

Contractor Certification

Contractor's Name: _____

Certification Regarding Debarment, Suspension, and Other Responsibility Matters In Primary Covered Transactions

1. The prospective contractor certifies to the best of its knowledge and belief, that it and its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction;
- c. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- d. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission or any of the offense enumerated in paragraph (1)(b) of this certification; and
- e. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative: _____

Signature: _____ Date: _____

Contractor's Section 3 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 JPCDD and their referral system.
3. An attempt will be made to undertake outreach activities intended to encourage participation by Section 3 residents in training and employment opportunities, to include but not be limited to utilizing the referral established by the Jefferson Parish Community Development Department
4. My company also acknowledges and affirms the required steps stipulated in the Code of Federal regulations 24 CFR Part **§135.38** 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 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 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 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 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: _____

Address: _____

Affiant's Title: _____ Telephone: _____

Affiant's Company Name: _____

Section 3 Business Concern Certification Application

BUSINESS NAME: _____
BUSINESS ADDRESS: _____
TYPE OF BUSINESS: _____ Corporation _____ Partnership _____ Sole Proprietorship _____ Joint Venture
TYPE OF SERVICES PROVIDED: _____

DOCUMENTATION OF DESIGNATION OF SECTION 3 STATUS (CHECKED ALL THAT APPLY)

- _____ 51% business ownership consisting of Section 3 Residents
- _____ 30% of all full time employees are Section 3 Residents
- _____ 25% subcontracting of the dollar amounts awarded to qualified Section 3 businesses
- _____ Active Section 3 certification through U.S. Department of Housing and Urban Development (HUD) or Jefferson Parish Public Housing Authority

FOR BUSINESSES CLAIMING THAT 51% OR MORE OF THE BUSINESS IS OWNED BY SECTION 3 RESIDENTS, SUPPLY THE:

Names and addresses of Section 3 Resident(s) in 51% ownership position
 [Attach proof of incorporation and proof of ownership by the Section 3 Resident(s)]

FOR BUSINESSES CLAIMING AT LEAST 30% OF THEIR WORKFORCE ARE CURRENTLY SECTION 3 RESIDENTS OR WERE SECTION 3 ELIGIBLE RESIDENTS WITHIN 3 YEARS OF DATE OF EMPLOYMENT WITH BUSINESS, SUPPLY THE INFORMATION LISTED BELOW:

- Names of all current full time employees
- List of all employees claiming Section 3 status
- Name and address of Public Housing Authority residents
- Income verification according to the chart listed below- W-2 forms for anyone 18 years of age or older living in the household, most recent federal income tax return, etc.)

Household Size	1	2	3	4	5	6	7	8
Max Income	\$33,600	\$38,400	\$43,200	\$48,000	\$51,850	\$55,700	\$59,550	\$63,400

*Income figures adjusted annually

FOR BUSINESSES CLAIMING SECTION 3 STATUS BY SUBCONTRACTING 25% OF THE TOTAL DOLLAR AMOUNT AWARDED TO QUALIFIED SECTION 3 BUSINESSES, SUPPLY THE INFORMATION LISTED BELOW:

- Signed affidavit committing to contract 25% of the total dollar amount awarded to a qualified Section 3 business
- Estimated total contract amount \$ _____
- List of subcontracted Section 3 businesses and estimated subcontract total amount(s) \$ _____

FOR BUSINESSES CLAIMING SECTION 3 STATUS THROUGH ACTIVE HUD OR HANO CERTIFICATION, SUPPLY THE INFORMATION LISTED BELOW:

- A copy of the certification letter

 Authorizing Name and Signature

 Date