



In order to review financial stability and HUD Section 3 eligibility, please include a Copy of Business and Personal Tax Returns (all information will be kept secured and confidential)

**HUD Section 3 Determination**

The following applicable information must be submitted to determine your eligibility as a HUD Section 3 business. Be sure to complete all pages of that apply. Upon verification of the information submitted, your company, upon approval, will be included in a City Database of Businesses certified with the City of Elkhart to participate in future HUD Section 3 projects. We may use this database to share with Prime Contractors seeking Certified HUD Section 3 businesses for projects.

Please fill out the forms which apply in order to certify your status as a Section 3 Business

Please check one (1) box claiming how your business will meet the Section 3 requirements.

- Businesses claiming HUD Section 3 status as a 51% HUD Section 3 Resident-Owned Enterprise:
  - o Attach copy of Resident Lease (if public housing resident); or
  - o Attach copy of last year’s Income Statement (personal & business)**Must complete HUD Section 3 Business Concern Certification Form # 1 and # 4**
  
- Businesses claiming HUD Section 3 status by subcontracting 25 percent of their dollar awarded to qualified HUD Section 3 Businesses:
  - o **Complete HUD Section 3 Letter of Intent Form # 2** that stipulates your business commitment to specify contract percentages expenditures on HUD Section 3 projects with qualified HUD Section 3 Businesses.
  
- Businesses claiming HUD Section 3 status by claiming at least 30 percent of their workforce is currently HUD Section 3 Residents or were HUD Section 3 Eligible Residents within 3 years of date of first employment with the businesses:
  - o **Complete HUD Section 3 Business Employee Form # 3 and # 4** listing employees claiming HUD section 3 status with proof of yearly earning /family size

9. Types of Jobs Preferred (\$ size, trades performed): \_\_\_\_\_  
\_\_\_\_\_

10. Suppliers with whom you do business:

Name	Address	Phone
_____	_____	_____
_____	_____	_____

11. List of Sub-Contractors with whom you regularly do business, if any\*:                      Section 3 qualified? Y/N

A. Carpentry: \_\_\_\_\_

B. Electrical: \_\_\_\_\_

C. Plumbing: \_\_\_\_\_

- D. Roofing: \_\_\_\_\_
- E. Masonry: \_\_\_\_\_
- F. Mechanical: \_\_\_\_\_
- G. Painting: \_\_\_\_\_
- H. Other \_\_\_\_\_

\*Section 3 qualified businesses receive preference on federally funded projects

12. List of private customers for whom you have recently done work:

Name	Address	Phone

13. List Federal and/or City contracts you have completed:

Name	Address	Phone

14. Bank References

Name	Address	Phone

15. Have you ever been convicted of violating Federal, State or Local Law in the course of discharging your duties as a contractor? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
 \_\_\_\_\_

16. Have you ever been disbarred from participating as a contractor in any Federal, State or Local Housing program? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
 \_\_\_\_\_

17. Do you qualify as a small business under SBA guidelines? (Annual volume of less than \$14 million gross receipts for special trades, \$33.5 million for Residential Remodeling).

Yes \_\_\_\_\_ No \_\_\_\_\_

18. Is your business certified with the State of Indiana as a minority or woman owned business? Yes\_\_\_\_\_ No\_\_\_\_\_

19. Is your firm certified by the EPA under the Renovation, Repair and Paint Rule?

Yes\_\_\_\_\_ No\_\_\_\_\_ If yes, please provide a copy of the certificate.  
*Please note, as of April 22, 2010, **ALL** firms that perform renovation work (other than lead abatement) which may disturb paint in target housing are **REQUIRED** to be certified by the EPA. Contractors will not be eligible to bid on such work until a certificate is provided. Information about becoming a certified firm is available at [www.epa.gov/lead/pubs/renovation.htm](http://www.epa.gov/lead/pubs/renovation.htm)*

20. Are you a licensed lead-based paint abatement contractor? Yes\_\_\_\_\_ No\_\_\_\_\_ If yes, please provide a copy of all worker, supervisor, and contractor licenses.

21. All contracts of \$100,000 or more will need to meet the following additional requirements:
- Contract specific Section 3 plan
  - Performance bond

I (We) certify that all of the above information is correct and true to the best of my (our) knowledge, **under penalty of law**. I (We) understand that this information will be used to determine my (our) eligibility for the Elkhart County Housing Program which utilizes funds from the U S Department of Housing and Urban Development. The participating agencies do not discriminate against any person because of race, color, religion, sex, handicap, family status, or national origin. **I (We) understand that this application may be rejected if I (we) withhold information requested, or provide falsified information.**

\*Printed Name:\_\_\_\_\_ \*Title of Signer:\_\_\_\_\_

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

\*CORPORATE OFFICER OR PERSON AUTHORIZED TO SIGN BIDS AND CONTRACTS ON BEHALF OF THE COMPANY.

