

**Lehigh County  
Section 3 Guide  
and  
Action Plan**

February 2022

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## Section 3 Rules and Regulations

### Purpose of Section 3 [24 CFR Part 75]

This part establishes the requirements to be followed to ensure the objectives of Section 3 of the Housing and Urban Development Act of 1968 [12 U.S.C. 1701u] (Section 3) are met. The purpose of Section 3 is to ensure that economic opportunities, most importantly employment, generated by certain HUD financial assistance shall be directed to low-and very low-income persons, particularly those who are recipients of government assistance for housing or residents of the community in which the Federal assistance is spent. The County of Lehigh Section 3 Action Plan provides guidance on Section 3 compliance when incorporating the following funding sources into applicable activities:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships
- Housing Trust Fund (HTF)
- Neighborhood Stabilization Program Grants (NSP 1, 2, & 3)
- Housing Opportunities for Persons with AIDS (HOPWA)
- Emergency Solutions Grants (ESG)
- University Partnership Grants
- Economic Stimulus Funds
- 202/811 Grants
- Lead Hazard Control Grants
- Healthy Homes Production Grants
- Rental Assistance Demonstration

### Section 3 Projects [24 CFR 75.3(a)]

Section 3 projects mean housing rehabilitation, housing construction, and other public construction projects assisted under HUD programs that provide housing and community development financial assistance when the total amount of assistance to the project exceeds a threshold of \$200,000. The threshold is \$100,000 where the assistance is from the Lead Hazard Control and Healthy Homes programs, as authorized by Sections 501 or 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 or 1701z-2), the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 *et seq.*), and the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 *et seq.*). The project is the site or sites together with any building(s) and improvements on the site(s) that are under common ownership, management, and financing.

### Applicability of Section 3 Requirements for Individual Projects

The requirements of Section 3 apply to the entire project that is funded with Section 3 covered financial assistance, regardless of whether the Section 3 project is fully or partially funded with housing and community development financial assistance. Accordingly, \$200,000 of Section 3 covered financial assistance is invested into a project involving housing demolition, rehabilitation, or construction, or the rehabilitation or construction of public buildings, facilities, or infrastructure, the requirements of Section 3 apply to the entire project, both HUD and non-HUD funded portions.

The threshold is \$100,000 where the assistance is from the Lead Hazard Control and Healthy Homes programs, as authorized by Sections 501 or 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 or 1701z-2), the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 *et seq.*) and/or the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 *et seq.*). Please

be aware that activities focused only on mitigating lead paint hazards only does not constitute housing rehabilitation.

## Section 3 Requirements [24 CFR 75.19]

### a) Employment and Training

1) To the greatest extent feasible, and consistent with existing Federal, state, and local laws and regulations, recipients covered by this subpart shall ensure that employment and training opportunities arising in connection with Section 3 projects are provided to Section 3 workers within the nonmetropolitan county in which the project is located.

2) Where feasible, priority for opportunities and training described in paragraph (a)(1) of this section should be given to:

- i. Section 3 worker residing within the service area or the neighborhood of the project, and;
- ii. Participants in YouthBuild programs

### b) Contracting

1) To the greatest extent feasible, and consistent with existing Federal, state, and local laws and regulations, recipients covered by this subpart shall ensure contracts for work awarded in connection with Section 3 projects are provided to business concerns that provide economic opportunities to Section 3 workers residing within the nonmetropolitan county in which the project is located.

2) Where feasible, priority for contracting opportunities described in paragraph(b)(1) of this section should be given to:

- i. Section 3 business concerns that provide economic opportunities to section 3 workers residing within the service area or the neighborhood of the project, and
- ii. YouthBuild programs

## Responsibilities of Recipient Agencies Under Section 3

Recipient (Lehigh County) is required to ensure its own compliance and the compliance of its subrecipients with the Section 3 regulations, as outlined at 24 CFR part 75. These responsibilities include but are not limited to the following:

### Designing and implementing procedures to comply with the requirements of Section 3

Recipient must take an active role in ensuring Section 3 compliance. The first step is implementing procedures to ensure that all parties, including subrecipient, residents, businesses, contractors, and subcontractors, comply with Section 3 and maintain records verifying that compliance.

### Facilitating the training and employment of Section 3 workers

Recipient must act as a facilitator, connecting Section 3 workers to training and employment opportunities.

### Facilitating the award of contracts to Section 3 Business Concerns

Recipient must also work to link developers and contractors with capable Section 3 business concerns. Additionally, Recipient, when necessary, may direct Section 3 business concerns to organizations that provide capacity-building training.

#### Ensuring Contractor and Subcontractor Awareness and Compliance with Section 3 Benchmarks and Responsibilities

Recipient is responsible for ensuring that contractors and subcontractors are aware of, and in compliance with, Section 3 requirements.

#### Ensuring Compliance and Meeting Numerical Benchmarks

Recipient shall ensure compliance with Section 3 by assessing the hiring and subcontracting needs of contractors; regularly monitoring contractor compliance; require assistance and active cooperation from subrecipients in obtaining the compliance of contractors; penalizing non-compliance; providing incentives for good performance; and refraining subrecipients from entering into contracts with any contractor that previously failed to comply with the requirements of Section 3.

