



# **CITY OF SANTA CRUZ SECTION 3 PLAN**

**Relative to the  
Housing and Urban Development Act of 1968  
12 U.S.C. 1701(u)**

***Economic Development  
Housing and Community Development Division  
337 Locust Street  
Santa Cruz, CA 95060***

Approved by City Council motion on May 22, 2012



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## I. Overview

### A. Section 3 Purpose

Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701(u))("Section 3") requires the City of Santa Cruz (the "City") to ensure that employment, training, contracting and other economic and business opportunities generated by certain Department of Housing and Urban Development ("HUD") financial assistance, to the greatest extent feasible, is directed to public housing residents and other low-income persons, particularly recipients of government housing assistance, and business concerns.

### B. Implementing Authority

Section 3 regulations are promulgated at the Code of Federal Regulations, Title 24, Part 135, Subpart A made part of this Section 3 Plan by reference.

### C. Applicability

As a federal participating jurisdiction, the City receives Community Development Block Grant ("CDBG") and Home Investment Partnerships Program ("HOME") funds on an annual basis from HUD. Section 3 applies to any such jurisdiction, and any of its organizations, subrecipients, or other entities receiving in excess of \$200,000 combined from HUD in any one year.

Section 3 requirements apply to:

1. All housing rehabilitation, housing construction, and public construction projects resulting in federally-funded contracts partially or fully funded by HUD funds and issued by the City in excess of \$100,000; and
2. When the project necessitates the employment of additional personnel through individual hiring or the awarding of contracts and subcontracts.

If developers, contractors, and subcontractors need to hire new persons or subcontract portions of Section 3 covered work, they must direct their employment and/or subcontracting opportunities to Section 3 business and Section 3 residents.

### D. Section 3 Definitions

Terms used in this Plan are defined in Exhibit "A" attached hereto.

## II. Section 3 Plan

### A. Objective

The City has developed this Section 3 Plan in order to identify the goals, objectives, and actions that will be implemented to ensure compliance in its own operations and those of its developers, subrecipients, contractors, and subcontractors with the requirements of Section 3 and the Section 3 regulations at 24 CFR Part 135.

### B. Policy

It is the policy of the City to utilize, and to require the City's developers, subrecipients, contractors, and subcontractors to utilize, to the greatest extent feasible, Section 3 businesses and Section 3 residents in contracts partially or wholly funded with HUD funds.

### C. Goals

With respect to the use of HUD funds on Section 3 covered projects, the City has established the following Section 3 goals for itself and its developers, subrecipients, contractors, and subcontractors:

1. Facilitate the award of Section 3 covered contracts to Section 3 businesses.
2. Facilitate the training and employment of Section 3 residents.
3. Ensure developer, subrecipient, contractor and subcontractor awareness of and compliance with Section 3 responsibilities.
4. Numerical goals for Section 3 covered contracts:
  - a. At least 10 percent (10%) of the total dollar amount of all section 3 covered contracts for building trades work arising in connection with housing rehabilitation, housing construction, and other public construction shall be awarded to Section 3 businesses, and
  - b. At least 3 percent (3%) of the total dollar amount of all other Section 3 covered contracts (e.g. architect, appraisal, etc.) shall be awarded to Section 3 businesses; and
  - c. At least 30 percent (30%) of the aggregate number of new hires in any fiscal year shall be Section 3 residents.

### D. Outreach

The following methods are used by the City to identify and notify Section 3 businesses and Section 3 residents regarding Section 3 covered contracts:

1. Maintain a Section 3 webpage at:

<http://www.cityofsantacruz.com/index.aspx?page=1802>

which provides general information about Section 3 and currently available Section 3 contracting and employment opportunities.

2. Create and maintain a list of certified Section 3 businesses.
3. Request and update lists of Section 3 businesses from local builders' exchanges and labor unions.
4. Inform business assistance agencies and community organizations of Section 3 contracting opportunities and request assistance in identifying Section 3 businesses which may be interested in submitting bids or proposals for Section 3 covered contracts.
5. Provide notice of Section 3 contracting opportunities through advertisements in local newspapers.
6. Provide notice of Section 3 contracting opportunities through posting of notices to bid at local builders exchange and at City Hall notice boards.
7. Provide notice of Section 3 covered contracting opportunities to the City's list of Section 3 businesses.
8. Create and maintain a database of Section 3 residents and provide a link to the database in all notices to bid on Section 3 covered contracts.
9. Provide notice of Section 3 contracting opportunities to the local Housing Authority and request that information regarding same be placed in Housing Authority owned housing developments within the Section 3 covered project area.

