

# Anoka County Section 3 Plan

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Anoka County Community Development Department  
2100 3<sup>rd</sup> Avenue, Suite 700  
Anoka, Minnesota 55303

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## General Policy Statement

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It is the policy of the Community Development Department of Anoka County to require its contractors to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, disability, veteran's or marital status, or economic status and to take affirmative action to ensure that both job applicants and existing employees are given fair and equal treatment.

Anoka County Community Development implements this policy through the awarding of contracts to contractors, vendors, and suppliers, to create employment and business opportunities for Section 3 residents and other qualified low- and very low-income persons.

The policy shall result in a reasonable level of success in the recruitment, employment, and utilization of Anoka County Section 3 residents and other eligible persons and Section 3 businesses for contracts partially or wholly funded with Section 3 covered funding from the United States Department of Housing and Urban Development (HUD). The Community Development Department shall examine and consider a contractor's or vendor's potential for success by providing employment and business opportunities to Section 3 residents prior to acting on any proposed contract award.

## Section 3 Purpose

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Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) (Section 3) requires the Community Development Department of Anoka County to ensure that employment and other economic and business opportunities generated by the Department of Housing and Urban Development (HUD) Section 3 financial assistance, to the greatest extent feasible, are directed to public housing residents and other low-income persons, particularly recipients of government housing assistance, and business concerns that provide economic opportunities to low- and very-low income persons.

## Section 3 Contracting Policy and Procedure

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The Anoka County Community Development Department will adopt a Section 3 Contracting Policy and Procedure to be included in all procurements generated for use with covered HUD funding. The policy and procedure contains goal requirements for awarding contracts to Section 3 Business Concerns.

All contractors/businesses seeking Section 3 preference must complete certifications, as appropriate, as acknowledgement of the Section 3 contracting and employment provisions required before submitting bids/proposals to the Anoka County Community Development Department. Such certifications shall be adequately supported with appropriate documentation as referenced in the Section 3 Business Application.

## Section 3 Plan

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The Anoka County Community Development Department will maintain a Section 3 Action Plan to identify the goals, objectives, and actions that will be implemented to ensure compliance with the requirements of Section 3. In addition, contractors will be required to submit a Section 3 Action Plan on each project.

## Section 3 Employment & Training Goals

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It is the policy of the Anoka County Community Development Department to utilize residents and other Section 3 eligible persons and businesses in contracts partially or wholly funded with Section 3 covered funding from the Department of Housing and Urban Development (HUD). Anoka County Community Development has established employment and training goals that contractors and subcontractors should meet in order to comply with Section 3 requirements. (Reference 24 CFR 135.30 – Numerical goal for meeting the greatest extent feasible requirement). The numerical goal is:

- Thirty percent (30%) of the aggregate number of new hires in any fiscal year.

It is the responsibility of contractors, vendors and suppliers to implement progressive efforts to attain Section 3 compliance. Any contractor that does not meet the Section 3 numerical goals must demonstrate why meeting the goals were not feasible. All contractors submitting bids or proposals to the Anoka County Community Development Department are required to certify that they comply with the requirements of Section 3.

The Section 3 Contract Clause specifies the requirements for contractors hired for Section 3 covered projects. The Section 3 Clause must be included in all Section 3 covered projects. The Section 3 Contract Clause is included in Exhibit 1.

## Section 3 Program Participant Certification Procedure

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The Anoka County Community Development Department has developed a partnership with the Anoka County Job Training Center (JTC) to meet the Section 3 resident requirement. The JTC will certify Section 3 program participants who reside in the County of Anoka and who are seeking preference in training and employment by completing and attaching adequate proof of Section 3 eligibility, as required (see Exhibit 3 – Section 3 Business Certification and Resident Application).

