list all and continue on a separate sheet if necessary):

6. Your Duties:

7. Tools or Equipment Used:

8. Are you an apprentice or trainee?	Y	N	10. Are you paid at least time and 1/2 (1.5x regular hourly rate) for all hours worked in excess of 40 in a week?	Y	N
8a. Have you provided a copy of your apprenticeship certificate?	<input type="checkbox"/>	<input type="checkbox"/>	11. Have you ever been threatened or coerced into giving up any part of your pay?	<input type="checkbox"/>	<input type="checkbox"/>
9. Are you paid for all hours worked?	<input type="checkbox"/>	<input type="checkbox"/>			

12a. Employee Signature	12b. Date
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13. Duties Observed by the Interviewer (Please be specific):

14. Remarks

15a. Interviewer Name (please print)	15b. Signature of Interviewer	15c. Date of Interview
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Payroll Examination

16. Remarks

17a. Signature of Payroll Examiner	17b. Date
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Previous editions are obsolete Form HUD-11 (03/2025)

18. Additional Remarks

Previous editions are obsolete

Form HUD-11 (03/2025)