## What Do “Best Efforts” and “to the Greatest Extent Feasible” Mean?

“Best efforts” and “greatest extent feasible” are statutory terms, used in the statute in different contexts. As such, HUD uses both terms to track compliance, and there are many ways to interpret the language. Traditionally, HUD has used the terms interchangeably, as referenced in the statute, and will continue to be consistent with the statutory language. These terms are integral to the statutory intent and provide flexibility, rather than administrative burden, to recipients and subrecipients of HUD funding. HUD has determined not to define the difference between these two terms but rather to increase the emphasis on outcomes because of these efforts. HUD program staff will evaluate the level of effort expended by those recipients that fail to meet the benchmark safe harbor, and thus will ensure that the statutory terms are being properly enforced. HUD included a list of examples in the regulations at 24 CFR §§75.15 and 75.25, including engagement in outreach efforts to generate job applicants who are Targeted Section 3 workers, providing training or apprenticeship opportunities, and providing technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).

## Reporting Requirements and Demonstrating Compliance to the Greatest Extent Feasible

### Reporting [24 CFR Part 75.15]

#### a) Reporting of labor hours

1) Recipient must report the following data per Section 3 activity:

- i. The total number of labor hours worked;
- ii. The total number of labor hours worked by Section 3 workers; and
- iii. The total number of labor hours worked by Targeted Section 3 workers

2) Section 3 workers’ and Targeted Section 3 workers’ labor hours may be counted for five (5) years from when their status as a Section 3 worker or Targeted Section 3 worker is established pursuant to §75.31.

3) The labor hours reported under paragraph (a)(1) of this section must include the total number of labor hours worked with applicable public financial assistance in the fiscal year of Recipient (October 1 – September 30), including labor hours worked by any contractors and subcontractors that Recipient is required, or elects pursuant to paragraph (a)(4) of this section, to report.

4) Recipient and its subrecipients, as well as contractors and subcontractors who report to Recipient and/or its subrecipients, may report labor hours by Section 3 workers, under paragraph (a)(1)(ii) of this section, and labor hours by Targeted Section 3 workers, under paragraph (a)(1)(iii) of this section, from professional services without including labor hours from professional services in the total number of labor hours worked under paragraph (a)(1)(i) of this section. If a contract covers both professional services and other work and Recipient, its subrecipient, contractor, or subcontractor chooses not to report labor hours from professional services, the labor hours under the contract that are not from professional services must still be reported.

5) Recipient and its subrecipients may report on the labor hours of a contractor, or a subcontractor based on the employer's good faith assessment of the labor hours of a full-time or part-time employee informed by the employer's existing salary or time and attendance-based payroll systems, unless the project or activity is otherwise subject to requirements specifying time and attendance reporting.

#### b) Additional Reporting if Section 3 Benchmarks are Not Met

If Recipient's reporting under paragraph (a) of this section indicates that the subrecipient has not met the Section 3 benchmarks described in §75.13, Recipient must report in a form prescribed by HUD on the qualitative nature of its Section 3 compliance activities and those of its subrecipient, contractors and subcontractors. Such qualitative efforts may, for example, include but are not limited to the following:

- 1) Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.
- 2) Provided training or apprenticeship opportunities
- 3) Provided technical assistance to help Section 3 workers compete for jobs (e.g. resume assistance, coaching)
- 4) Provided or connected Section 3 workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services
- 5) Held one or more job fairs
- 6) Provided or referred Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, childcare)
- 7) Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training
- 8) Assisted Section 3 workers to obtain financial literacy training and/or coaching
- 9) Engaged in outreach efforts to identify and secure bids from Section 3 business concerns
- 10) Provided technical assistance to help Section 3 business concerns understand and bid on contracts
- 11) Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns
- 12) Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns
- 13) Promoted use of business registries designed to create opportunities for disadvantaged and small businesses
- 14) Outreach, engagement, or referrals with the state on-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.

### c) Reporting Frequency

Unless otherwise provided, Recipient must report annually to HUD under paragraph (a) of this section, and, where required, under paragraph (b) of this section, in a manner consistent with reporting requirements for the applicable HUD program. Subrecipients shall collect the Utilization report (see Resource section) from the prime contractor at the end of the project activity.

### Reporting Requirements for Contracts under the old Part 135 rule

On and after November 30, 2020, Section 3 regulations codified at 24 CFR Part 135 (the old rule) have not applied and will not apply to new grants, commitments, contracts, or projects. Contracts executed or projects for which assistance or funds were committed prior to November 30, 2020 are still required to adhere to the requirements of the old rule. Recipients of such assistance or funds will still be expected to maintain records of Section 3 statutory, regulatory, and contractual compliance but will no longer be required to report Section 3 compliance.

### Reporting Requirements for Section 3 Projects During Transition Period

Projects for which assistance or funds are committed between November 30, 2020 and July 1, 2021 are subject to the new Section 3 regulations found in 24 CFR Part 75, and it is expected that funding recipients will begin following this final rule's requirements for new grants, commitments, and contracts. Recipients will be expected to maintain records of statutory, regulatory, and contractual compliance with Section 3 for these projects but will not be required to report to HUD on the requirements found in 24 CFR Part 75.

