



## SECTION 3 BUSINESS APPLICATION

**Section 3 (24 CFR 135.1):** Is a provision of the Housing and Urban Development Act of 1968, which recognizes that HUD funds are typically one of the largest sources, of federal funding expended in communities through the form of grants, loans, entitlement allocations and other forms of financial assistance.

The purpose of 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 persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.

Section 3 requires recipients, contractors and subcontractors to direct their efforts to award Section 3 covered contracts, to the greatest extent feasible, to Section 3 Business Concerns.

Only businesses pre-certified as Section 3 Business by Public Housing and Community Development (PHCD) will be entitled to claim Section 3 Business Preference in any PHCD contracting opportunities. If interested in becoming a PHCD certified Section 3 Business, please complete this Section 3 Business Application and applicable forms included in this package.

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**SECTION 3 RESIDENT PREFERENCE CLAIM**  
**DOCUMENT 00401**

**Section 3 Resident** means: (1) A public housing resident; or (2) An individual who resides in Miami-Dade County, and who is a low- or very low-income person; or (c) A person seeking training and employment preference provided by Section 3 bears the responsibility of providing evidence, that the person is eligible for the preference.

To determine if you are a Section 3 Resident, please answer the following questions. If you answered “yes” to any of the questions, you may be entitled to claim Section 3 Resident Preference, when applying for training and employment opportunities generated from federally funded projects.

Are you a legal resident of Miami-Dade County (MDC)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you a public housing resident / living in a public housing unit?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you a Section 8 Voucher holder / living in a Section 8 or subsidized unit?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you a HUD Youthbuild program participant?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you receive federal, or public assistance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is your annual household income between the MDC Income Limits for Low- or Very Low-Income listed below? Yes <input type="checkbox"/>	No <input type="checkbox"/>	

(Circle the Income Limit that applies to your household/family)

MIAMI-DADE COUNTY – FY 2021 INCOME LIMITS								
Area Median Income (AMI) for Miami-Dade County: \$61,000				Effective Date: April 1, 2021				
Family Size	1	2	3	4	5	6	7	8
<b>Very Low</b> (50% of AMI)	\$31,650	\$36,200	\$40,700	<b>\$45,200</b>	\$48,850	\$52,450	\$56,050	\$59,700
<b>Low</b> (80% of AMI)	\$50,650	\$57,850	\$65,100	<b>\$72,300</b>	\$78,100	\$83,900	\$89,700	\$95,450

The Miami-Dade County’s (MDC) income limits for Extremely Low-, Low- and Very Low-Income families are updated annually by HUD. The MDC income limits can also be found on PHCD’s website at:

<https://www8.miamidade.gov/global/housing/income-limits.page>

**Section 3 Resident Certification** Race/Ethnicity \_\_\_\_\_ (Optional: For statistical purposes only)

<b>Print Name:</b>	<b>Social Security # (last 4-digits):</b>
<b>Address:</b>	<b>Phone #:</b>
<b>Email Address:</b>	<b>Employed by:</b>
<b>Annual Family/Household Income: \$</b>	<b>Number of Family/Household Members:</b>

A Section 3 Resident seeking the preference in training and employment shall certify, and submit evidence to the recipient, contractor or subcontractor, that the person is a Section 3 Resident as defined above.

I have attached one of the following documents as proof of my status:

- 1. Proof of residency in a Public Housing, Section 8, or any other federally assisted housing program (current lease)
- 2. Proof of income or public assistance, such as Supplemental Security Income (SSI), Temporary Assistance to Needy Families (TANF) recipients, or Head Start, VPK, Kids Care, or meals program participation.
- 3. Proof of participation in a HUD YOUTHBUILD program.
- 4. Proof of participation in a federally assisted program such as Job Training Partnership Act (JTPA), etc.
- 5. Proof of participation in a state or local assistance program, or other program that assists low- or very low-income persons.
- 6. Use Document 00402, “Section 3 Resident Household Income Certification” to provide the individual/employee household income, and to certify that the individual/employee meets the definition of a Section 3 Resident, if none of the documents listed above are attached.
- 7. None of the above applies. No further forms are required.

