**CDBG-DR/MIT PROGRAM**

**SECTION 3 BUSINESS CONCERN SELF-CERTIFICATION FORM**

**NOTE: This form is intended only for reference purposes and as a template. This template must be reviewed, edited, and customized as needed by the contractors or subcontractors before its use.**

# PURPOSE

Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1992 (**HCDA**), and the Federal Register Notice Vol. 85, No. 189 (September 29, 2020), 85 FR 61524, requires to the greatest extent feasible, recipients of Federal financial assistance for housing and community development programs make best efforts to direct contracts for work arising in connection with a public housing investment or Section 3 project to Section 3 Business Concerns.

This form is for businesses seeking to show that they meet the requirements to be considered as a Section 3 Business Concern.[[1]](#footnote-1)

# INSTRUCTIONS

1. Complete “Table A: Business Information”.
2. Choose and complete Part 1 “Business Ownership” or Part 2 “Labor Hours for the Business”, as applicable.
3. If you do not meet any of the criteria presented in Part 1 or Part 2 of this form, complete Part 3 “Non-Section 3 Status”.
4. Complete Part 4 “Signature”.
5. Provide and attach to this form the required supporting documents. Without the inclusion of the supporting documents, this form alone will be insufficient to evaluate the Section 3 Business Concern status. At least one (1) document must be provided as evidence of business ownership.
6. Visit the U.S. Department of Housing and Urban Development (**HUD**) Section 3 Business Registry and register your business there: <https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness>

# TABLE A: BUSINESS INFORMATION

|  |
| --- |
| **Instructions: Complete all areas of the table below** |
| **Business Name** |  |
| **Point of Contact Name** |  |
| **Point of Contact Email** |  |
| **Point of Contact Phone** |  |
| **Address of Business** |  |
| **Business Federal ID#** |  |
| **Business Type (Choose One)** | [ ] Corporation[ ] Partnership [ ] Joint Venture [ ] Sole Proprietorship |
| **Industry Area****(NAICS Code)** |  |

# [ ]  Part 1: BUSINESS OWNERSHIP

If at least **fifty one percent (51%)** of the business is owned and controlled by low- or very low-income persons, complete sections 1A and 1B below. Please be sure to attach the required supporting documentation.

|  |  |
| --- | --- |
| Office workerSection 1A | Document Section 1B |
| Verification Section 3 Status[ ]  I am the sole owner of this business or one (1) of a group of owners of this business as a low or very low income person and hold at least fifty-one percent (51%) ownership. **OR**[ ]  I am the sole owner of this business or one (1) of a group of owners of this business who are current public housing residents or residents who currently live in Section 8-assisted housing and hold at least fifty-one percent (51%) ownership. **AND**[ ]  I will be submitting my Section 3 Worker Self-certification form. [ ]  I am submitting evidence of my Low or Very Low Income Status.[ ]  I am submitting evidence of my public housing/ Section 8-assisted housing status. | Evidence of Business Ownership I am attaching at least one (1) of the following:[ ]  A copy of the business’s Articles of Incorporation.[ ]  A copy of the business’s By-laws.[ ]  Evidence of my fifty-one percent (51%) ownership of the business; or evidence that combined owners who are residents of public housing or Section 8-assisted housing comprise fifty-one percent (51%) of ownership.[ ]  Business Certificate.[ ]  Partnership Agreement. |

# [ ]  Part2: LABOR HOURS FOR THE SECTION 3 WORKERS IN THE BUSINESS

If the business has Section 3 workers perform over **seventy five percent (75%)** of the labor hours performed for the business over the prior three (3)-month period, as documented within the last six (6)-month period, complete sections 2A and 2B.

|  |  |
| --- | --- |
| Target AudienceSECTION 2A | PaperStopwatch SECTION 2B |
| Verification of Labor HoursMy total business workforce currently produces \_\_\_\_\_\_\_ of total labor hours.[ ]  I am affirming that at least seventy five percent (75%) of my total number of labor hours performed for the business over the prior three-month period were performed by **Section 3 Workers**.  | Evidence of Section 3 Workers Labor Hours[ ]  I am attaching the roster of all my full-time or part-time, permanent workforce and labor hours.**AND**[ ]  I am attaching the completed Section 3 Worker Self-certification Form for each of my employees who qualify as a Section 3 Worker or Targeted Section 3 Worker and a copy of their timesheets to indicate their labor hours performed.**AND**[ ]  I certify and confirm that I have reviewed the supporting documentation for my employees qualifying as Section 3 Worker and will retain them on my business file and recordkeeping. |

# [ ]  Part 3: NON-SECTION 3 STATUS

After reviewing the above information, I can verify:

[ ]  As the business owner(s), I(we) **do not have a low or very low income as defined by HUD.**

[ ]  As the business owner(s), I(we) **do not live in public housing or Section 8-assisted public housing.**

[ ]  Currently, **seventy five percent (75%) or more** of the labor hours performed for my business over the prior three-month period are not performed by Section 3 Workers.

# Part 4: SIGNATURE

[ ] As the authorized representative of my business, under penalty of perjury, I am certifying the information provided on this form is true and accurate.

[ ] I would like to be included on a listing so that contractors may review my information for available contracting or purchasing opportunities.

[ ] I would like to receive notifications about upcoming events and available contracting and purchasing opportunities.

[ ] I understand that it is my responsibility to provide the completed form and any additional documents within **thirty (30) calendar days** of the receipt of a written request for information from the Puerto Rico Department of Housing (**PRDOH**). I understand that failure to comply will cause PRDOH to dismiss and consider the Self-certification forms incomplete.

**Signature**:

**Date**:

**Thank you for completing this form.**

Please remember to send this form with the required supporting documentation, as instructed in the sections above.

[type here]

* **Via email at:**

[type here]

* **Online at:**
* **In writing at:**

[type here]

* **In Person**

[type here]

# Frequently Asked Questions (FAQ’s)

1. **Why is PRDOH providing this form?**

PRDOH as the recipient of CDBG-DR/MIT funds is required to comply with Section 3 regulations, 24 C.F.R. Part 75. This form aims to engage Puerto Rican Section 3 Business Concerns, who may qualify to participate in contract opportunities for construction and non-construction. PRDOH also wants any subrecipients or contractors working with federal CDBG-DR/MIT funds to use this form to identify eligible workers for their new hiring or training opportunities.

1. **Should I also use the Section 3 Worker Self-certification form?**

Yes. If you are establishing your business as a Section 3 Business Concern due to the ownership as a Section 3 Worker or labor hours for Section 3 workers at your company, then you may need to use the Section 3 Worker Self-certification Form.

1. **Will my information become public?**

PRDOH will safeguard your information. Only if you choose to be placed on a listing for contracting or hearing about networking opportunities will PRDOH share this with contractors or subrecipients who are looking for candidates. You can always choose to opt-out afterwards by writing to our email Section3CDBG@vivienda.pr.gov.

1. **How many times do I have to complete this form?**

Once the business is certified as a Section 3 business concern it will continue to be certified if it continues to comply with the requirements set forth in 24 C.F.R. §75.5. If there is a change in your Section 3 status, you must provide an updated Section 3 Business Concern Certification Form and/or ask to be removed from our Section 3 Business Concern listing, as appropriate.

**END OF FORM**

1. Section 3 business concern means: (1) A business concern meeting at least one of the following criteria, documented **within the last six (6) month period**: (i) It is at least fifty one percent (51%) owned and controlled by low- or very low-income persons; (ii) Over seventy-five percent (75%) of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or (iii) It is a business at least fifty one percent (51%) owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing. 24 C.F.R. §75.5. [↑](#footnote-ref-1)