Section 3 and MWSBE Compliance Forms

CITY OF HOUSTON

HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT

2100 TRAVIS STREET, 9TH FLOOR,
HOUSTON, TEXAS 77002
832.394.6200

December, 2021

CONTACT INFORMATION

Please contact your assigned MWSBE and/or Section 3 Contract Administrator/Coordinator for assistance.

City of Houston Housing and Community Development Department
2100 Travis Street, 9th Floor, Houston, TX 77002

COMPLIANCE FORMS

Instructions: All compliance forms must be completed and/or signed by a duly authorized member of the firm. The Prime Contractor, Subcontractor, and Suppliers must upload the following forms in LCP Tracker by the deadlines provided below. Read each form to verify if it is applicable to your firm and follow the instructions written on each form.

The following form(s) are to be submitted before construction commences.		
Compliance Section(s): MWSBE/Section 3	**Form/Documents**	**Due**
All sections	Executed contract agreement, purchase order, and/or invoice	Within 5 business days of executed contract agreement
All sections	Compliance Cover Sheet	Within 5 business days of executed contract agreement
All sections	Request for Contractor/Subcontractor Clearance Form/SAM Verification	Before execution of contract agreement
All sections	Start of Work Notice	Upon commencement of work
All sections	Termination of Work Notice	Upon commencement of work
MWSBE/ Section 3	Section 3/MWSBE Utilization Plan	Within 5 business days of executed contract agreement, monthly, and/or when changes occur
MWSBE	MWSBE Utilization Schedule	Due within 30 days of executed contract and/or when changes occur.
Section 3	Contractor's Section 3 Compliance Certification	Within 5 business days of executed contract agreement
Section 3	First Source Hiring Agreement	Within 5 business days of executed contract agreement
Section 3	Permanent Employee List	Within 5 business days of executed contract agreement
Section 3	Workforce Analysis Form	Within 5 business days of executed contract agreement
Section 3	Internal Capacity Affidavit	Within 5 business days of executed contract agreement or when internal capacity is reached
Section 3	Monthly Verification of Internal Capacity Status	Due last business day of each month
Section 3	Monthly Activity Report	Due last business day of each month.
Section 3	Monthly Labor Hours and Employee Report	Due last business day of each month.
Section 3	New Hire Form	Due last business day of each month
Section 3	Confirmation of Subcontractor Amount	Within 5 business days of executed contract agreement
Section 3	E-BID Announcement	Submit at least 14 business days from need to contract
Section 3	Employment Opportunity Announcement (EOA)	Submit at least 14 business days prior need to hire
Section 3	Bid Tabulation	Submit no later than 5 business days after final selection is made
Section 3	Template - Section 3 Signage (GC)	Signage must be posted on site prior to start of work

COMPLIANCE COVER SHEET

CITY OF HOUSTON
HOUSING AND COMMUNITY DEVELOPMENT

RETURN WITH COMPLIANCE DOCUMENTS (COMPLETE ALL FIELDS)

Instructions: This form must be completed by the Prime, Subcontractors and Suppliers upon execution of a contract agreement, purchase order and/or invoice. The Prime contractor is responsible for collecting this form from Subcontractors and Suppliers to complete setup and access to LCP Tracker.

REQUIRED BY ALL SECTIONS

Project Name: **Project Number:**

Name of Prime Contractor/Subcontractor/Supplier:

I/We have a written contract or purchase order with:

Services to be provided:

NAICS code *(To look up a code, please visit http://www.census.gov/eos/www/naics/*

Company Address:

Pre-existing LCP Tracker User ID: **EIN or SS Number:**

DUNS Number: **Contract Amount:**

Compliance Contact Person/Title: **Email:**

Phone Number: **Fax Number:**

***Owner's Ethnicity/Racial Background:** **Gender:**

- MBE
- WBE
- SBE
- Section 3

NOTE: For Section 3 contracts, Suppliers are not required to complete this form. However, if the Supplier also performs labor, then this form must be completed.

REQUEST FOR PRIME CONTRACTOR/ SUBCONTRACTOR CLEARANCE

NO CONTRACT CAN BE EXECUTED WITH A PRIME CONTRACTOR, SUBCONTRACTOR OR SUPPLIER UNTIL THEIR ELIGIBILITY HAS BEEN VERIFIED BY HCDD.

Instructions: To ensure eligibility, a search must be conducted of the (1) Company Name, (2) Principal Owner(s) and (3) the Employer Identification Number (EIN) through **www.sam.gov/SAM.**

The Prime Contractor verifies the eligibility of all Subcontractors and Suppliers. Search results and the Request for Clearance form MUST be uploaded in LCP Tracker for each Subcontractor and Supplier.

REQUIRED BY ALL SECTIONS

Date:

Project Name:

Project Address:

Prime Contractor/Subcontractor/Name:

EIN or SS Number: Address/Zip Code:

Phone Number:

Check the applicable entity ○ Sole Proprietorship ○ Corporation ○ Partnership ○ Other

List Principal(s) below:

START OF WORK NOTICE

Instructions: This form must be completed by the Prime Contractor/Subcontractor and serves as notice of commencement of work to HCDD.

REQUIRED BY ALL SECTIONS

Prime Contractor Information

Project Name:

Project Address:

Prime Contractor/Subcontractor/Name:

Prime Contractor/Subcontractor/Address:

Start of Work Date:

Prime Contractor Authorization

Name of Authorized Officer:

Signature **Title**

TERMINATION OF WORK NOTICE

Instructions: This form must be completed by the Prime Contractor/Subcontractor and serves as notice to HCDD that work has been completed.