**I certify to the best of my knowledge that the information contained here within is true and correct.**

**Print Name:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_



**Warning:** Title 18, US Code Section 1001, states that a person who knowingly and willingly makes false or fraudulent statements to any Department or Agency of the United States is guilty of a felony. State law may also provide penalties for false or fraudulent statements.



**SECTION 3 RESIDENT HOUSEHOLD INCOME CERTIFICATION  
 DOCUMENT 00402**

Residents of Miami-Dade County who are low- or very low-income persons and are seeking Section 3 residents preference in training and employment, but are neither public housing residents, nor participants in a federally assisted housing program, nor recipients of public assistance shall (1) **disclose their total current gross annual household income**, (2) **provide the name and date of birth of each household member**. The income earned by all household members, except the income earned by children under 18, received from private assistance/contribution, child support, and bank or investment earnings must be included, where indicated below.

<b>Print Name:</b>					<b>Social Security # (last 4-digits):</b>				
<b>Address:</b>									
<b>Email Address:</b>				<b>Phone #:</b>					
<b>Employed by:</b>				<b>Annual Family/Household Income: \$</b>					
<b>Total Number of Family Members</b>			<b>Number of Adults:</b>		<b>Number of Children:</b>				
<b>The source(s) of my total annual household income is/are:</b> (If necessary, use additional pages and number each page)									
<b>Family Members' Name</b>	<b>Income source – Income Amount</b>								
	<b>Gross Annual Earnings</b> (Income from Employment)	<b>Private Assistance</b> (Contribution)	<b>Child Support</b>	<b>Income from interest earned by bank account</b>	<b>Income from investment earnings</b>	<b>Other Income</b> (list)			
<b>Head of Household (HOH)</b>									
<b>HOH Spouse/Co-tenant</b> (if applicable)									
<b>Other Adult: 18 years or older</b> (if applicable)									
<b>Other Adult: 18 years or older</b> (if applicable)									
<b>Other Adult: 18 years or older</b> (if applicable)									
<b>Other Adult: 18 years or older</b> (if applicable)									

**By signing this document, I certify that the information I have provided above is true and correct, and I agree to provide proof of the annual family/household income such as a copy of prior year federal income taxes, IRS W-2 Tax Form, Form 1099, or current paycheck stubs.**

<b>Print Name</b>	<b>Signature</b>	<b>Date</b>



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**EMPLOYEE LIST**  
 Document 00452

<b>BUSINESS NAME:</b>		<b>FEDERAL ID#: (FEIN)</b>	
<b>BUSINESS ADDRESS:</b>			
<b>OWNER'S NAME:</b>			
<b>EMAIL ADDRESS:</b>		<b>PHONE #:</b>	

Provide information for EACH employee of the business and check the applicable Section 3 Residents Category, if any. (If necessary, use additional pages of this form and number each page)

Employee Name	Social Security # (last 4-digits)	Address	Phone #	Title/Job Category	Hourly Rate	Date of Hire	FT/PT	Check the appropriate box for the Section 3 Residents Category				
								P H	S8	OH/FA	Y B	LI/VLI
								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FT = Full Time PT = Part time Section 3 Residents Category: PH = Public Housing Resident S8 = Section 8 Resident OH = Other Housing FA = Federal Assistance YB = Youthbuild Program LI = Low- Income Very Low-Income=VLI**

Proof of program participation or any other supporting documentation must be provided for employees claiming Section 3 Residents Preference.

**Note:** To claim Section 3 Business preference based on employees that are Section 3 Residents, at least 30% of the permanent, full time workforce of the business shall include current Section 3 Residents, or employees that within three (3) years of the first date of employment with the business concern were Section 3 Residents (24 CFR 135.5), at the time of this application.

