

Section 3 and MBE/WBE Certification
Idaho Housing and Finance Association
Developer Certification

Business Name: _____	Project: _____
_____	Award Amount: _____
EIN/Tax ID Number: _____	Phone Number: _____
_____	_____
Unique Entity ID # _____	_____

Minority and/or Women-Owned Business Concern

The Developer represents and certifies that it:

- a) ☐ is, ☐ is not a women-owned business enterprise. A "Women-owned business enterprise," as used in this provision, means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.
- b) ☐ is, ☐ is not a minority business enterprise. A "Minority business enterprise," as used in this provision, means a business which is at least 51 percent owned or controlled by one or more minority group members or in the case of a publicly owned business, at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily operations are controlled by one or more such individuals.

Check all that apply

Alaskan Native or American Indian
Asian or Pacific Islander
Black Non-Hispanic
Hispanic
White

☐
☐
☐
☐
☐

Section 3 Business Concern Certification

A Section 3 Business Concern meets one of the following

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

The developer represents and certifies that it:

☐ is, ☐ is not, a Section 3 business concern.

The status of the Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owners(s) or employees.

Initial

Section 3 Contract Certifications

The developer represents and certifies the following:

- a) The contractor is under no contractual or other impediment that would prevent them from complying with the 24 CFR Part 75 regulations.
- b) 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 and follow the Section 3 bid procurement policy.
 - 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 contractors 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, 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.
- c) 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 IHFA. A good faith estimate of labor hours for each full or part time employee can be used if a detailed time attendance system is not in place. Some Exclusions apply for non-construction services contracts. See Section 3 Employee Labor Hour Certification form.
- d) 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.
- e) 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.
- f) 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 are subject to the provisions of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

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.

See the HOME Programs Administrative plan Exhibit G for definitions. <https://www.idahohousing.com/federal-programs/home-program/>

Initial

Developer's Signature

I affirm that the above statements are true, complete and correct to the best of my knowledge and belief. I understand that contractors who misrepresent themselves as Section 3 business concerns, as described above, and report false information to IHFA may have their contracts terminated as a result of this default and may 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.

(Signature)

(Date)

(Title)

*Certification only valid on a per project basis.

Information regarding Section 3 Business Concerns can be found at [24 CFR 75.5](#)