REQUIRED BY ALL SECTIONS

Prime Contractor Information

Project Name:

Project Address:

Prime Contractor/Subcontractor/Name:

Prime Contractor/Subcontractor Address:

Termination of Work Date:

Prime Contractor Authorization

Name of Authorized Officer:

Signature **Title**

SECTION 3 UTILIZATION PLAN

Prime and Subcontractors working at all tier levels with a contract of $100,000.00 or more must submit a Section 3 Utilization Plan (Plan). A Plan is required every month from the Prime and Subcontractors until their scope of work is terminated on the project. An updated Plan is required when change orders adjust contract amounts and/or when the project's utilization is amended. Section 3 does not monitor suppliers. Therefore, suppliers are excluded from completing this form.

1A. MM/YYYY: 1B. Project Name: 1C. Contract Number: 1D. Contractor Amount:

1E. Contact Person: 1F. Prime/Subcontractor Name: 1G. Compliance Contract Name: 1H. Compliance Contact Telephone #:

2A. Hard Cost Budget (N/A if not applicable) 2B. 10% Hard Cost Goal 2C. Hard Cost % Achieved 2D. Soft Cost Budget (N/A if not applicable) 2F. 3% Soft Cost Goal 2G. Soft Cost % Achieved

Prime/Sub-contractor self-performing: ◯ Yes ◯ No

NAICS Code (6 digits)	Subcontractor	Section 3 Certified	Gender	*Ethnicity	Description of Service	EIN or SS#	Contract Amount	% Of Contract	Hard Cost, Soft Cost (Select the correct choice)	Address, Phone Number & Email

MWSBE UTILIZATION PLAN

Prime, Subcontractors, and Suppliers working at all tier levels must submit an MWSBE Utilization Plan (Plan). A Plan is required every month from the Prime, Subcontractors, and Suppliers until their scope of work is terminated on the project. An updated Plan is required when change orders adjust contract amounts and/or when the project's utilization is amended.

1A. MM/YYYY: 1B. Project Name: 1C. Contract Number: 1D. Contractor Amount:

1E. Prime/Sub Contractor Name: 1F. Compliance Contact Name: 1G. Compliance Contact Telephone #:

Prime/Sub-contractor/Supplier self-performing: ◯ Yes ◯ No

NAICS Code (6 digits)	Subcontractor/Supplier	M	W	S	*Ethnicity	Description of Service	EIN or SS#	Contract Amount	% of Contract	Address, Phone Number & Email

MWSBE
UTILIZATION SCHEDULE - CONSTRUCTION

The MWSBE Utilization Schedule is a projection of funds allocated to certified firms each month throughout the life of the project.

Reporting MM and YYYY: **Project Name and Number:** **Company Name:**

Subcontractors/Suppliers Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total

MWBE
UTILIZATION SCHEDULE - PROFESSIONAL SERVICES

The MWSBE Utilization Schedule is a projection of funds allocated to certified firms each month throughout the life of the project.

Reporting MM and YYYY: **Project Name and Number:** **Company Name:**

Subcontractors/Suppliers Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total

MWBE
UTILIZATION SCHEDULE - PURCHASING

The MWSBE Utilization Schedule is a projection of funds allocated to certified firms each month throughout the life of the project.

Reporting MM and YYYY: **Project Name and Number:** **Company Name:**

Subcontractors/Suppliers Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total

SECTION 3
CONTRACTOR'S COMPLIANCE CERTIFICATION

The undersigned makes this affidavit with full knowledge that its contents will be used in the expenditure of funds provided by the United States Government. Under penalty of perjury I hereby state:

1. I am the _____ of _____
   (Owner, Partner, Officer, Representative, Agent) (Company Name)

2. My company adheres to Section 3 of the Housing and Urban Development (HUD) Act of 1968, as amended, 12 U.S.C. 1701u which requires, to the greatest extent feasible, that a "good faith effort" given to identifying small businesses located within the boundaries of the Section 3 service area, making them aware of contracting opportunities, encouraging their participation and actually awarding contracts to Section 3 Business Concerns through the assistance of the City of Houston and their referral system.

3. An attempt will be made to undertake outreach activities intended to encourage participation by Section 3 Workers in training and employment opportunities, to include but not be limited to utilizing the referral established by the City of Houston, the Texas Employment Commission, and Houston Works.

4. My company also acknowledges and affirms the required steps stipulated in the Code of Federal regulations 24 CFR Part 75 for any "New" services, i.e. employment/labor, services/materials, or subcontracting. Any violation of this requirement will present a negative impact on the performance rating of the recipient, developer, and contractor/subcontractor.

§ 135.38 Section 3 clause

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 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.

C. The contractor agrees to send to each labor organization or representative of 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 new applicants can see. The notice shall describe the Section 3 preference, set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the required 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 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.

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 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.

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

Affiant's Signature: _____ **Affiant's Title:** _____ **Telephone:** _____

Address: _____ **Affiant's Company Name:** _____

Subscribed and sworn to under oath before me this _____ **Day of** _____ **, 20** _____

_____ _____

Notary Public Signature **My Commission Expires:**

SECTION 3
FIRST SOURCE HIRING AGREEMENT

This agreement is entered this _____ day of _____, 20 _____ by _____ and between the City of Houston and hereinafter referred to as the "City" and hereinafter referred to the "Contractor", in connection with work to be performed in relation to the City's HUD-assisted project entitled _____, hereinafter referred to a the "Project".