#### **E. Certification of Section 3 Businesses**

1. Section 3 businesses must meet one of the following criteria:
  - a. The business is 51% or more owned by Section 3 residents; or
  - b. The business has permanent, full time employees at least 30% of whom are currently Section 3 residents, or within three years of the date of first employment with the business were Section 3 residents; or
  - c. The business evidences a commitment to subcontract in excess of 25% of the total dollar award of all subcontracts to be awarded to such businesses described above.
2. Businesses obtain certification as a Section 3 business as follows:
  - a. Self Certification:

Businesses may at any time complete and submit the "Section 3 Business Certification Form" attached hereto as Exhibit "B" and available on the City's Section 3 website at:

<http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=26210>

A self certified low bidder on a Section 3 covered contract will be required to produce documentation certifying the business's Section 3 status prior to the business being awarded the contract.

b. Certification at Time of Bid Submittal:

Potential Section 3 businesses which have not self-certified may do so when submitting a bid proposal for Section 3 covered projects. The "Section 3 Business Certification Form" is part of the City's bid package for Section 3 covered projects.

**F. Certification of Section 3 Residents**

1. Section 3 residents must meet at least one of the following criteria:
  - a. Resides in public housing; or
  - b. Participates in a HUD Youth Build program operated in the Section 3 covered project area; or
  - c. Resides in the Section 3 covered project area and who is low-income or very low-income.
2. Residents of areas in which the City may issue Section 3 covered contracts self-certify as Section 3 residents by competing and submitting the "Section 3 Resident Certification Form" attached hereto as Exhibit "C" and available on the City's website at:  
  
<http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=26797>
3. The City maintains a database of self-certified Section 3 residents and provides Section 3 businesses with a link to the database upon request and with all notices to bid for Section 3 covered projects.

**G. Developers and Subrecipients Receiving HUD Funds for Section 3 Covered Projects**

Developers or subrecipients receiving HUD funding from the City for Section 3 covered projects shall, as part of the City/Developer loan and regulatory agreements, commit to complying with Section 3 requirements, and shall cause its contractors and subcontractors to comply with the Section 3 requirements.

**H. Procurement and Contracting for Section 3 Covered Projects**

1. Section 3 businesses and non-Section 3 businesses that bid for and enter into Section 3 covered contracts with the City must comply with the Section 3 requirements as set forth in the Section 3 Clause attached hereto as Exhibit "D".
2. Regardless of whether new employment or contracting opportunities are contemplated by developers, subrecipients, and contractors for Section 3 covered projects, the Section 3 Clause must be included in all notices to bid and in all contracts between the City, developers, subrecipients, and contractors. The developer, subrecipient and contractor are required to include the Section 3 Clause in all contracts with their contractors and subcontractors.

3. All businesses responding to a notice to bid for Section 3 covered projects shall submit a "Section 3 Business Certification Form" attached hereto as Exhibit "B" and a "Contractor Section 3 Plan" attached hereto as Exhibit "E" that will indicate whether the bidder will hire new employees or subcontract for sections of the work associated with the Section 3 covered project, and if so, establishing a commitment and method for complying with the Section 3 Clause and related Section 3 employment and contracting goals.

**I. Preferences For Award of Contract to Section 3 Businesses**

The City may grant preference to Section 3 businesses in the award of section 3 covered contracts solicited under a sealed bid process as follows:

1. Bids shall be solicited from all businesses (section 3 businesses, and non-section 3 business). An award shall be made to a qualified section 3 business with the highest priority ranking and with the lowest responsive bid if that bid:
  - a. Is within the maximum total contract price established in the budget for the specific project for which bids are being taken; and
  - b. Is not more than "X" amount higher than the total bid price of the lowest responsive bid from any responsible bidder. "X" is determined as follows:

	<b>"X = the lesser of:</b>
When the lowest responsive bid is less than \$100,000	10% of bid or \$9,000
When the lowest responsive bid is At least \$100,000 but less than \$200,000	9% of bid or \$16,000
At least \$200,000 but less than \$300,000	8% of bid or \$21,000
At least \$300,000 but less than \$400,000	7% of bid or \$24,000
At least \$400,000 but less than \$500,000	6% of bid or \$25,000
At least \$500,000 but less than \$1,000,000	5% of bid or \$40,000
At least \$1,000,000 but less than \$2,000,000	4% of bid or \$60,000
At least \$2,000,000 but less than \$4,000,000	3% of bid or \$80,000
At least \$4,000,000 but less than \$7,000,000	2% of bid or \$105,000
\$7,000,000 or more	1.5% of bid with no dollar limit

- c. If no responsive bid by a Section 3 business meets the requirements of paragraph b of this section, the contract shall be awarded to a responsible bidder with the lowest responsive bid.

**J. Reporting Requirements**

1. The City will file HUD form 60002 annually with HUD at the same time of year as the City's Consolidated Annual Performance Report ("CAPER") is submitted to HUD.
2. Developers, subrecipients, and contractors shall submit HUD form 60002 to the City upon the first occurring of a) the completion of a Section 3 covered project or b) two weeks prior to the date that the City's CAPER is submitted to HUD

**K. Amendment of Section 3 Plan**

From time to time the Director of Economic Development may amend this Section 3 Plan with the approval of the City Attorney.

**EXHIBIT "A"**  
**SECTION 3 DEFINITIONS**

**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.

**Developer:** Means the developer as used in the definition of (Sub)Recipient.

**Housing Authority:** Public housing agency.

**Housing and Community Development Assistance:** Means any financial assistance provided or otherwise made available through a HUD housing or community development program through any grant, loan, loan guarantee, cooperative agreement, or contract, and includes community development funds in the form of community development block grants, and loans guaranteed under Section 108 of the Housing and Community Development Act of 1974, as amended. Housing and community development assistance does not include financial assistance provided through a contract of insurance or guaranty.

**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.

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

**New Hires:** Full-time employees for permanent, temporary or seasonal employment that is created as a direct result of the expenditure of Section 3 covered financial assistance.

**Public Construction:** - Includes infrastructure work such as extending water and sewer lines, sidewalk repairs, site preparation, utility upgrades, etc.

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

**Section 3 Clause:** The contract provisions set forth in the Code of Federal Regulations, Title 24, Section 135.38.

**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 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.

**(Sub)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.

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

**Youthbuild Programs:** Means 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.

**EXHIBIT "B"**  
**SECTION 3 BUSINESS CERTIFICATION FORM**  
*(form of begins next page)*



**CITY OF SANTA CRUZ  
SECTION 3 BUSINESS CERTIFICATION FORM**

**Name of Business:** \_\_\_\_\_

**Address of Business:** \_\_\_\_\_

**Type of Business:**     Corporation                       Partnership  
                                  Sole Proprietorship             Joint Venture

**Please answer the following questions:**

*(Answering "No" to any of the questions will **not** disqualify you from bidding):*

1. Is 51% or more of your business owned by Section 3 residents?  
*(see definition of Section 3 resident below)*                       Yes     No
  
2. Will you subcontract 25% of the dollar value of a Section 3 covered contract to Section 3 businesses?  
*(See definition of Section 3 business below)*                       Yes     No
  
3. Are at least 30% of your current employees Section 3 residents?                       Yes     No
  
4. Will you hire new employees or subcontract for any portion of a Section 3 covered project?                       Yes     No

**Definitions:**

Section 3 Resident:    a. A public housing resident; or  
                                 b. An individual who lives in the project area and who is low-income or very low-income.

Low Income:                      A person whose total household (all earners) income is no more than 80% of area median income *(see income chart below)*.

Very-Low Income:                      A person whose total household (all earners) income is no more than 50% of area median income *(see income chart below)*.

- Section 3 Business:
- a. Is 51% or more owned by Section 3 residents; or
  - b. 30% of its full time permanent work force are Section 3 residents; or
  - c. Will subcontract at least 25% of the dollar value of contracts to Section 3 businesses meeting the requirements of “a” or “b” above.