**FOR OFFICIAL USE ONLY**

Date Application Received:\_\_\_\_\_ Initial Review by:\_\_\_\_\_ Date:\_\_\_\_\_

Final Review and Certification by:\_\_\_\_\_ Date:\_\_\_\_\_

Contractor: Does Does Not qualify as Section 3 Date:\_\_\_\_\_

**Please note: Section 3 certified contractors will receive preference** on projects funded by U.S. Department of Housing and Urban Development. Please read and fill out the information below to determine if you meet Section 3 requirements.

# What is a Section 3 Business?

Legal Definition:

Section 3 Business- A business entity formed in accordance with State law, and which is licensed under State, county, or municipal law to engage in the type of business activity for which it was formed **and**: A business that is 51 percent or more owned by Section 3 resident(s); **or** whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents who reside in Elkhart County's Metropolitan Statistical Area, **or** within three years of the date of first employment with the business concern were Section 3 residents; **or** a business 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 ownership or employment qualifications of a Section 3 business (as discussed above).

## Your Business is a Section 3 Business if...

Your business was formed in accordance with State law, and licensed to engage in the type of business activity for which it was formed.

**AND** you can answer yes to **ONE** of the following questions:

- ✓ Is 51% of the business owned by Section 3 Resident(s)?  
**OR**
- ✓ Are 30% of permanent, full-time employees currently Section 3 Residents who reside in the Elkhart County?  
**OR**
- ✓ Were 30% of the permanent, full-time employees, within 3 years of the date of first employment, Section 3 Residents who reside in the Elkhart County?  
**OR**
- ✓ Can you provide evidence of a commitment to subcontract in excess of 25% of the dollar award of all subcontracts to a Section 3 business that meets the ownership or employment qualifications? (As explained above).  
**OR**
- ✓ Can you provide evidence of commitment to hire section 3 residents, such that they compose at least 30% of all new hires? (As defined by the most updated HUD income requirements, see chart on next sheet).

# Elkhart County Housing Programs Contractor Application

## Application for Certification as a HUD Section 3 Business Concern HUD Section 3 Resident-Owned Business Certification

To become certified as a Section 3 Business Concern because **51% or more of the business is owned by a section 3 resident(s)**, list each business owner below and complete a "Section 3 Resident" form (**Form 4**) for each business owner who is a Section 3 resident.

Name of Owner(s)	SS#	Type of Business (Sole Proprietor, Partnership, LLC., Corp.)	Section 3 Resident Yes or No

You must provide ownership documentation for all business types with the exception of the Sole Proprietor.

# Elkhart County Housing Programs Contractor Application

## LETTER OF INTENT TO SUB CONTRACT WITH HUD SECTION 3 BUSINESSES

This letter is subject to verification by the City of Elkhart.

The City of Elkhart or its designee in its bid evaluation and contract award process may use this Letter of Intent for HUD Section 3 Projects. You should only sign this Letter of Intent if you intend to enter into a contract or contract negotiations with qualified HUD Section 3 Businesses should you receive a contract award.

Signing this Letter of Intent does not obligate the company to sign a contract with HUD Section 3 Businesses for the provision of services. However, the company must agree to make a good faith effort to recruit Section 3 Businesses by advertising new hire positions in the following locations:

- Work ONE: 430 Waterfall Drive, Elkhart, IN 46516
- Elkhart Housing Authority, contact Steven Russell: 1396 Benham Ave, Elkhart, IN 46516
- Goodwill Elkhart Workforce Development Services: 148 W Hively Elkhart, IN 46514
- All applicable Union Halls

By signing below, the company acknowledges that it is willing to enter into contract negotiations with HUD Section 3 Businesses for the provision of services and/or products to HUD Section 3 Projects or other projects designated by the City as eligible HUD Section 3 projects.

The company intends to meet HUD Section 3 status by subcontracting twenty-five percent (25%) of the awarded contract to qualified HUD Section 3 Businesses. If the company is awarded a contract in the Service Area, you agree to negotiate in good faith with an appropriate HUD Section 3 Business in an effort to subcontract with said business.

I (We) certify that all of the above information is correct and true to the best of my (our) knowledge, **under penalty of law**. I (We) understand that this information will be used to determine my (our) eligibility for the Elkhart County Housing Program which utilizes funds from the U S Department of Housing and Urban Development. The participating agencies do not discriminate against any person because of race, color, religion, sex, handicap, family status, or national origin. **I (We) understand that this application may be rejected if I (we) withhold information requested, or provide falsified information.**

\*Printed Name: \_\_\_\_\_ \*Title of Signer: \_\_\_\_\_

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

\*CORPORATE OFFICER OR PERSON AUTHORIZED TO SIGN BIDS AND CONTRACTS ON BEHALF OF THE COMPANY.