## Preference for Contracting With Section 3 Business Concerns

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The Anoka County Community Development department, in compliance with Section 3 regulations, will require contractors and subcontractors (including professional service contractors) who receive Section 3 covered funds (any Housing and Community Development funds that are housing rehabilitation, housing construction, and other public construction) to direct their efforts towards contracts to Section 3 business concerns in the following order of priority:

- **Category 1:** Business concerns that are 51% or more owned by residents of the housing development for which the work is performed, or whose full-time, permanent workforce includes 30% of these persons as employees.
- **Category 2:** Business concerns that are 51% or more owned by residents of the Authority's public housing development(s) other than the housing development where the work is to be performed; or whose full-time permanent workforce includes 30% of these persons as employees.
- **Category 3:** Business concerns that are 51% or more owned by a Section 3 resident(s), or whose permanent, full-time workforce includes no less than 30% Section 3 residents (category 4 business); or that subcontract in excess of 25% of the total amount of subcontracts to Section 3 business concerns.
- **Category 4:** HUD Youthbuild programs being carried out in the service area in which Section 3 covered assistance is expended.

All contractors and subcontractors who receive awards are expected to extend, to the greatest extent feasible, efforts to achieve the numerical goals established by Anoka County Community Development. In addition, contractors and subcontractors who receive awards exceeding \$100,000 in one program year share the responsibility of enforcing the Section 3 regulations and requirements.

## Assisting Contractors to Achieve Section 3 Goal Hiring and Contracting Goals

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The Anoka County Community Development Department will assist contractors in achieving Section 3 hiring and contracting goals by:

1. Requiring the contractor to submit a Section 3 Action Plan, to the Section 3 Coordinator complete with the number of subcontracting and/or employment opportunities expected to be generated from the initial contract.
2. The contractor(s) will be referred to the Anoka County Job Training Center (JTC) for obtaining a list of interested and qualified Section 3 residents for construction projects when new hires are expected as a result of the contract.
3. The JTC will inform contractor of known issues that might affect Section 3 residents from performing job related duties.
4. Section 3 Coordinator will provide contractor with a list of Section 3 business concerns interested and qualified for construction projects.
5. Section 3 Coordinator will review the new hire clause with contractors and subcontractors to ensure that the requirement is understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to employ Section 3 program participants before any other person, when hiring additional employees needed to complete proposed work to be performed with HUD (federal) funds.

## Section 3 Business Certification Procedure

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Any business seeking Section 3 preference in the awarding of contracts with the Anoka County Community Development Department shall complete the Section 3 Business Certification form (see Exhibit 3, Business Certification and Resident Application), which can be obtained from the Anoka County Section 3 Coordinator. The business seeking Section 3 preference must be able to provide adequate documentation as evidence of eligibility for preference under the Section 3 Program.

Certifications for Section 3 preference for business concerns must be submitted to the Section 3 Coordinator prior to the submission of bids for approval. If the Section 3 Coordinator previously approved the business concern to be Section 3 certified, then the certification can be submitted along with the bid. Section 3 business concerns certifying as “Subcontracting Commitment” must be certified on a per-project basis.

## Efforts to Award Contract Opportunities to Section 3 Business Concerns

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The Anoka County Community Development Department may use the following methods to notify and contract with Section 3 business concerns when contracting opportunities exist.

- Advertise contracting opportunities via newspaper, mailings, posting notices that provide general information about the work to be contracted and where to obtain additional information.
- Provide written or electronic notice of contracting opportunities to all known Section 3 business concerns. The notice will be provided in sufficient time to enable business concerns the opportunity to respond to the bid invitation.
- Conduct workshops on contracting procedures to include bonding and insurance requirements, and other pertinent requirements, in a timely manner in an effort to allow Section 3 business concerns the opportunity to take advantage of any upcoming contracting opportunities.
- Contact business assistance agencies, Minority and Women’s Business Enterprise (M/WBE) contractor associations and community organizations to inform them of contracting opportunities and to request their assistance in identifying Section 3 businesses.
- Establish relationships with the Small Business Administration (SBA), Minority and Women’s Business Enterprise M/WBE association, Community Development Corporations, and other sources as necessary to assist with educating and mentoring residents with a desire to start their own businesses.
- Seek out referral sources in order to ensure job readiness for Section 3-qualified residents through on-the-job-training and mentoring to obtain necessary skills that will transfer into the external labor market.