Whereas, HUD has promulgated certain regulations to implement Section 3 of the Housing and Urban Development (HUD) Act of 1968 12 U.S.C. 1701u) (Section 3), regulations; and

Whereas, the purpose of Section 3 regulations is to ensure that employment and other economic opportunities generated by Section 3 covered 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 persons, and business concerns, which provide economic opportunities to such persons.

Whereas, HUD has set forth numerical employment, and contracting goals to be achieved by all Community Development recipients of Section 3 covered assistance and by other recipients of such assistance in which HUD's share exceeds $200,000.00 per project and by those Contractors whose share such projects exceeds $100,000.00; and

Whereas, the numerical goal so established by HUD applicable to the Project is set forth below: and

Whereas, recipients of Section 3 covered assistance and their contractors can demonstrate compliance with the Section 3 regulations by committing to employ Section 3 eligible persons as applicable percentage of the aggregate number of new hires during the time period involved in the Section 3 covered project; and

Whereas, the City and the Contractor as desirous of being in compliance with the Section 3 regulations as they relate to the Project;

1. The Contractor and any of its subcontractors shall supply the City with a list of all full-time employees currently employed, indicating which, if any, of said employees were hired within the past three years and were also low or very low income persons when so hired;
2. The Contractor and any of its subcontractors shall provide a listing of any and all positions for which new hires are expected to be required as a result of the Project;
3. The Contractor and any of its contractors will, to the greatest extent feasible, endeavor to hire 30% percent of the new hires generated by the Project from the following list of Section 3 eligible groups, in the order of priority listed:
   - **a.** Section 3 Workers of service area or neighborhood;
   - **b.** Youth build participants;
   - **c.** Homeless projects; Homeless persons; and
   - **d.** Other Section 3 Workers.
4. The Contractor and any of its subcontractors will be encouraged to make new hires from the list of Section 3 eligible groups in Paragraph 3 above for any and all other projects assisted with Federal funding, whether or not such project is subject to the Section 3 regulations;
5. The Contractor and any of its subcontractors shall accept referrals of Section 3 eligible persons from the City. Provided, however, that nothing in this agreement is to be construed requiring any party hereto, or its subcontractors, to hire any person or persons who are unqualified to or incapable of carrying out the work required of any such new hires.

Witness our hands and seals on the date first written above:

The City of Houston Housing and Community Development Department

by _____

Section 3 Contract Administrator/Coordinator

by _____

Contractors Name:
Owner/President/Vice President

SECTION 3
PERMANENT EMPLOYEE LIST

Date:

Project Name: Total Amount of Contract:

Name of Contractor/Subcontractor:

Address:

Name of Contact Person:

Employee Names	Job Title	Certified Section 3 Worker	Monthly Salary or Hourly Rate

I certify the above-named individuals are permanent employees of this firm. I understand that falsifying information is perjury and subject to contract termination.

Print Name / Title Signature Date

SECTION 3
CONTRACTOR/SUBCONTRACTOR WORKFORCE ANALYSIS FORM

ESTIMATED PROJECT WORK FORCE BREAKDOWN									
Non-Construction					Construction				
Job Category	Estimated # of Positions Needed for Project	# of Positions Occupied by Permanent Employees	# of Positions Not Occupied	# of Positions to be Filled with Section 3 Workers	Job Category	Estimated # of Positions Needed for Project	# of Positions Occupied by Permanent Employees	# of Positions Not Occupied	# of Positions to be Filled with Section 3 Workers

EMPLOYMENT CERTIFICATION (make additional copies of this form if necessary)
The Company hereby certifies that the above table represents the appropriate number of employee(s) positions required in the execution of the project and represents the number of Section 3 service area Workers that the company proposes to employ. The Company certifies that it will make a good faith effort to employ the number of lower income employees stated utilizing such community-based organizations and service agencies as the Texas Employment Commission and Houston Works.

Company	Title	By	Date

SECTION 3
INTERNAL CAPACITY AFFIDAVIT

The undersigned makes this affidavit with full knowledge of the content described in the Section 3 Program regulations at 24 CFR Part 75. Each recipient of Section 3 covered financial assistance, and its contractors or subcontractors are required to comply with the requirements of Section 3 for new employment, training, or contracting opportunities that are created during the expenditure of covered funding. This requirement applies to matters which include:

1. All construction projects for which the amount of City (HUD-sourced) assistance to the project or program exceeds $200,000.00.
2. All Contractor/Subcontractor situations where the individual contract or subcontract exceeds $100,000.00 from the City with HUD sourced funds.

This affidavit is to document the contractor has sufficient internal capacity to execute the entire scope of work awarded without the need to subcontract and to acknowledge by the undersigned if subcontracts are required, they may be subject to additional requirements under the Section 3 Program.