## 2014 SANTA CRUZ INCOME LIMITS

BASED ON HUD INCOME LIMITS EFFECTIVE May 1, 2014

HOUSEHOLD SIZE →	ONE PERSON	TWO PERSON	THREE PERSON	FOUR PERSON	FIVE PERSON	SIX PERSON	SEVEN PERSON	EIGHT PERSON
INCOME ↓								
<b>Low</b> (80%)	\$53,700	\$61,350	\$69,000	\$76,650	\$82,800	\$88,950	\$95,050	\$101,200
<b>Very-Low</b> (50%)	\$33,550	\$38,350	\$43,150	\$47,900	\$51,750	\$55,600	\$59,400	\$63,250

<sup>1</sup> U.S. Dept. of Housing and Urban Development (HUD) FY 2014 income limits effective December 18, 2013 as published at <http://www.huduser.org/portal/datasets/il/i114/index.html>.

**I declare under penalty of perjury in the State of California that the foregoing is true and correct.**

**Business Owner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### Section 3 Self-Certification

Section 3 businesses may self certify that they meet the definition of a Section 3 business by signing below.

#### Documentation Required if Awarded a Section 3 Covered Contract:

In the event that a Section 3 business receives a contract funded with the City’s CDBG or HOME funds, the Section 3 business will be required to submit the following documentation:

1. If you answered “Yes” to question #1 above:
  - o Copy of each Section 3 resident’s public housing lease who owns your business.
  - o Copy of evidence that each Section 3 resident who owns your business resides in the project area and is a low or very-low income person.
  
2. If you answered “Yes” to question #2 above:
  - o List of subcontracted Section 3 businesses and subcontract amount.
  - o Documentation verifying Section 3 status of businesses subcontracted with.

3. If you answered "Yes" to question 3 above:

- o List of all current full-time employees.
- o List of employees claiming Section 3 status.
- o Copy of each Section 3 resident's public housing lease.

**Owner declares under penalty of perjury in the State of California that the foregoing declaration of Section 3 certification is true and correct.**

**Business Owner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**EXHIBIT "C"**  
**SECTION 3 RESIDENT CERTIFICATION FORM**  
*(form of begins next page)*



**CITY OF SANTA CRUZ  
SECTION 3 RESIDENT CERTIFICATION FORM**

**Instructions and Notice:** Complete parts 1-5. By submitting this certification you authorize your name, contact information, skills and union affiliation information to be distributed to contractors, employers, community based organizations, unions and other similar institutions solely for the purpose of facilitating employment and training opportunities under Section 3 covered projects and contracts. No other information will be released. The City reserves the right to require documentation attesting to any statement you make in this certification.

**PART 1 - CONTACT INFORMATION**

<b>Name:</b>		
<b>Address:</b>		
<b>Telephone:</b>	<b>Office:</b>	<b>Cell:</b>
<b>Email:</b>		

**PART 2 - SECTION 3 STATUS**

You qualify as a Section 3 resident if you answer “yes” to any of the following questions:

- Do you reside in public housing?  Yes  No
- Do you participate in a HUD Youthbuild program operated in the Section 3 covered project area?  Yes  No
- Do you reside in the Section 3 covered project area  Yes  No   
and do you qualify as a very-low or low-income person or household? (see the *Income Chart* below for *Very-Low and Low Income Limits*)

**2014  
SANTA CRUZ INCOME LIMITS**

BASED ON HUD INCOME LIMITS EFFECTIVE May 1, 2014

HOUSEHOLD SIZE →	ONE PERSON	TWO PERSON	THREE PERSON	FOUR PERSON	FIVE PERSON	SIX PERSON	SEVEN PERSON	EIGHT PERSON
<b>INCOME ↓</b>								
<b>Low</b> (80%)	\$53,700	\$61,350	\$69,000	\$76,650	\$82,800	\$88,950	\$95,050	\$101,200
<b>Very-Low</b> (50%)	\$33,550	\$38,350	\$43,150	\$47,900	\$51,750	\$55,600	\$59,400	\$63,250

<sup>1</sup> U.S. Dept. of Housing and Urban Development (HUD) FY 2014 income limits effective December 18, 2013 as published at <http://www.huduser.org/portal/datasets/il/il14/index.html>.