Total Number of Employees:  Number of Employees with Section 3 (S3) Residents Preference:

Percentage of employees with S3 preference: Employees with S3 Preference ÷ Total number of employees =

**I certify to the best of my knowledge that the information contained here within, and in the documents attached, is true and correct.**

\_\_\_\_\_  
 Print Name Signature Date



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**LETTER OF COMMITMENT TO SUBCONTRACT WITH SECTION 3 BUSINESS CONCERNS  
 DOCUMENT 00409**

This form must be completed and submitted with the Section 3 Business Application, only if seeking Section 3 Business certification under qualifying option number three (3):

By signing below, I acknowledge that my business is willing to enter into contractual negotiations with qualified Section 3 business concerns, as a condition of this Section 3 business certification for the provisions of services with Miami-Dade County Public Housing and Community Development (PHCD) Section 3 projects or other projects designated by PHCD as eligible Section 3 projects. The company intends to meet this requirement by subcontracting twenty-five percent (25%) or more of its awarded contracts to qualified Section 3 business concerns. The Section 3 business concerns that will be contracted are defined in the Code of Federal Regulations (24 CFR Part 135.5) as:

A business concern, 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;

If the company is awarded a contract, I agree to negotiate in good faith with an appropriate Section 3 business concern to subcontract with said business. Signing this Letter of Commitment does not obligate the company to sign a contract with Section 3 business concerns for the provisions of services and/or products, at this time.

I understand if I receive a Section 3 covered contract that my contract is also subject to Section 3 compliance and monitoring. I understand this letter is subject to verification by PHCD or its designee during bid evaluation and contract award process.

I, the undersigned, as an officer of the company, hereby certify that all of the information I have provided is true to the best of my knowledge.

**Print Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Name of the Company:** \_\_\_\_\_

**Address of the Company:** \_\_\_\_\_







**SECTION 3 OVERVIEW**

Below are Section 3 definitions and guidelines that a certified Public Housing and Community Development (PHCD) Section 3 Business needs to adhere to when seeking to recruit and fill vacant or new positions in connection with any PHCD contracting opportunities. PHCD staff will use these guidelines in evaluating the Section 3 Business' efforts to train and hire qualified Section 3 Residents.

**SECTION 3 - DEFINITIONS**

1. **HUD Youthbuild programs** mean program that receive federal assistance 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.
2. **Low-Income person** refers to families (including single persons) whose incomes do not exceed **80%** (percent) of the area median income (AMI).
3. **New hires** mean full-time employees for permanent, temporary or seasonal employment opportunities and include, but are not necessarily limited to, all management, maintenance, clerical and administrative jobs arising in connection with the development(s) stipulated in the contract award.
4. **Section 3 business concern (Section 3 business)** means a business concern **(a)** that is 51% (percent) or more owned by section 3 residents; **or (b)** Whose permanent, full-time employees include persons, at least 30% (percent) of whom are currently section 3 residents, **or** within three (3) years of the date of first employment within the business concern were section 3 residents; **or (c)** That provides evidence of a commitment to subcontract in excess of 25% (percent) of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications of Section 3 business concerns set forth in (a) and (b).
5. **Section 3 covered contract** means a contract or subcontract (including 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.
6. **Section 3 covered project** means 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.
7. **Section 3 Resident** means **(a)** a public housing resident; **or (b)** an individual who lives in Miami-Dade County, and who is a low-, or very low-income person; **or (c)** A person seeking the training and employment preference provided by section 3 bears the responsibility of providing evidence (if requested) that the person is eligible for the preference.
8. **Very Low- Income person** refers to families (including single persons) whose incomes do not exceed **50%** (percent) of the area median income (AMI).

MIAMI-DADE COUNTY – FY 2021 INCOME LIMITS								
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<b>Very Low</b> (50% of AMI)	\$31,650	\$36,200	\$40,700	<b>\$45,200</b>	\$48,850	\$52,450	\$56,050	\$59,700
<b>Low</b> (80% of AMI)	\$50,650	\$57,850	\$65,100	<b>\$72,300</b>	\$78,100	\$83,900	\$89,700	\$95,450

The Miami-Dade County's (MDC) income limits for Low- and Very Low-Income persons are updated annually by HUD. The MDC Income Limits can also be found on PHCD's website at: <https://www8.miamidade.gov/global/housing/income-limits.page>





**SECTION 3 OVERVIEW**

**Preference for Section 3 Business Concerns in Contracting Opportunities (24 CFR 135.36).**

**a) Order of providing preference.** Recipients, contractors and subcontractors shall be directed to award Section 3 covered contracts, to the greatest extent feasible, to a section 3 business concerns in the order of priority provided below.