# Elkhart County Housing Programs Contractor Application

## Application for Certification as a HUD Section 3 Business Concern

### HUD Section 3 Employee Business

To become certified as a Section 3 Business Concern because **30% or more of the full time employees are Section 3 residents**, list each full time employee below and complete a **Section 3 Resident form (Form 4)** for each full time employee who is a Section 3 resident.

<b>List <u>all</u> permanent, full-time employees</b>	<b>Hire Date</b>	<b>Section 3 Resident</b> Within three years of the date of first employment? <b>Yes or No</b>

List additional employees on a separate page if necessary.

In the event that a new employee is hired, you must continue to have 30% of all employees meeting Section 3 requirements. When hiring, you must agree to make a good faith effort to recruit Section 3 residents by advertising new hire positions in the following locations:

- Work ONE: 430 Waterfall Drive, Elkhart, IN 46516
- Elkhart Housing Authority, contact Steven Russell: 1396 Benham Ave, Elkhart, IN 46516
- Goodwill Elkhart Workforce Development Services: 148 W Hively Elkhart, IN 46514
- All applicable Union Halls



# Elkhart County Housing Programs Contractor Application

## HUD SECTION 3 RESIDENT APPLICATION

Your cooperation in filling out this form is requested in order to determine whether you qualify as a Section 3 employee or owner of a Section 3 business concern. The purpose of Section 3 of the Housing and Urban Development Act of 1968 is to ensure that employment and economic opportunities generated by HUD financial assistance is directed, wherever feasible, to lower income persons.

1. Circle the Number of Persons in your Household in the table below.
2. If your income is equal to or less than what is listed below, you may qualify for Section 3 status.

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
<b>\$32,850</b>	<b>\$37,550</b>	<b>\$42,250</b>	<b>\$46,900</b>	<b>\$50,700</b>	<b>\$54,450</b>	<b>\$58,200</b>	<b>\$61,950</b>

The information provided on this form is subjected to verification by responsible local and federal agencies.

I (We) certify that all of the above information is correct and true to the best of my (our) knowledge, **under penalty of law**. I (We) understand that this information will be used to determine my (our) eligibility for the Elkhart County Housing Program which utilizes funds from the U S Department of Housing and Urban Development. The participating agencies do not discriminate against any person because of race, color, religion, sex, handicap, family status, or national origin. **I (We) understand that this application may be rejected if I (we) withhold information requested, or provide falsified information.**

(Circle one)                      Business Owner                      Employee

Name: \_\_\_\_\_

Address of Household: \_\_\_\_\_

Signature: \_\_\_\_\_

# Elkhart County Housing Programs CONTRACTOR EXCLUSION POLICY

The Elkhart County Housing Program agencies are committed to providing its customers with quality service that meets today's standards of quality and ethics. The participating agencies want to ensure only responsible, qualified, and quality-minded contractors are awarded contracts under its programs. This group has created a procedure to exclude from participation - temporarily or permanently - contractors who violate terms of the contract, the Contractor's Agreement, the law, or who cannot meet the quality standards specified.

<b>VIOLATION</b>	<b>PENALTY</b>
Failure to obtain required permit(s)	Banned from bidding for 6 months
Failure to call for required inspection(s)	Banned from bidding for 6 months
Failure to make reasonable progress	Banned from bidding for 1 year
Failure to pay subcontractors or suppliers on time resulting in Mechanic's Lien on the property	Banned from bidding for 1 year
Repeated failure (3 or more occasions) to install specified products	Banned from bidding for 2 years
Repeated failure (3 or more occasions) to meet generally accepted quality standards or specified quality	Banned from bidding for 2 years
Repeated failure (2 or more occasions) to start project within a reasonable time	Banned from bidding for 2 years
Rude comments to or about the owner, occupants, or City staff	Banned from bidding for 2 years
Repeated failure (3 or more occasions) to pass clearance test on first attempt	Banned from bidding work involving lead-based paint for 2 years.
Failure to pass clearance on three attempts on single project	Banned from bidding work involving lead-based paint for 2 years.
Gross negligence or intentional failure to follow Lead-based paint guidelines	Banned from bidding for 5 years and reported to Environmental Protection Agency (EPA), US Department of Housing and Urban Development (HUD) and/or Indiana Department of Environmental Management (IDEM)
Falsifying information on application, reports, or other requested documentation	Banned from bidding for 5 years
Harassment, Sexual harassment, or lewd behavior (see attached City of Elkhart policy)	Banned permanently, reported to Human Relations Department
Drinking alcohol/using illegal drugs on the job/performing work under the influence of drugs or alcohol (see attached City of Elkhart policy)	Banned permanently, reported to Police Department if necessary
Stealing items from owner or occupants	Banned permanently and reported to Police Department