### PART 3 - SKILLS AND AFFILIATIONS

1. Check all of the following training or skills that you have:

- |  |                                      |  |
|--|--------------------------------------|--|
| <input type="checkbox"/> Accounting                    | <input type="checkbox"/> Demolition  | <input type="checkbox"/> Landscaping       |
| <input type="checkbox"/> Architecture                  | <input type="checkbox"/> Drywall     | <input type="checkbox"/> Machine Operation |
| <input type="checkbox"/> Bricklaying                   | <input type="checkbox"/> Electrical  | <input type="checkbox"/> Marketing         |
| <input type="checkbox"/> Carpentry                     | <input type="checkbox"/> Engineering | <input type="checkbox"/> Painting          |
| <input type="checkbox"/> Carpet Installation           | <input type="checkbox"/> Fencing     | <input type="checkbox"/> Plumbing          |
| <input type="checkbox"/> Computer/Information          | <input type="checkbox"/> Janitorial  | <input type="checkbox"/> Word Processing   |
| <input type="checkbox"/> Other (please specify): _____ |                                      |  |

2. If you have a union affiliation, specify the union name and number:

\_\_\_\_\_ Local # \_\_\_\_\_

3. Do you participate in a local Youthbuild program?     Yes     No

If yes, indicate the Youthbuild program: \_\_\_\_\_

### PART 4 - NOTICE OF SECTION 3 EMPLOYMENT AND TRAINING OPPORTUNITIES

Check the boxes below to indicate your preference for receiving notices of Section 3 opportunities:

- E-mail Notification
- U.S. Mail
- Text Message Notification (*By providing your mobile number below, you give the City permission to send notices by text message. **Please note: standard mobile carrier text messaging rates will apply.***)
- Cell Phone # \_\_\_\_\_

### PART 5 - CERTIFICATION

**I hereby declare under penalty of perjury in the State of California that the foregoing declaration of Section 3 Resident Certification is true and correct.**

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

Please return the Section 3 Resident Certification Form to:

Housing Program Coordinator  
City of Santa Cruz  
Economic Development  
337 Locust St.  
Santa Cruz, CA 95060

**EXHIBIT D**  
**SECTION 3 CLAUSE**

All Section 3 covered contracts shall include the following clause (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. The borrower/developer, and every contractor and subcontractor involved in the performance of the borrower's/developer's obligations under this agreement shall comply with these Section 3 requirements. The borrower/developer agrees to have this section 3 clause contained in every contractor and subcontractor contract.
- 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 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 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).

**EXHIBIT E**  
**CONTRACTOR SECTION 3 PLAN**  
*(form of begins next page)*

### CONTRACTOR SECTION 3 PLAN

<b>Contractor Name:</b>	
<b>Contractor Address:</b>	
<b>Contractor Telephone:</b>	Office: _____ Cell: _____
<b>Contractor Email:</b>	
<b>Section 3 Project Name:</b>	

*Provide information on the following items (attach additional sheets if necessary):*

**A.** Contractor will subcontract all or a portion of the work on this Project:  Yes  No

**B.** If yes, describe actions Contractor has taken to outreach to Section 3 businesses:

Actions	Outcome

**C.** Identify Section 3 businesses Contractor will subcontract with for this Project; include amount of subcontract:

Section 3 Subcontractor	Subcontract Amount

D. Contractor will hire new personnel for all or a portion of the work on this Project:  Yes  No

E. If yes, describe actions Contractor has taken to outreach to Section 3 residents for this Project:

Actions	Outcome

F. Identify Section 3 residents Contractor has hired or will hire for this Project; include date of hire and job classification.

Section 3 Resident Name	Date of Hire	Job Classification

**G. Contractor Certifications**

1. Contractor has received a copy of the City of Santa Cruz Section 3 Plan and the HUD Section 3 Clause relative to this Project.
2. Contractor shall include the Section 3 Clause in all of Contractor's contracts and subcontracts for this Project.
3. Contractor shall comply with the City's Section 3 Plan, and this Contractor Section 3 Plan.
4. Contractor will, the greatest extent feasible, comply with the numerical Section 3 goals set forth in the City's Section 3 Plan if hiring new employees for this Project or subcontracting any of the work on this Project.

I hereby declare under penalty of perjury in the State of California that the foregoing information and statements contained in the Contractor Section 3 Plan above are true and correct.

**CONTRACTOR**

**By:** \_\_\_\_\_  
Authorized signer for Contractor

**Date:** \_\_\_\_\_

**Its:** \_\_\_\_\_  
Title of signer