## Section 3 Residents Recruitment, Training, and Employment Goals

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Anoka County Community Development will develop resources to provide training and employment opportunities to Section 3 program participants by implementing the following:

- A database will be developed by the Job Training Center (JTC) of certified Section 3 residents of public housing and other Section 3 residents.
- The Job Training Center (JTC) will conduct a skill assessment of Section 3 residents of public housing and other Section 3 residents.
- A database will be developed by Anoka County Community Development of eligible qualified Section 3 Business concerns to contact with respect to the availability of contract opportunities.
- A provision for a specific number of public housing or Section 3 program participants to be trained or employed by the contractor will be incorporated into the contract.

## Employment of Section 3 Program Participants

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Anoka County Community Development has developed a partnership with the Anoka County Job Training Center to assist in providing employment opportunities to Section 3 residents.

The Anoka County Job Training Center (JTC) will conduct a pre-screening interview with all Section 3 residents prior to being hired by a contractor.

- The pre-interview will assess job readiness (i.e., childcare, transportation, work maturity, job retention skills). Only residents meeting the minimum qualifications of the contractor or subcontractor will be referred to the job site. Residents not deemed job ready would be referred elsewhere. It is imperative that the resident's basic needs are met prior to employment.
- If a resident is referred to a contractor and does not perform satisfactorily due to poor work habits (i.e., tardiness, absenteeism, alcohol/drugs, abusive language, fighting, etc.) she/he will be allowed one additional opportunity to be referred to other contractors. If after that time the resident still does not perform satisfactorily, she/he will be referred to complete a job readiness class, alcohol/drug treatment center, or any other program that he or she may be required to attend. After successful completion the resident will be given the opportunity to be reinstated on the list of residents available for work.
- Residents experiencing problems with contractors should first communicate the problem to the Section 3 Coordinator. If the problem cannot be solved between the employee and employer, the Section 3 Coordinator will meet with the parties involved to assist in trying to resolve the problem. Residents and employers (contractors or subcontractors) should document problems whenever they occur and record any and all efforts to correct them. The written documentation of the problem should be submitted to the Section 3 Coordinator.
- In order to qualify for employment with contractors, residents must be at least eighteen years of age.

## Contractor's Requirements in Employing Section 3 Participants

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Under the Anoka County Section 3 Program, contractors and subcontractors are required to:

- Provide employment opportunities to Section 3 residents/participants in the priority order listed below:
  - a) Category 1 – Section 3 Resident**  
Residents of the housing development or developments for which the contract shall be expended.
  - b) Category 2 – Section 3 Resident**  
Residents of other housing developments managed by the Anoka County Housing and Redevelopment Authority (HRA).
  - c) Category 3 – Section 3 Resident**  
Participants in HUD Youthbuild program being carried out in the project boundary area.
  - d) Category 4 – Section 3 Resident**  
Residents with a current Section 8 Housing Choice Voucher living in Anoka County or residents residing in Anoka County who meet the income guidelines for Section 3 preference (refer to Section 3 Income Limits).
  
- Notify the Section 3 Coordinator of their interests regarding employment of Section 3 participants prior to hiring. The JTC will then be notified and will ensure that the participant is Section 3 eligible by assessing the Section 3 resident database to ensure job readiness.
  
- Submit a list of core employees (including administrative, clerical, planning and other positions pertinent to the construction trades) at the time of contract award and provide the number of new hires expected as a result of being awarded the contract. (This is part of the required Section 3 Action Plan.)
  
- Document the performance of Section 3 participants (positive and negative), regarding punctuality, attendance, etc.
  
- Immediately notify the JTC of any problems experienced due to the employment of Section 3 participants.
  
- Immediately notify the JTC if a participant quits, walks off, or is terminated for any reason. The contractor must provide written documentation of all such incidents to support such decisions to the JTC to determine if an investigation is warranted.