### Minimum Numerical Goals

For meeting the safe harbor in §75.23, recipients that certify to following the prioritization in §75.19 and meet or exceed the following Section 3 benchmarks will be considered to have complied with requirements in proposed 24 CFR Part 75, Subpart C, in the absence of evidence to the contrary:

1) Twenty-five percent (25%) or more of the total number of labor hours worked by all workers on a Section 3 project are Section 3 workers:

$$\frac{\text{Section 3 Labor Hours}}{\text{Total Labor Hours}} = 25\%$$

AND

2) Five percent (5%) or more of the total number of labor hours worked on projects funded by Section 3 are Targeted Section 3 workers, as defined at §75.21.

$$\frac{\text{Targeted Section 3 Labor Hours}}{\text{Total Labor Hours}} = 5\%$$

The five percent (5%) is included as part of the twenty-five percent (25%) threshold.

**Should the Recipient fail to meet the minimum numerical goals, they bear the burden of demonstrating why it was not possible to do so.** Such justifications should describe the efforts that were taken, barriers encountered, and other relevant information that will enable Recipient to make a compliance determination.

## Safe Harbor Determination

Recipient and its subrecipients will be considered to have complied with the Section 3 requirements and met the safe harbor, in the absence of evidence to the contrary, if they certify that they have followed the required prioritization of effort and met or exceeded the applicable Section 3 benchmarks.

If a subrecipient agency or contractor does not meet the benchmark requirements but can provide evidence that they have made a number of qualitative efforts to assist low- and very low-income persons with employment and training opportunities, the recipient or contractor is considered to be in compliance with Section 3, absent evidence to the contrary (i.e., evidence or findings obtained from a Section 3 compliance review).

## Definitions [24 CFR Part 75.5]

### 1937 Act

The United States Housing Act of 1937, [42 U.S.C. 1437 et seq.](#)

### Contractor

Any entity entering into a contract with:

- 1) A recipient to perform work in connection with the expenditure of public housing financial assistance or for work in connection a Section 3 project; or
- 2) A subrecipient for work in connection with a Section 3 project

### Labor Hours

The number of paid hours worked by persons on a Section 3 project or by persons employed with funds that include public housing financial assistance.

### Low-Income Person

A person whose income is eighty percent (80%) or below of the area median income.

### Material Supply Contract

Contracts for the purchase of products and materials, including, but not limited to, lumber, drywall wiring, concrete, pipes, toilets, sinks, carpets, and office supplies.

### Professional Services

Non-construction services that require an advanced degree or professional licensing, including, but not limited to, contracts for legal services, financial consulting, accounting services, environmental assessment, architectural services, and civil engineering services.

### Recipient

Any entity that receives directly from HUD public housing financial assistance or housing and community development assistance that funds Section 3 projects, including, but not limited to, any State, local government, instrumentality, PHA, or other public agency, public or private nonprofit organization. In this guide, Recipient is a recipient.

## Section 3

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

### Section 3 Business Concern

- 1) A business concern meeting at least one of the following criteria, documented within the last six-month period:
  - i. It is at least 51 percent owned and controlled by low- or very low-income persons;
  - ii. Over 75 percent 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 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.
- 2) The status of a Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owner(s) or employees.
- 3) Nothing in this part shall be construed to require the employment of someone who meets this definition of a Section 3 worker. Section 3 workers are not exempt from meeting the qualifications of the position to be filled.

### Section 3 Project

A project defined in [§75.3\(a\)\(2\)](#).

### Section 3 Worker

- 1) Any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:
  - i. The worker's income for the previous or annualized calendar year is below the income limit established by HUD.
  - ii. The worker is employed by a Section 3 business concern.
  - iii. The worker is a YouthBuild participant.
- 2) The status of a Section 3 worker shall not be negatively affected by a prior arrest or conviction.
- 3) Nothing in this part shall be construed to require the employment of someone who meets this definition of a Section 3 worker. Section 3 workers are not exempt from meeting the qualifications of the position to be filled.

### Section 8-Assisted Housing

Housing receiving project-based rental assistance or tenant-based assistance under Section 8 of the 1937 Act.

### Service Area or the Neighborhood of the Project

An area within one mile of the Section 3 project or, if fewer than 5,000 people live within one mile of a Section 3 project, within a circle centered on the Section 3 project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census.

### Subcontractor

Any entity that has a contract with a contractor to undertake a portion of the contractor's obligation to perform work in connection with the expenditure of public housing financial assistance or for a Section 3 project.

### Subrecipient

An entity, usually but not limited to non-Federal entities, that receives a sub-award from a pass-through entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award.

### Targeted Section 3 Worker

A Section 3 targeted worker for Housing and Community Development Financial Assistance projects is a Section 3 worker who:

- 1) Is employed by a Section 3 business concern; or
- 2) Currently fits or when hired fit at least one of the following categories, as documented within the past five years:
  - a. Living within the service area or the neighborhood of the project, as defined in [24 CFR §75.5](#);  
or
  - b. A YouthBuild participant

### Very Low-Income Person

A person whose income is fifty percent (50%) or below of the area median income.

### YouthBuild

A community-based pre-apprenticeship program that provides job training and educational opportunities for at-risk youth ages 16-24 who have previously dropped out of high school. The Division of Youth Services within the Employment and Training Administration's Office of Workforce Investment at the U.S. Department of Labor administers the YouthBuild program. More information can be found here: <https://www.dol.gov/agencies/eta/youth/youthbuild>.