Under penalty of perjury I hereby state:

I, _____ am the _____ of _____,
Print Name *Company Name*

which has executed a contract with _____ to perform _____
Other Contract Party *Description of Work*

on the project known as _____ and represent that the contract covered by this affidavit has met the
Name of Project

conditions, including those described above and hereby authorize and request any person, firm or corporation to furnish any information requested by the Housing and Community Development Department in verification of the recitals comprising this _____ day of _____ 20 _____

Company Name	Representative Signature	Title

STATE OF TEXAS

COUNTY OF _____

_____ being duly sworn, deposes and says that he/she is the _____
Print Name

of _____ and that the answers to the foregoing questions and all statements therein contained are true and correct.
Company Name

Subscribed and sworn to under oath before me this _____ Day of _____, 20 _____

Notary Public Signature	My Commission Expires:	

Notary Stamp

Only submit form if Prime/Subcontractor does not have a need for lower-tier subs or new hires for the duration of the project.

SECTION 3
MONTHLY VERIFICATION OF INTERNAL CAPACITY STATUS

CITY OF HOUSTON
HOUSING AND COMMUNITY DEVELOPMENT

This form is to be completed and submitted by the 5th of each month by every Subcontractor claiming Internal Capacity, for the duration of their contract. Always report for the previous month; (E.g.: Form due on June 30, 2021, will be reporting activity of June 1-30, 2021).

Reporting MM and YYYY: **Project Name:**

Subcontractor: **Contracted With:**

By signing below, I hereby verify that my company has remained in the qualifying Internal Capacity parameters stated below:

- No Lower-Tier Subcontracts have been awarded, and/or
- No New Hires (employees placed on payroll) have been hired to work specifically on the project stated above.

By signing below, I also verify that I understand that in the event my company has the need for lower-tier subcontracts and/or new hires, I will immediately alert the General Contractor and will follow the below Section 3 Procurement Processes. I also understand that my company can no longer claim Internal Capacity and will be required to comply with all Section 3 requirements that are now applicable.

Section 3 Procurement Process for Lower-Tier Subcontractors

1. Subcontractor will submit EBID Announcement that lists scope of work, contact information and a bid due date (minimum is two weeks). Subcontractors should submit EBID directly to General Contractor.
    a. EBID will be forwarded to HCDD and will then be sent to all Section 3 Businesses.

2. Subcontractor will review all bids received and will award contract based on the Section 3 procurement guidelines, depending if bids are construction or non-construction:

    a. 10% of hard cost (construction) budget must be awarded to Section 3 Business.
    b. 3% of soft cost (non-construction) budget must be awarded to Section 3 Business.

3. Subcontractor will submit a Bid Tabulation after all bids have been received. The bid tabulation should indicate which awarded contracts were to a Section 3 Business.

4. Subcontractor will submit a Section 3 Utilization Plan that lists all Lower-Tier Subcontractors and Professional Services being utilized.

Section 3 Procurement Process for New Hires

1. Subcontractor will submit an Employment Opportunity Announcement (EOA) that lists position details, applicant qualifications, contact information and application deadline. EOA will be submitted directly to the General Contractor.

    a. EOA will be forwarded to HCDD and will then be sent to all certified Section 3 Workers.

2. Subcontractor will hold interviews and determine how the 30% New Hire Goal will be met.

    a. For example, if 10 new hires are needed, at least 3 must be either:
        i. Currently certified as a Section 3 Worker
        ii. Qualifies as a Section 3 Worker (required to complete Section 3 Worker Application)

3. Subcontractor will notify the General Contractor of hiring results and will submit the following:

    a. Statement indicating how the 30% New Hire Goal was met, list of new hire names and Section 3 Worker status.
    b. Section 3 Worker Applications for new hires that must be certified in order to meet the 30% New Hire Goal.

4. Subcontractor will start submitting monthly reporting and any other additional documents needed for the duration of their contract.

Print Name	Title/Company	Signature	Date

SECTION 3
MONTHLY ACTIVITY REPORT (PART I)

CITY OF HOUSTON
HOUSING AND COMMUNITY DEVELOPMENT

Date of Submission:

Project Name: Contract Amount:

Name of Contractor/Subcontractor:

Address:

Name of Contact Person:

Phone Number / Email: Reporting MM and YYYY:

EMPLOYMENT AND TRAINING

A Job Category	B New Hires		B No New Hires		C Employees		D Trainees		D No Trainees	
	Section 3 New Hires*		Non-Section 3 New Hires*		Section 3 Workers*	Non-Section 3 Workers*	Section 3 Trainees* Previously Reported That Worked This Month		New Section 3 Trainees* Reporting for the First Time	
	# of New Hires	Hours Worked	# of New Hires	Hours Worked	Hours Worked	Hours Worked	# of Trainees	Hours Worked	# of Trainees	Hours Worked
Professional										
Technician										
Office/Clerical										
Trade:										
Trade:										
Trade:										
Trade:										
Other:										
Other:										
Total:										

NOTES:

1. This form MUST be submitted by ALL contractors (with a contract in excess of $100,000.00) no later than the last business day of the month each month.
2. Reporting MUST always reflect previous months activity.
3. New Hires are reported under Column "B" for the first month following their date of hire. Thereafter, New Hires are reported under Column "C".
4. All New Hires MUST be listed on the Section 3 and Non-Section 3 New Hire Form.
5. This form is NOT required by Prime and Subcontractors claiming, "Internal Capacity".