## Internal Section 3 Complaint Procedure

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In an effort to resolve complaints generated due to non-compliance through an internal process, Anoka County Community Development encourages submittal of such complaints to its Section 3 Coordinator as follows:

- 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 24 CFR 135.
- Complaints must be filed within thirty (30) calendar days after the complainant becomes aware of the alleged violation.
- An investigation will be conducted if 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. The Community Development Manager 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 complaint.

If complainants wish to have their concerns considered outside of the Anoka County Community Development office a complaint may be filed with:

Assistant Secretary for Fair Housing and Equal Opportunity  
United States Department of Housing and Urban Development  
451 Seventh Street, SW  
Washington, DC 20410

The complaint must be received not later than 180 days from the date of the action or omission upon which the complaint is based, unless the time for filing is extended by the Assistant Secretary for good cause shown.

## Definitions

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**Applicant** – Any entity which makes an application for Section 3 covered assistance, and includes, but is not limited to, any State, unit of local government, public housing agency or other public body, public or private nonprofit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association.

**Assistant** – the Assistant Secretary for Fair Housing and Equal Opportunity.

**Business Concern** – a business entity formed in accordance with State law, and which is licensed under State, county or municipal law to engage in the type of business activity for which it was formed.

**Contractor** - any entity which contracts to perform work generated the expenditure of Section 3 covered assistance, or for work in connection with a Section 3 covered project.

**Employment Opportunities Generated by Section 3 Covered Assistance** – all employment opportunities generated by the expenditure of Section 3 covered public assistance (i.e., operating assistance, development assistance and modernization assistance, (as described in Section 135.3 (a) (1)). With respect to Section 3 covered housing and community development assistance, this term means all employment opportunities arising in connection with Section 3 covered projects (as described in Section 135.3 (a) (2)), including management and administrative jobs. Management and administrative jobs include architectural, engineering or related professional services required to prepare plans, drawings, specifications, or work write-ups; and jobs directly related to administrative support of these activities, e.g., construction manager, relocation specialist, payroll clerk, etc.

**Housing Authority** (HA) – Public Housing Agency.

**Housing Development** – low-income housing owned, developed, or operated by public housing agencies in accordance with HUD’s public housing program regulations codified in 24 CFR Chapter IX.

**HUD Youthbuild Programs** – programs that receive assistance under subtitle D of Title IV of the National Affordable Housing Act, as amended by the Housing and Community Development Act of 1992 (42 U.S.C. 12899), and provide disadvantaged youth with opportunities for employment, education, leadership development, and training in the construction or rehabilitation of housing for homeless individuals and members of low- and very low-income families.

**Job Training Center (JTC)** - The Job Training Center provides employment and training services to the residents of Anoka County who are most in need of services. The highest priority to receive services are those who are unemployed, economically disadvantaged, and/or face multiple obstacles to gaining employment. The Job Training Center ensures that programs provided youth and adults academic enrichment, basic skills, and job specific skills training for those individuals who need them. Job seekers have access to vocational counseling, job search workshops, labor market information, job search computers, personal computers, and career planning workshops.

The ongoing development and refinement of the MN Workforce Center-Anoka County along with the Job Training Center partnership maximizes resources. Funding for JTC (Job Training Center) programs is made available through county, state, and federal governments and private foundations.

**JTPA** – The Job Training Partnership Act (29 U.S.C. 1579 (a)).

**Low-income person** – families (including single persons) whose incomes do not exceed 80 percent of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of the Secretary’s findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families.

**Metropolitan Area** – a metropolitan statistical area (MSA), as established by the Office of Management and Budget.

**New Hires** – full-time employees for permanent, temporary or seasonal employment opportunities.

**Recipient** – any entity which receives Section 3 covered assistance, directly from HUD or from another recipient and includes, but is not limited to, any State unit of local government, PHA, or other public body, public or private nonprofit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. Recipient also includes any successor, assignee or transferee of any such entity, but does not include any ultimate beneficiary under the HUD program to which Section 3 applies and does not include contractors.

**Section 3** – Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

**Section 3 Business Concern** – a business concern,

- 1) That is 51 percent or more owned by Section 3 resident: or
- 2) Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents; or
- 3) That provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontractors to be awarded to business concerns that meet the qualifications set forth in paragraphs 1 or 2 above.