## Lehigh County Section 3 Action Plan and Procedures

### Section 3 Compliance Officer

Laurie Moyer, Grants Management Specialist, is the designated Section 3 Compliance Officer for Lehigh County. The roles and responsibilities of the Section 3 Compliance Officer include:

- Completing, maintaining, and monitoring the Section 3 Action Plan
- Monitoring bidding and procurement procedures
- Maintaining a listing and certifications of Section 3 workers and Targeted Section 3 workers
- Maintaining a listing and certifications of Section 3 business concerns
- Management of grievance procedures
- Reporting on Section 3 activities in IDIS
- Recordkeeping on Section 3 activities

### Benchmarks

It is the policy of Lehigh County, to the greatest extent feasible, to comply with the benchmarks established by the U.S. Department of Housing and Urban Development, as follows:

- 1) The benchmark for Section 3 workers is set at 25 percent or more of the total number of labor hours worked by all workers on a Section 3 project.
- 2) The benchmark for Targeted Section 3 workers is set at 5 percent or more of the total number of labor hours worked by all workers on a Section 3 project. The 5 percent for the Targeted Section 3 workers is part of the 25 percent threshold.

If the benchmarks cannot be achieved, then Lehigh County will provide evidence to HUD to demonstrate its qualitative efforts to achieve the benchmarks. The qualitative efforts may, for example, include but are not limited to the following:

1. Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.
2. Provided training or apprenticeship opportunities.
3. Provided technical assistance to help Section 3 workers compete for jobs (e.g. resume assistance, coaching).
4. Provided or connected Section 3 workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services.
5. Held one or more job fairs.
6. Provided or referred Section 3 workers to services supporting work readiness and retention (e.g. work readiness activities, interview clothing, test fees, transportation, child care).
7. Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
8. Assisted Section 3 workers to obtain financial literacy training and/or coaching.
9. Engaged in outreach efforts to identify and secure bids from Section 3 business concerns.
10. Provided technical assistance to help section 3 business concerns understand and bid on contracts.
11. Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.
12. Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
13. Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.
14. Outreach, engagement, or referrals with the state on-stop system as defined in Section 121(3)(2) of the Workforce Innovation and Opportunity Act.

## The Pursuit of Meeting Benchmarks

### During Bid Procurement

Lehigh County's procedure for Section 3 compliance during procurement is as follows:

1. Ensure subrecipients include Section 3 regulations and directives in the bid specifications for applicable Section 3 projects.
2. Lehigh County shall review self-certifications for Section 3 business concerns for approval prior to the contractor's bid submission. If the Section 3 Compliance Officer previously approved the business concern to be Section 3 certified, then the certification can be submitted along with the bid.
3. Lehigh County shall ensure that the subrecipient and contractors use qualitative methods to notify and encourage contracting opportunities with Section 3 business concerns. The list of qualitative methods is located at 24 CFR 75.25(b), but is not limited to those listed.
4. Lehigh County's Section 3 Compliance Officer will assist contractors with little or no experience in achieving Section 3 labor hours goals by:
  - Requiring the contractor to present a list, to the Section 3 Compliance Officer, of the number of subcontracting and/or employment opportunities expected to be generated from the contracting opportunity.
  - Lehigh County Section 3 Compliance Officer will provide the contractor with a list of interested and qualified Section 3 residents for construction projects.
  - Lehigh County Section 3 Compliance Officer will provide contractor with a list of Section 3 business concerns interested and qualified for construction projects.
5. Lehigh County shall direct Subrecipients and contractors to use resources available through the Pennsylvania Department of Labor and Industry and PA CareerLink office located throughout the state to accomplish compliance with the Section 3 benchmarks. PA CareerLink is part of the PA Department of Labor and Industry's initiative to transform the landscape of how jobseekers find family sustaining jobs and how employers find the skilled candidates that they need. In addition, [HUD's Opportunity Portal \(https://hudapps.hud.gov//opportunityportal\)](https://hudapps.hud.gov//opportunityportal) (see Resources – Opportunity Portal – Business – Quick Guide) and the [PA DGS Small and Diverse Business database \(https://www.dgs.internet.state.pa.us/suppliersearch\)](https://www.dgs.internet.state.pa.us/suppliersearch) are resources that contractors may use to connect with Section 3 Business Concerns, Section 3 workers, and Targeted Section 3 workers. Subrecipients will be encouraged to use all available local community resources to meet its Section 3 requirements.
6. Ensure that contractors understand that qualifying as a Section 3 business does not mean the business will be selected if it meets the technical requirements of the bid, regardless of bid price. As provided in 2 CFR 200.318, contract awards shall only be made to responsible contractors possessing the ability to perform under the terms and conditions of the proposed contract.
7. Notify the contractors of reporting and record keeping requirements.

### During Contracting and Pre-Construction

Lehigh County's procedure for Section 3 compliance during contracting and pre-construction is as follows:

1. Lehigh County shall ensure that the Section 3 Clause (see Resource section) in each contractor agreement.

2. Lehigh County Section 3 Compliance Officer will review the new hire clause with contractors and subcontractors to ensure that the requirement is understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to employ Section 3 program participants before any other person, when hiring additional employees needed to complete proposed work to be performed with HUD housing and community development financial assistance.
3. Ensure the prime contractor understands the Section 3 Utilization Report and when it is due.
4. Ensure the prime contractor completes the Section 3 Affirmative Action Certification.