SECTION 3
NEW HIRE FORM (PART II)

Name of Contractor/Subcontractor:

Reporting MM and YYYY:

A First Name	B Last Name	C Racial/Ethnic Code	D Hire Date	E Hourly Rate	F Sec. 3 Status	G Trade Work	H Hours Worked	I Hours Trained	J Payroll Classification

NOTE:

A. First name of Section 3 Worker
B. Last name of Section 3 Worker
C. Racial/ethnic code: 1 –White American, 2 – Black American, 3 – Native American, 4 – Hispanic American, 5 – Asian Pacific American, 6 – Hasidic Jew
D. Hire date of Section 3 Worker
E. Hourly rate of Section 3 Worker
F. Indicate Section 3 status by entering either: New Hire, Employee or Trainee
G. Trade work performed by Section Worker
H. Hours worked during reporting month by Section 3 New Hire or Section 3 Employee
I. Hours trained during reporting month by Section 3 Trainee
J. Indicate payroll classification: Full Time, Part Time, FT - Temporary, PT- Temporary, FT-Seasonal, PT-Seasonal, Internship

MONTHLY LABOR HOURS AND EMPLOYEE REPORT

CITY OF HOUSTON
HOUSING AND COMMUNITY DEVELOPMENT

Reporting MM and YYYY: _____ Project & Contractor Names: _____ Report Submitted by: _____

Total Number of Employees: _____ Total Project Labor Hours: *(TPLH)* _____ 25% Section 3 Labor Goal: _____ Actual Labor Hours % Achieved: *(ALHA)* _____

5% Target Worker Goal: _____ Actual Target Worker % Achieved _____

Section 3 Workers performing on project: ☐ Yes ☐ No If yes, list the workers in Section A New Hire/Target Workers ☐ Yes ☐ No If yes, list new hires in Section B

SECTION A – SECTION 3 WORKERS

Last Name	First Name	Section 3 Worker Certificate #	Date of Hire	Hours Worked

Grand Total: _____

SECTION B – SECTION 3 TARGETED WORKERS

Last Name	First Name	YouthBuild Yes or No	Reside within 1 mile of project Yes or No	Hours Worked

Grand Total: _____

NOTE: This report is intended to track monthly labor hours and new hires in conformance with Section 3 Labor and Workforce Provision Requirements. To complete this report you must:

A. Retrieve Payroll Detail report from LCP tracker for the reporting month.
B. Analyze the LCP Tracker report to determine Total Project Labor Hours (TPLH) for the month. Enter this number in TPLH above.
C. List Section 3 Workers and their hours for the month in Section A above.
D. List Section 3 Workers hired during the month in Section B above.

MONTHLY LABOR HOURS AND EMPLOYEE REPORT

Reporting MM and YYYY: | Project & Contractor Names: | Report Submitted by:

Total Number of Employees: | Total Project Labor Hours: *(TPLH)* | 10% Section 3 Labor Goal: | Actual Labor Hours % Achieved: *(ALHA)*

5% Target Worker Goal: | Actual Target Worker % Achieved

Section 3 Workers performing on project: Yes No If yes, list the workers in Section A

New Hire/Target Workers Yes No If yes, list new hires in Section B

SECTION A – SECTION 3 WORKERS

Last Name	First Name	Section 3 Worker Certificate #	Date of Hire	Hours Worked

Grand Total:

SECTION B – SECTION 3 TARGETED WORKERS

Last Name	First Name	YouthBuild Yes or No	Reside within 1 mile of project Yes or No	Hours Worked

Grand Total:

NOTE: This report is intended to track monthly labor hours and new hires in conformance with Section 3 Labor and Workforce Provision Requirements. To complete this report you must:

A. Retrieve Payroll Detail report from LCP tracker for the reporting month.
B. Analyze the LCP Tracker report to determine Total Project Labor Hours (TPLH) for the month. Enter this number in TPLH above.
C. List Section 3 Workers and their hours for the month in Section A above.
D. List Section 3 Workers hired during the month in Section B above.

SECTION 3
CONFIRMATION OF SUBCONTRACT AMOUNT

CITY OF HOUSTON
HOUSING AND COMMUNITY DEVELOPMENT

Project Name:

Subcontractor Name/House Address:

Executed Contract With:

Original Contract Amount:

Start of Work Date:

Contract Amount at Start of Work:

Please complete one (1) of the following that applies:

A. Contract Amount Has Remained Less Than $100,000.00

If the contract amount is below $100,000.00 prior to the start of work date, the Subcontractor is not required to comply with Section 3 due established minimum threshold. Sign below and submit form.

I, hereby, confirm that the above Subcontractor 's contract amount has stayed below the $100,000.00 threshold by the start of work date stated above.

Print Name	Title/Company	Signature	Date

B. Contract Amount Has Increased to Equal to or Greater Than $100,000.00

If the contract amount is now in excess of $100,000.00, the Subcontractor is required to comply with the Section 3 federal regulations and the HCDD's Section 3 policy and procedures set forth in the Section 3 Contractor Orientation Guide.

I, hereby, acknowledge that the above Subcontractor's met the minimum threshold and I understand that the Subcontractor is now required to comply with the Section 3 requirements set forth in the Section 3 Contractor Orientation Guide.

Print Name	Title/Company	Signature	Date

SECTION 3
EBID ANNOUNCEMENT

Date: **Bid Due By:**

To:

Project Name:

Address, City, State, Zip:

From:

Summary of Work:

This project is . As a General Contractor/Subcontractor, we are hiring a Section 3 Business Concern that can perform the following scope of work:

If interested, please contact me as soon as possible to schedule an appointment to look at the scope of services. This project is funded through a federal grant; therefore, we encourage all qualified Section 3 Business Concerns to respond to this EBID for contracting opportunities.