**Section 3 Covered Assistance** –

- 1) Public housing development assistance provided pursuant to Section 5 of the 1937 Act;
- 2) Public housing operating assistance provided pursuant to Section 9 of the 1937 Act;
- 3) Public housing modernization assistance provided pursuant to Section 14 of the 1937 Act;
- 4) Assistance provided under any HUD housing or community development program that is expended for work arising in connection with housing rehabilitation, construction, or other public construction project (which includes other buildings or improvements, regardless of ownership).

**Section 3 Clause** – the contract provisions set forth in Section 135.38.

**Section 3 Covered Contracts** – a contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project.

Section 3 covered contracts do not include contracts awarded under HUD's procurement program, which are governed by the Federal Acquisition Regulation (FAR). Section 3 covered contracts also do not include contracts for the purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a Section 3 covered contract.

**Section 3 Covered Project** - the construction, reconstruction, conversion or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public construction which includes buildings or improvements (regardless of ownership) assisted with housing or community development assistance.

**Section 3 Resident** – a public housing resident or an individual who resides in the metropolitan area or nonmetropolitan county in which the Section 3 covered assistance is expended and who is considered to be a low-to very low-income person.

**Subcontractor** – any entity (other than a person who is an employee of the contractor) which has a contract with a contractor to undertake a portion of the contractor's obligation for the performance of work generated by the expenditure of Section 3 covered assistance, or arising in connection with a Section 3 covered project.

**Very low-income person** – families (including single persons) whose income do not exceed 50 percent of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

## Exhibit 1 - Section 3 Clause

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All Section 3 covered contracts shall include the following clause (referred to as the Section 3 Clause):

- A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- C. The contractor agrees to send to each labor organization or representative or workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.
- E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- G. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

## Exhibit 2 - Section 3 Contracting Policy and Procedure

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The purpose of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal State, and local laws and regulations, be directed to low and very-low income individuals, especially recipients of government assistance for housing, and to business concerns which provide economic opportunities to low and very-low income individuals. (Section 3 means section 3 of the Housing and Urban Development Act of 1968, as amended 12 U.S.C. 1701u).

Section 3 requirements apply to all contractors and subcontractors (including a professional service contract) performing work in connection with the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project, regardless of the amount of the contract or subcontract. Section 3 covered contracts do not include contracts for the purchase of supplies and materials unless the contract includes the installation of the materials.

A business concern seeking to qualify for a Section 3 contracting preference shall certify or submit evidence that the business concern qualifies as a Section 3-business concern. The Section 3 business must also be able to demonstrate its ability to complete the contract. The ability to perform successfully under the terms and conditions of the proposed contract is required of all contractors and subcontractors subject to the procurement standards of 24 CFR 85.36, 24 CFR 85.36b(8).

Contractors who do not qualify as Section 3 business concerns, but who enter into contracts with the County of Anoka must agree to comply with certain general conditions (refer to Section 3 Clause). All contractors and subcontractors, including Section 3 businesses, must comply with these general conditions. Failure to comply with these general conditions may lead to sanctions which can include termination of the contract for default and suspension or debarment from future HUD-assisted contracts.

Exhibit 3 – Business Certification and Resident Application

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## **SECTION 3 CERTIFICATION PROGRAM ELIGIBILITY CRITERIA**

*Section 3 business concern* means a business as defined in this section.

- (1) That is 51 percent or more owned by Section 3 residents; or
- (2) Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents, or
- (3) That provides evidence of a commitment to contract in excess of 25 percent of the total dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (1) or (2) in this definition of “Section 3 business concern”.

*Section 3 resident means, for the purposes of Anoka County,:*

- (1) An Anoka County public housing resident; or
- (2) An individual who resides in Anoka County, and who is:
  - (i) A *low-income person*, as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)). Section 3(b)(2) of the 1937 Act defines this term to mean families (including single persons) whose incomes do not exceed 80 per centum of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families; or
  - (ii) A *very low-income person*, as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)). Section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)) defines this term to mean families (including single persons) whose incomes do not exceed 50 per centum of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

*Section 3 covered assistance* means

- (1) Assistance provided under any Anoka County housing or community development program that is expended for work arising in connection with:
  - (i) Housing rehabilitation (including reduction and abatement of lead-based paint hazards, but excluding routine maintenance, repair and replacement);
  - (ii) Housing construction; or
  - (iii) Other public construction projects (which includes other buildings or improvements, regardless of ownership).