#### During Project Activity - Finding Section 3 Workers or Targeted Section 3 Workers

Lehigh County's Section 3 Compliance Officer will assist individuals who may identify as a Section 3 Worker or Targeted Section 3 Worker, who reside in the service area or the neighborhood of the Section 3 Project, and who are seeking preference in training and employment by completing and attaching a certification of Section 3 eligibility.

Should an individual pursue the opportunity without Lehigh County's assistance, the individual should contact the agency or developer from which they are seeking employment. They should identify themselves as a Section 3 worker or Targeted Section 3 worker and provide whatever documentation that the recipient agency requires under their certification procedures. Workers should also register in HUD's Opportunity Portal (see Resources – Opportunity Portal – Worker – Quick Guide)

There are many ways that a worker can be certified as either a Section 3 Worker or Targeted Section 3 Worker under 24 CFR Part 75.

A. For a worker to qualify as a Section 3 worker, one of the following must be maintained:

- 1) A worker's self-certification that their income is below the income limit from the prior calendar year;
- 2) A worker's self-certification of participation in a means-tested program such as public housing or Section 8-assisted housing;
- 3) Certification from a PHA, or the owner or property manager of project-based Section 8-assisted housing, or the administrator of tenant-based Section 8-assisted housing that the worker is a participant in one of their programs;
- 4) An employer's certification that the worker's income from that employer is below the income limit when based on an employer's calculation of what the worker's wage rate would translate to if annualized on a full-time basis; or
- 5) An employer's certification that the worker is employed by a Section 3 business concern.

B. For a worker to qualify as a Targeted Section 3 worker, one of the following must be maintained:

- 1) An employer's confirmation that a worker's residence is within one mile of the work site, or if fewer than 5,000 people live within one mile of a work site, within a circle centered on the work site that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census;
- 2) An employer's certification that the worker is employed by a Section 3 business concern; or
- 3) A worker's self-certification that the worker is a YouthBuild participant

The documentation must be maintained for the time required for record retention in accordance with applicable program regulations as outlined in the subrecipient agreement with Recipient.

Lehigh County may report on Section 3 workers and Targeted Section 3 workers for five years from when their certification as a Section 3 worker or Targeted Section 3 worker is established.

#### Post-Project Activity – Reporting

Lehigh County will collect the Section 3 Utilization Report from the contractor, review it for accuracy, and remind the contractor of record-keeping requirements.

#### Grievance Procedures

To resolve complaints generated due to non-compliance through an internal process, Lehigh County encourages submittal of such complaints to its Section 3 Compliance Officer as follows:

- Complaints of non-compliance should be filed in writing to Lehigh County Office of Community Development and must contain the name of the complainant and brief description of the alleged violation of 24 CFR 75.
- Complaints must be filed within thirty (30) calendar days after the complainant becomes aware of the alleged violation.
- An investigation will be conducted if complaint is found to be valid. The Section 3 Compliance Officer will conduct an informal, but thorough investigation affording all interested parties, if any, an opportunity to submit testimony and or evidence pertinent to the complaint.
- The Section 3 Compliance Officer will provide written documentation detailing the findings of the investigation. The findings will be made available no later than thirty (30) days after the filing of the complaint.

# Resources

## Section 3 Clause

All Section 3 contracts shall include the following clause:

A. The work to be performed under this contract, subcontract, memorandum of understanding, cooperative agreement or similar legally binding agreement, is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968 (Section 3). The purpose of Section 3 is to ensure, to the greatest extent feasible, that training, employment, contracting, and other economic opportunities generated by Section 3 covered financial assistance shall be directed to low- and very low-income residents of the neighborhood where the financial assistance is spent, particularly to those who are recipients of government assistance for housing, and to businesses that are either owned by low- or very low-income residents of the neighborhood where the financial assistance is spent, or substantially employ these persons.

B. The parties to this contract, subcontract, memorandum of understanding, cooperative agreement, or similar legally binding agreement agree to comply with HUD's regulations in 24 CFR Part 75, which implement Section 3. As evidenced by execution of this contract or subcontract memorandum of understanding, cooperative agreement or similar legally binding agreement the parties certify that they are under no contractual or other impediment that would prevent them from complying with the requirements of 24 CFR Part 75.

C. The contractor agrees to identify current employees on its payroll when the contract or subcontract was awarded who will be working on the Section 3 covered project or activity and certify that any vacant employment opportunities, including training positions, that are filled:

1. After the contractor is selected; and
2. With persons other than those that meet the definition of a Section 3 resident, were not filled to circumvent the contractor's Section 3 obligations.

D. The contractor agrees to maintain records documenting Section 3 residents that were hired to work on previous Section 3 covered projects or activities that were retained by the contractor for subsequent Section 3 covered projects or activities.

E. The contractor agrees to post signs advertising new employment, training, or Sub-contracting opportunities that will be available as a result of the Section 3 covered projects and activities in conspicuous places at the work site where potential applicants can review them.

F. The contractor agrees to hire, to the greatest extent feasible, Section 3 residents as new hires, or provide written justification to the recipient that is consistent with 24 CFR Part 75, describing why it was unable to meet minimum numerical hiring goals, despite its efforts to comply with the provisions of this clause.

G. The contractor agrees that in order for a Section 3 resident to be counted as a new hire, the resident must work a minimum of 50 percent of the average staff hours worked for the category of work for which they were hired throughout the duration of time that the category of work is performed on the covered project.