Please email this form to . Should you have any questions contact:

Name: **Phone Number:**

Bidder Information:

Yes, I will be bidding on the project **No, I will not be bidding on this project**

Contract Name:

Company:

Phone Number:

Address:

Email:

Trade/Specialty:

HCDD contractors are committed to "ensure employment and 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 persons."

If your company is interested in certifying as a Section 3 Business Concern complete the application process here: **https://hcddsection3.gob2g.com/.** This form must be completed and submitted to the assigned Section 3 Contract Administrator/Coordinator for all contracting opportunities.

SECTION 3
EOA FOR PROCURING LABOR FOR SECTION 3 WORKERS

Date: Application Deadline:

To:

Project:

From:

Position Needed/Description:

Contact Information:

SECTION 3 WORKERS: INCLUDE THIS COVER SHEET WITH YOUR APPLICATION

Yes, I am interested in this position No, I am not interested in this position

Contact Name:

Address:

Phone:

Email:

Job:

Job Skills:

The Housing and Community Development Department Section 3 Program is committed to ensure that employment and 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 persons.

Federal Labor Standard Provisions including the Davis Bacon and Related Act may be applicable to the construction of this project.

If you know someone interested to become a certified Section 3 Worker the guidelines and application are available here: **https://www.houstontx.gov/housing/compliance.html#sec3.**

SECTION 3
SAMPLE BID TABULATION

Date

Cost Code:

Projected Budget:

Subcontractors	Bid Amount	Cost Breakdown
		per unit per square foot
		per unit per square foot
		per unit per square foot
		per unit per square foot

Labor $ -

Material $ -

Total $ -

PM:

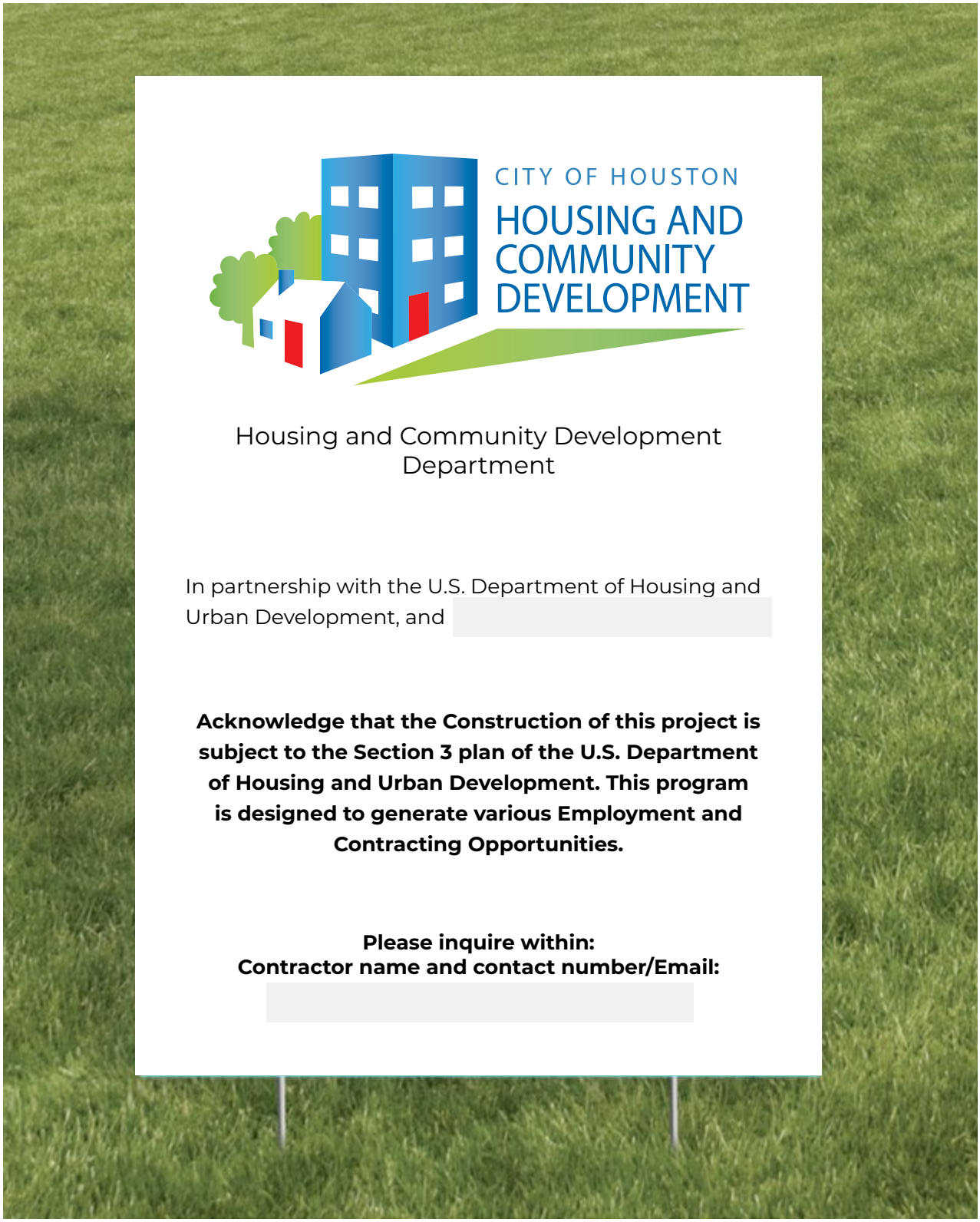
SPM:

VP:

Contract:

P.O.:

SECTION 3
SIGNAGE TEMPLATE



SUPPLEMENTAL COMPLIANCE FORMS
TEMPLATES AND REFERENCE MATERIAL

In addition to the forms listed on the previous pages, Prime Contractor, Subcontractor and Suppliers are required, where applicable, to submit supplemental compliance forms during and upon completion of the construction. The supplemental forms, templates and reference material are available for download in LCP Tracker. For your convenience, a sample of available forms and documents in LCP Tracker are attached:

Compliance Section(s): MWSBE/Section 3	Form/Documents	Due
All sections	Work on Hold Notice	Refer to instructions
All sections	System for Award Management Instructions	N/A
All sections	Statement of Information for SAM Results	Within 5 business days of executed contract and annually.
All sections	Assessing Debarred Vendor List	Within 5 business days of executed contract and annually.
Section 3	LCP Tracker Employee Profile	Throughout project duration.
All Sections	LCP Tracker Subcontractor Set-up by Prime	Throughout project duration.
MWSBE	Mediation Arbitration Language	Included in certified firms executed contract agreement and/or purchase order(s)

WORK ON HOLD NOTICE

Instructions: This form MUST be completed by the Prime Contractor and Subcontractor(s) who generate certified payroll reports and will not be working at the project site for more than 4 consecutive weeks. When work resumes, continue to number payrolls in sequential order from the last certified payroll report number. This form must be uploaded into LCP Tracker.

REQUIRED BY ALL SECTIONS

Prime Contractor Information

Project Name:

Project Address:

Prime Contractor/Subcontractor Name:

Prime Contractor/Subcontractor Address:

Exact or estimated date range that work is scheduled to be on hold:

Prime Contractor Authorization

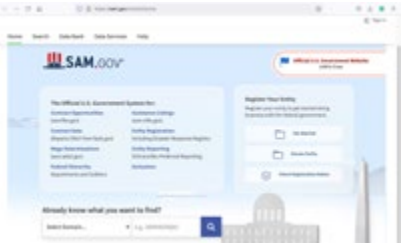
Name of Authorized Officer:

Signature **Title**

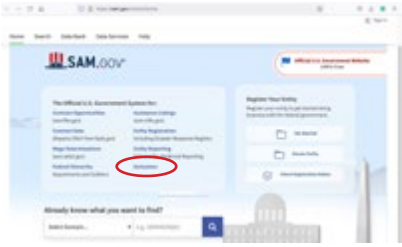
SAM.GOV EXCLUSION SEARCHES

Proof of non-federal exclusions search must be conducted for the prime contractors, sub-contractors, and lower tier sub-contractors. Searches must be conducted by the company name, Employer Identification Number (EIN) and all principals by full first, middle, and last name. Below are the steps to follow when conducting the search and printing results.

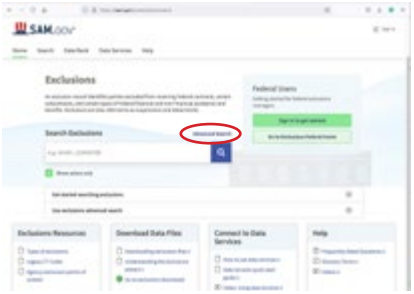
1. Go to: **WWW.SAM.GOV**



2. Click on Exclusions



3. Click on Advance Search



4. Enter the applicable search (Company name, EIN #, principals names etc..) in the "Search" box and click search

5. Print the first 3-4 pages of the search-exclusion matches and ensure that the contractor is not an exact match

6. Upload all results generated (Company, EIN#, and Principals) along with the Request for Contractor Clearance form into LCPTracker

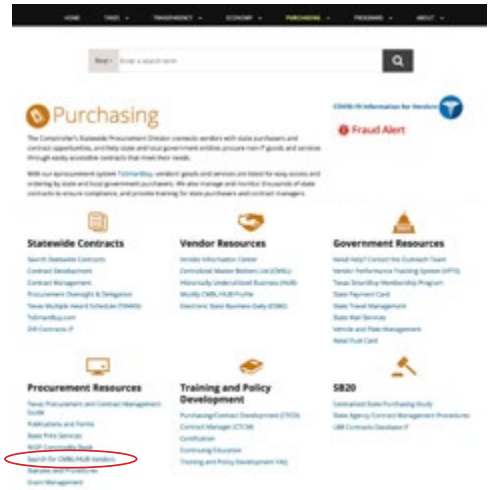
NOTE: If any exact match is identified contractor, subcontractor, or lower-tier subcontractor will not be eligible to conduct any business on federal projects. Any partial matches would need to be verified by HCDD and additional information may be requested.

ACCESSING THE DEBARRED VENDOR LIST

Proof of non-debarment from the states comptroller's office must be provided by prime contractors, subcontractors, and lower tiers. Below are the steps for searching and accessing the Debarred Vendor List.