## Application Checklist for Completeness

Applicants must provide ALL of the attachments indicated for their respective Section 3 application:

		Application Type		
		51% Ownership	30 % Employment	25 % Commitment
<b>DOCUMENT</b>				
Application Form – Part 1. Company Information				
Application Form – Part 2, A. Ownership Information				
Application Form – Part 2, B. Company Employee Information				
Application Form – Part 2, C. Subcontracting Commitment				
Application Form –Attestation				
Application Form – Section 3 Resident Application:				
AND	Section 3 Resident Application			
	Copy of Documents Verifying Eligibility			
Certifications by other government agencies (if applicable)				
Certificate of Assumed Business Name (if applicable)				
Partnership Agreement (if applicable)				
Articles of Incorporation/Organization				
Purchase Agreements (if needed to demonstrate ownership)				
Stock Certificates (if needed to demonstrate ownership)				
List of All Employees				
Payroll Records				
List of Sub-contracts (for reference purposes)				

# Application

## Part 1. Company Information

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

Doing Business As (DBA): \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Mailing Address (if different than above): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Primary Contact: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Web Site Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

Description of Product(s) and/or Service(s) (use additional sheet if necessary): \_\_\_\_\_

\_\_\_\_\_

Federal Tax ID #: \_\_\_\_\_ State Tax ID #: \_\_\_\_\_

### Legal Structure:

Individual/Sole Proprietorship     Partnership     C-Corporation     S-Corporation

Limited Liability Company

## Part 2. Select Section 3 Certification Type

A.  **Category 1 - Section 3 Ownership (51% Ownership by Section 3 Resident)**

*If there is more than one owner, attach the following information for each additional owner on a separate sheet.*

First Name: \_\_\_\_\_ Middle Initial: \_\_\_\_\_ Last Name: \_\_\_\_\_

Title: \_\_\_\_\_ Social Security Number: \_\_\_\_\_ Phone: \_\_\_\_\_

\_\_\_\_\_

Residence Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Have there been any changes in ownership in the last year?  Yes\*     No

\*If yes, please provide details on a separate sheet.

% of Ownership: \_\_\_\_\_ Owner Since (mm/yyyy): \_\_\_\_\_ Hours Devoted to Business per

Week: \_\_\_\_\_

Each owner has completed a Participant Survey (blank copy is provided in this application)

Each owner has made copies of family income verification and proof of residency and attached to this application

**B.  Category 2 - Section 3 Employees (30% Employment of Section 3 residents)**

*Each employee requesting Section 3 preferences must submit a Section 3 Resident Form and include family income verification and proof of residency.*

List all the company's employees on a separate form. Provide a copy of your company's payroll records.

Indicate the total number of full and part time employees: FT \_\_\_\_\_

**C.  Category 3 - Subcontracting Commitment Information - 25% Subcontracts will be awarded to certified Section 3 business(es)\***

**\*This Section 3 certification is completed on a per-project basis.**

List all the company's subcontractors to be utilized on a separate sheet. Include company name and contact information.

Indicate the total dollar amount to be subcontracted:

\_\_\_\_\_

Indicate the dollar amount awarded to Section 3 businesses:

\_\_\_\_\_

**Attestation**

*This section must be completed by an authorized representative of the business that is applying for certification.*

I certify that the statements provided in this application are true and correct. Furthermore, I understand that the information provided herein is subject to classification under the Minnesota Government Data Practices Act or other applicable law, that it would likely be classified as public, and that it is the responsibility of the Applicant Firm to claim and defend any other classification. I understand that the certifying entities reserve the right to request additional information and to perform on-site checks as necessary. I also understand that intentionally supplying false information for the purpose of obtaining certification will be sufficient reason for rejection of this application and/or removal from the Section 3 Certification Program.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Title