H. The contractor agrees to award, to the greatest extent feasible, 10 percent of the total dollar amount of subsequent subcontracts awarded in connection with the Section 3 covered project or activity to Section 3 businesses, or provide written justification that is consistent with 24 CFR Part 75 describing why it was unable to meet that goal, despite their efforts to comply with the provisions of this clause.

I. The contractor agrees to notify Section 3 residents and businesses about the availability of new employment, training, or contracting opportunities created as a result of the receipt of Section 3 covered financial assistance, as stipulated by the awarding agency.

J. The contractor agrees to verify the eligibility of prospective Section 3 residents and businesses for employment, training, or subcontracting opportunities, in accordance with the recipient's policies and procedures.

K. The contractor agrees to provide priority consideration to eligible residents and businesses in accordance with 24 CFR Part 75, as applicable.

L. The contractor agrees to notify potential bidders on subcontracts that are associated with Section 3 covered projects and activities about the requirements of Section 3 and include this Section 3 clause in its entirety into every subcontract awarded.

M. The contractor agrees to impose sanctions upon any subcontractor that has violated the requirements of this clause in accordance with the awarding agency's Section 3 policies and procedures.

N. The contractor agrees to comply with all monitoring, reporting, recordkeeping, and other procedures specified by the awarding agency.

O. If applicable, the contractor agrees to notify each labor organization or representative of workers with which the recipient, sub-recipient, or contractor has a collective bargaining or similar labor agreement or other understanding, if any, about its obligation to comply with the requirements of Section 3 and ensure that new collective bargaining or similar labor agreements provide employment, registered apprenticeship, training, subcontracting, or other economic opportunities to Section 3 residents and businesses, and to post notices in conspicuous places at the work site advising the labor union, organization, or workers' representative of the contractor's commitments under this part.

P. Failure to comply with this clause shall result in the imposition of sanctions. Appropriate sanctions for noncompliance may include: Requiring additional certifications or assurances of compliance; termination or cancelation of the contract, subcontract, memorandum of understanding, cooperative agreement, or similar legally binding arrangement for default; refraining from entering into subsequent contracts, subcontracts, memoranda of understanding, cooperative agreements, or similar legally binding arrangement; repayment of funds, and withholding a portion of contract awards, subcontracts, memoranda of understanding, cooperative agreements, or similar legally binding arrangements.

Section 3 Affirmative Action Plan  
[to be signed by Prime Contractor]

**Section 3 Affirmative Action Plan**

\_\_\_\_\_, Contractor, agrees to implement the following specific affirmative action steps directed at increasing the use of Section 3 Workers and Section 3 Business Concerns within Lehigh County, Recipient.

A. To ascertain from the grantee's Program official the exact boundaries of the Section 3 Covered Project Area and where advantageous, seek the assistance of local officials in preparing and implementing the affirmative action plan.

B. To attempt to recruit from within the grantee's service area, the necessary individuals to fill employment opportunities generated by Section 3 covered assistance through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area and providing preference for these opportunities in the following order:

1. Section 3 Residents residing in the service area or neighborhood in which the Section 3 covered project is located;
2. Participants in YouthBuild Programs, and
3. Other Section 3 Residents

C. To maintain a list of all lower income area residents who have applied either on their own or on referral from any source, and to employ such persons, if otherwise eligible and a vacancy exists.

D. To work with the Section 3 Compliance Officer to insert the Section 3 Affirmative Action Plan when Section 3 compliance is triggered, and to require all bidders to submit a Section 3 Affirmative Action Plan, including utilization goals and the specific steps planned to accomplish these goals.

E. To ensure subcontracts which are typically let on a negotiated rather than bid basis in areas other than Section 3 covered project areas, are also let on a negotiated basis, whenever feasible, when let in a Section 3 covered project area.

F. To formally contact unions, subcontractors, and trade associations to secure their cooperation for this program.

G. To notify Section 3 residents and Section 3 business concerns about economic opportunities generated by Section 3 covered assistance and to award Section 3 covered contracts, to the greatest extent feasible, to Section 3 business concerns in the following order of preference:

- a. Business concerns that provided economic opportunities for Section 3 residents in the service area or neighborhood in which the Section 3 covered project is located;
- b. Applicants selected to carry out YouthBuild projects;
- c. Other Section 3 business concerns

H. To notify potential contractors about Section 3 requirements of this part and incorporating the Section 3 clause in all solicitations and contracts.

I. To facilitate the training and employment of Section 3 residents and the award of contracts to Section 3 business concerns undertaking activities to reach the numerical goal established by HUD.

J. To cooperate in obtaining the compliance of contractors and subcontractors with the requirements of Section 3.

K. To submit reports to DCED and HUD on the results of actions taken to provide training, jobs and contracts to Section 3 residents and Section 3 business concerns.

L. To appoint an executive official of the company or agency as Equal Employment Opportunity Officer to coordinate the implementation of this Section 3 Affirmative Action Plan.

M. To maintain records, including copies of correspondence, income verification memoranda, etc., which document that all levels of the above affirmative action steps have been taken.

**Contractor Certification**

As an officer and representative of \_\_\_\_\_ [Name of Contractor]

On behalf of the Company, I have read and fully agree to the Section 3 Affirmative Action Plan and become a party to the full implementation of this program.