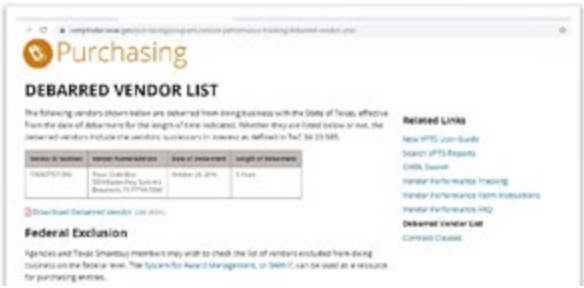
1. Search:
https://comptroller.texas.gov/purchasing/

2. Scroll down to Procurement Resources and click on:
Search for CMBL/HUB Vendors



3. Click on the Debarred Vendors List on the left-hand side:

4. The Debarred vendor list will appear on the screen:



5. Ctrl P to print or save as PDF. Ensure that the date is on the list.

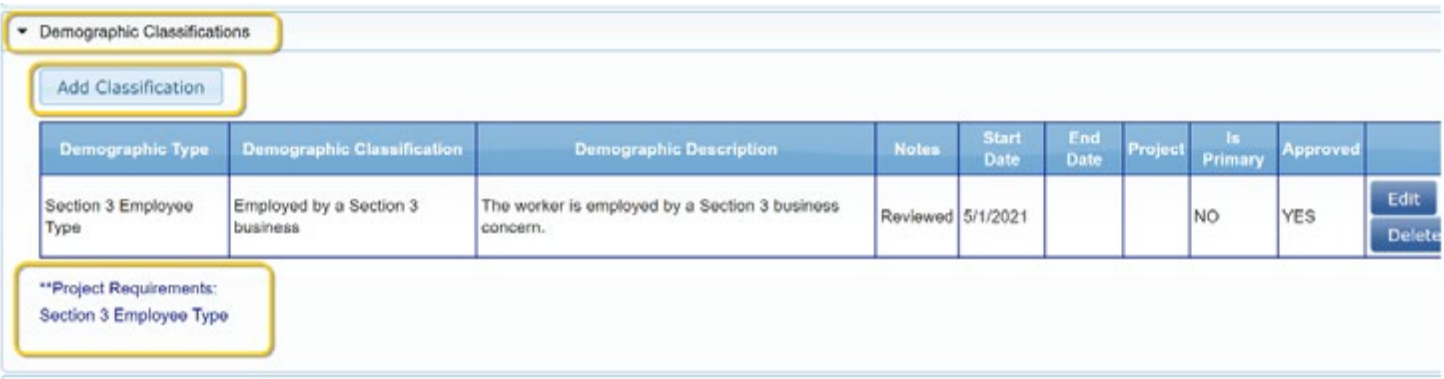
6. Upload copy of the Debarred Vendor List into LCP tracker

NOTE: Date does not appear on the download form, therefore DO NOT use the Download link for the Debarred Vendor List

SECTION 3 LCP TRACKER EMPLOYEE PROFILE

Under the Employee Profile Page, the subcontractor will:

1. Select Demographics Classifications
2. Add Classification
3. Enter Demographic Type
4. Choose Section 3 Employee Type
5. Enter Demographic Classification
6. Enter Start Date
7. Click Done
8. Save



Demographic Classifications

Add Classification

Demographic Type	Demographic Classification	Demographic Description	Notes	Start Date	End Date	Project	Is Primary	Approved	
Section 3 Employee Type	Employed by a Section 3 business	The worker is employed by a Section 3 business concern.	Reviewed	5/1/2021			NO	YES	Edit Delete

**Project Requirements:
Section 3 Employee Type

LCP TRACKER

SUBCONTRACTOR SET-UP BY PRIME

REQUIRED BY ALL SECTIONS

1. Log into https://prod.lcptracker.net/WebForms/Login.aspx

2. Select "Set Up" from the toolbar tab. Then, click Add/Edit Contractors.

3. To add a "New" contractor, enter the contractor information and save.

4. Go to "Set Up" and click "Contractor Assignment"

5. Click "Add New Assignment", select project and contractor adding.

6. Select project, enter field info and press save.

NOTE: If the contractor already has an account, and you cannot locate their profile, add the contractor and enter the "Contractor ID" as shown on the contractor cover sheet.)

MWSBE SUBCONTRACTORS/SUPPLIERS
MEDIATION ARBITRATION LANGUAGE

Contractor shall ensure that all subcontracting agreements with MWSBE Subcontractors/Suppliers and suppliers are clearly labeled "THIS CONTRACT IS SUBJECT TO MEDIATION" contain the following terms:

1. _____ (MWSBE Subcontractors/Suppliers) shall not delegate or subcontract more than 50% of the work under this subcontracting agreement to any other Subcontractor or supplier without the express written consent of the City of Houston's Office of Business Opportunity.

2. _____ (MWSBE Subcontractors/Suppliers) shall permit representatives of the City of Houston, at all reasonable times, to perform 1) audits of the books and records of the Subcontractor, and 2) inspections of all places where work is to be undertaken in connection with this subcontracting agreement. Subcontractor shall keep such books and records available for such purpose for at least four (4) years after the end of its performance under this subcontract. Nothing in this provision shall affect the time for bringing a cause of action or the applicable statute of limitations.

3. Within five (5) business days of execution of this subcontracting agreement, Contractor (prime contractor) and Subcontractor shall designate in writing to the Office of Business Opportunity an agent for receiving any notice required or permitted to be given pursuant to Chapter 15 of the Houston City Code of Ordinances, along with the street and mailing address and phone number of such agent.

These provisions apply to goal-oriented and regulated contracts as defined in City Code of Ordinances, Chapter 15, Article 5.