**I have attached the documents listed on the Checklist for Completeness.**

### Section 3 Resident Application

<b>Legal</b> Last Name	<b>Legal</b> First Name	Middle
Initial		
Street Address		Apt. #   Home #
City	Zip	Cell Phone #
Social Security Number	- -	Age
Email Address:		
<b>Gender:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female		<b>Ethnicity:</b> <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Non-Hispanic or Non-Latino
<b>Race (check all that apply):</b> <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Black/African American <input type="checkbox"/> Hawaiian Native/Pacific Islander <input type="checkbox"/> White		

### FAMILY MEMBERS

Name (First, Last)	Age	Relationship to you
1.		<b>SELF</b>
2.		
3.		
4.		
5.		
6.		
7.		

### INCOME SOURCES (CONTINUED ON NEXT PAGE)

To determine your family's income, check all of the following and calculate the gross income that any family member 18 years and older received, or is expected to receive in the next 12 months:

- Wages, salaries, overtime pay, commissions, fees, tips, bonuses, or other compensation
- Income or gain from CD's, money market accounts, brokerage accounts, stocks, bonds, or Treasury Bills
- Periodic payments from Social Security, disability/death benefits, pensions, retirement funds, annuities, insurance policies, or similar types of periodic benefits payments
- Payments in lieu of earnings, such as unemployment and disability compensation, workers compensation or severance pay
- Welfare assistance or TANF benefits
- Child support, spousal support/alimony, or regular contribution or gifts from persons not residing in the household including scholarships, parental gifts for tuition, etc.
- Revocable trust
- Lump sum payment or receipt of inheritances, capital gains, lottery winnings, victims' restitution or insurance settlements

Real estate other than the primary residence or other capital investments

Yes  No Do you receive housing assistance (Section 8, Subsidized)? \_\_\_\_\_ (amount)

**Income Information:** Find your family size (total number in family including foster children) **then, without changing rows**, circle the amount listed to the right of the “family size” column that includes your gross family income including the income sources described above.

Family Size	2013 Income Categories (Effective December 2012)			
	Category 1	Category 2	Category 3	Category 4
1	\$17,300 or below	\$17,301 - \$28,850	\$28,851 - \$45,100	\$45,101 or above
2	\$19,800 or below	\$19,801 - \$32,950	\$32,951 - \$51,550	\$51,551 or above
3	\$22,250 or below	\$22,251 - \$37,050	\$37,051 - \$58,000	\$58,001 or above
4	\$24,700 or below	\$24,701 - \$41,150	\$41,151 - \$64,400	\$64,401 or above
5	\$26,700 or below	\$26,701 - \$44,450	\$44,451 - \$69,600	\$69,601 or above
6	\$28,700 or below	\$28,701 - \$47,750	\$47,751 - \$74,750	\$74,751 or above
7	\$30,650 or below	\$30,651 - \$51,050	\$51,051 - \$79,900	\$79,901 or above
8	\$32,650 or below	\$32,651 - \$54,350	\$54,350 - \$85,050	\$85,051 or above
More than	Talk to agency staff for help in determining income category for your household.			

I certify that the information on this application is accurate and complete. I authorize Anoka County and the Job Training Center to verify the information provided if necessary.

\_\_\_\_\_  
Print Name of Applicant

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**Warning: Section 1001 of Title 18 of US. Code makes it a criminal offense to make false statements or misrepresentations to any Department or Agency of the U.S. as to matters within its jurisdiction.**

## Section 3 Acknowledgement

By signing below, you are acknowledging that you have read the Anoka County Section 3 Plan, 2010, and understand the requirements of Section 3 as it applies to your agency and that your agency will comply with all Section 3 requirements and submit necessary documentation to Anoka County.

Any failure to comply with Section 3 regulations may result in revocation of funds from Anoka County and may jeopardize future funding opportunities from Anoka County.

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Signature of Authorized Official

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Name of Authorized Official

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Title

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Date