Name and Title of the Authorized Representative

Signature of Authorized Representative	Date
--	------

### Section 3 Utilization Report

<b>Section 3 Utilization Report</b>	
A. Section 3 Employee Labor Information	
Name of Grantee:	
Name of Project:	
Project Number:	Wage Decision Number:
Total number of Labor Hours on the Project:	
Total number of Section 3 Labor Hours on the Project:	
Number of Section 3 Workers Used on Project by Prime Contractor:	
Number of Section 3 Workers Used on Project by Subcontractors:	
Total Number of Section 3 Workers Used on Project:	

#### Certification of Prime Contractor

As an officer and representative of \_\_\_\_\_

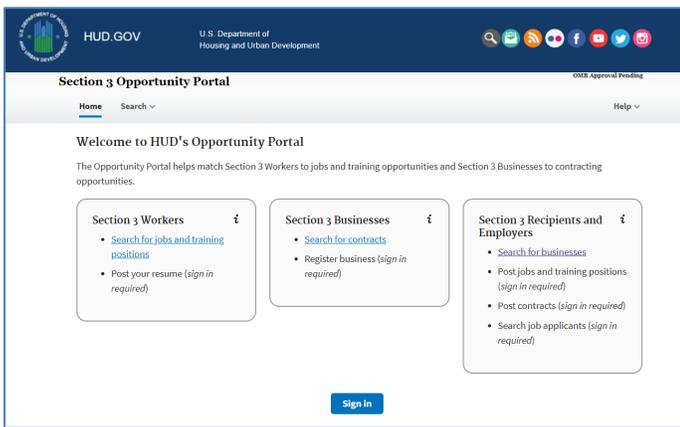
Address:

**On behalf of the Contractor, I hereby certify that the above information is true and accurate and is reported fully as required by the Section 3 Affirmative Action Plan as part of the contract for this housing and community development financial assisted project.**

Name and Title of Authorized Representative

Signature of Authorized Representative	Date
--	------

The **HUD Section 3 Opportunity Portal** is intended to help HUD grantees and Section 3 businesses meet their Section 3 obligations for employment and contracting. The site is to be used by either Section 3 Workers or Employers. Section 3 Workers may use the site to Search for Jobs, post their profile/employment history for companies to search or post their business(es). Employers may use the site for posting opportunities or business(es) or search for Workers to fill positions. Authentication has been implemented using GSA’s Login.Gov service. Login.gov is an authentication service that offers the public secure and private online access to participating government programs, including the HUD Section 3 Opportunity Portal.



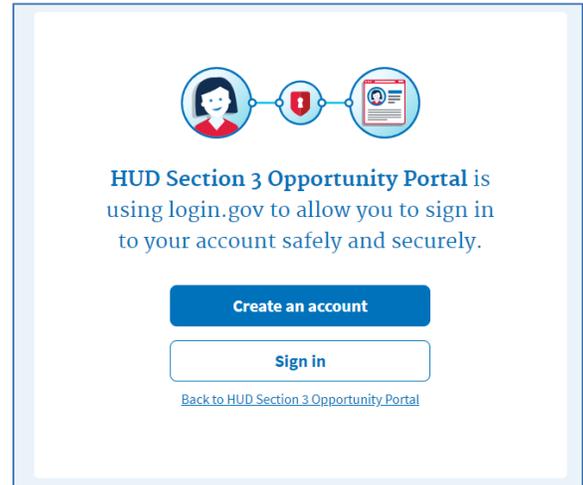
This document will guide the user through the creation of a Login.Gov account, logging into the Opportunity Portal application, and exercising the features that are available to both Section 3 Employers and Workers such as updating contact information, posting an employment profile, posting opportunities and searching for job/contract opportunities.

### Create a Login.gov UserID

To access certain features in the Opportunity Portal such as creating a Worker profile so that businesses can search for you, posting Job and Contract opportunities, or search for Workers seeking employment, you must create a Login.gov account. If you only wish to search for open Job and Contract opportunities, you do not need a Login.gov account. To create an account:

- a. Open a web browser such as Chrome, Edge, Firefox or Safari.

- b. [Enter] <https://hudapps.hud.gov/OpportunityPortal> in the URL box.



- c. [Click] the **Create an account** button. *Note: if you already have an account, you can [Click] the **Sign in** button.*
- d. Enter your email address in the **Email address** field (Note: this must be a valid email address that you can access at that time), then [Click] **Submit**.
- e. You can now close the tab or window you are currently working in.
- f. Go to your email account and look for a new email from no-reply@login.gov with the Subject: Confirm your email and open it.
- g. In the email, [Click] the **Confirm your email address** button. (Note: this will open in your default browser; if you wish to use a different browser, simply copy this URL and paste it into the browser you wish to use.)
- h. Create a new password. It must be at least 9 characters long and not be a commonly used password. Type the password into the Password field and [Click] **Continue**. (Note: you will not be able to move forward unless your password is “strong” enough).

**LOGIN.GOV**

✓ You have confirmed your email address

### Create a strong password

It must be at least 9 characters long and not be a commonly used password. That's it!

Password  Show password

.....

Password strength: **Great!**

**Continue**

- i. Login.gov requires “two factor authentication”, meaning you need to provide an additional way to prove you are the owner of your account when logging in (this adds an additional layer of security to your account). Choose one of the 3 options presented (the simplest is usually Text Message/SMS if you have a cell phone; otherwise, the next simplest is to get a phone call). Then [Click] the **Continue** button.
- j. If you chose Text Message/SMS then enter your mobile phone number in the Mobile phone number field, then [Click] the **Send code button**.