<b>Category 1 Business</b> (Highest Priority)	Section 3 business that: <b>(a) Is 51% or more owned by residents of a PHCD’s housing development (PH residents), or</b> <b>(b) Whose full-time, permanent workforce includes 30% of these residents as employees<sup>1</sup></b>
<b>Category 2 Business</b>	Section 3 business that: <b>(a) Is 51% or more owned by residents of other PHCD’s housing developments or programs (PH residents or participants in any other housing program managed by PHCD), or</b> <b>(b) Whose full-time, permanent workforce includes 30% of these residents as employees<sup>1</sup></b>
<b>Category 3 Business</b>	Section 3 business <b>whose employees are participants in HUD Youthbuild program</b> currently operating in Miami-Dade County by YWCA of Greater Miami, Inc. For more information, contact YWCA of Greater Miami, Inc. at 305-377-9922.
<b>Category 4 Business</b>	Section 3 business that: <b>(a) Is 51% or more owned by Section 3 residents (Low- or Very Low-Income persons); or</b> <b>(b) Whose permanent, full-time workforce includes no less than 30% of Section 3 residents as employees<sup>1</sup>; or</b> <b>(c) That subcontract in excess of 25% (percent) of the total amount of subcontracts to Section 3 Business defined in Categories 1 and 2 only.</b>

<sup>1</sup>To claim Section 3 Business preference based on employees that are Section 3 Residents, at least 30% of the permanent, full time workforce of the business shall include current Section 3 Residents, or employees that within three (3) years of the first date of employment with the business concern were Section 3 Residents (24 CFR 135.5), at the time of this application.

**b) Eligibility for preference.** A business concern seeking to qualify for a section 3 contracting preference shall certify or submit evidence, if requested, that the business concern is a Section 3 Business concern.

**c) Ability to complete contract.** A Section 3 Business concern seeking a contract or a subcontract shall submit evidence to the recipient, contractor, or subcontractor (as applicable), if requested, sufficient to demonstrate to the satisfaction of the party awarding the contract that the business concern is responsible and has the ability to perform successfully under the terms and conditions of the proposed contract.

**Preference for Section 3 Residents in Training and Employment Opportunities (24 CFR 135.4).**

Contractors and subcontractors shall direct their efforts to provide, to the greatest extent feasible, training and employment opportunities generated by HUD funded projects to section 3 residents in the order of priority provided below.

<b>Category 1 Residents</b> (Highest priority)	Residents of the PHCD’s public housing development or developments where work is to take place.
<b>Category 2 Residents</b>	Residents of other PHCD’s public housing developments or programs managed by PHCD.
<b>Category 3 Residents</b>	Participants in HUD Youthbuild programs currently operating in Miami-Dade County. For more information, contact YWCA of Greater Miami, Inc. at 305-377-9922.
<b>Category 4 Residents</b>	Other Section 3 Residents: <b>(a) Recipients of federal government housing assistance programs, such as Section 8, Section 202, HOME, etc., or who are participants in a federally funded job training program, such as Wages, etc, or (b) individuals who reside in Miami-Dade County, and meet the definition of a low- or very low-income person.</b>

For more information on the Section 3 requirements, or to request an application you may contact Public Housing and Community Development (PHCD) Section 3 Coordinator at [Section3@miamidade.gov](mailto:Section3@miamidade.gov). or visit PHCD’s website at: <http://www.miamidade.gov/housing/section-3.asp>



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### SECTION 3 OVERVIEW

**Section 3 (24 CFR Part 135.1)** requires that, employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible and consistent with Federal, State and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons. Section 3 businesses must comply with procedures and requirements, including deadlines mentioned in this document.

#### **SECTION 3 - CLAUSE (24 CFR 135.38):**

All section 3 covered contracts shall include the following clause (referred as the section 3 clause). The successful bidder (contractor), and bidder's subcontractors, are bound by the *Section 3 Clause* and must be included in all subcontractor agreements.

- 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 the employment and other economic opportunities generated by HUD assistance of 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 of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or worker's 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. Non-compliance 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 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).