**LOGIN.GOV**

### Add a phone number

Every time you log in, we will send you a one-time security code via text message or phone call. This helps safeguard your account.

International code

United States of America +1

Phone number *Mobile phone or landline. If you enter a landline, please select "Phone call" below.*

How should we send you a code?

Text message (SMS)  Phone call

You can change this selection the next time you log in.

**Send code**

[Cancel account creation](#)

in the One-time security code field, then [click] **Submit**. (Note: you must do this within 10 minutes of receiving the code, or you will need to generate a new one).

- l. Write down, print out, or take a screen shot of your personal key; you may need this to log in later to regain access to your account if you lose your phone, for example.
- m. [Click] **Continue**.

**Store your personal key**

This is the only way to regain access to your account if you lose the phone where we send your security code. Write it down or print it out.

✂

**Your personal key**

-----

Generated on March 14, 2018 **LOGIN.GOV**

Why do I need to store my new key on paper?

**Continue**

- n. Type the personal key that you just saved in the field that appears. You do not need to enter dashes, just the numbers and letters from your key.
- o. [Click] **Agree and Continue**.

## Log in with Login.gov

To log in to the Section 3 Opportunity Portal, do the following.

- a. Once you have an account, you can go to <https://hudapps.hud.gov/OpportunityPortal> in your web browser, then [Click] the **Sign in** button.
- b. [Enter] your **Email Address** and **Password** that you used when signing up for Login.gov and [Click] **Next**.
- c. Follow the steps for multi-factor authentication.
- d. You will then be logged into the application and the Section 3 Opportunity Portal home page will appear.

- k. If you chose Text Message/SMS then enter your security code that you received via text message/SMS

## Add Employer/Contractor Role, Add Contact Information

Businesses must select one or more roles. One role gives the ability to add, edit, and delete Opportunities and Businesses. Another role gives the ability to search for Section 3 Workers seeking employment (this role must be approved by a HUD SPEARS system administrator before being granted). When you log in for the first time, you will need to select a role. You can also get to this page by [Selecting] **My Account** from the upper menu and then [Selecting] **View Profile**.

- a. On the Role page, [Select] **“I want to participate as an employer/contractor that posts job, training and/or contracting opportunities”** AND/OR **“I want to participate as an employer/contractor that searches for Workers seeking employment. (This requires approval by HUD)”** and [Click] **Save**.

- b. [Scroll] down to the **Contact** section and [Click] the **Edit** button.
- c. [Enter] data into, at a minimum, all *Required* fields. [Click] **Save**.

## Post a Job Opportunity

If you selected the **“I want to participate as an employer/contractor that posts job, training and/or contracting opportunities”** role, you can post job opportunities for the public to search.

- a. [Click] **My Opportunities** in the upper menu.
- b. [Scroll] down to the **Job Opportunities** section and [Click] **Add New Job Opportunity**.

- c. In the **Section 3 Recipient Details** section enter either a **Recipient Tax ID Number**, a **Recipient Agency Name**, or a **Recipient Agency Location** and [Select] an agency from the resulting suggestions. Note: This

would be the grantee that is receiving HUD Section 3 funds.

- d. [Scroll] to the **Organization and Contact Details** section and fill in the requested information in the form. You must fill in all fields marked *Required*.
- e. If you have already created a prior Job or Contract opportunity, you can [Select] your prior information from the **Autofill from prior entries** dropdown.

- f. For the **Organization ZIP** field, enter the first 3 (or more) numbers of the ZIP code, then [Select] the ZIP code you desire. This will automatically enter the proper **Organization City, State**.
- g. Enter data in all *Required* fields under **Organization Details, Contact Details, and Job Opportunity Details**. You may also enter data in any optional fields.
- h. If you enter a standard job title in the **Title** field, you will get a list of suggestions. [Select] a job **Title**, and this will automatically fill the **Occupation Classification** field with the appropriate federal classification. Otherwise, you may choose this manually if you wish to do so.
- i. The **Description** and **Requirements** fields allow you to enter rich text (e.g., bold, italic, bullets, links). Highlight the text you wish to embellish, and [Click] the proper **icon** in the gray bar at the top of the field to make the change.

- j. You can submit a URL where users can apply directly to your job if you have such a link on a different job site. To do this, enter the full URL (starting with http:// or https://) in the **Apply Directly URL** field. This will put a direct link to the application URL in your job posting.
- k. If you have the same job listing posted to a different job site or your own web site, you can submit a link that goes directly to this job posting. To do this, enter the full URL (starting with http:// or https://) in the **Posting URL** field. This will put a direct link to the original job post in your new job posting.
- l. Enter a **Posting Start Date** and **Posting Expire Date** by [Clicking] in the appropriate field and [Selecting] the date from the calendar popup. You can also enter the date directly in the following format: **mm/dd/yyyy**. Note that job postings can be up to 1 year, and you can extend them as needed at a later date.
- m. When all required fields and any optional fields are filled in and you are ready to save the information, [Click] **“The above information is true/accurate.”** Then [Click] **Submit**.
- n. Your Job posting will be saved and viewable only by you. Each time you add or edit a Job posting, it will have a Pending status for 24 hours, after which it will be available for the public to search.

## View and Edit Job Opportunity Posting

You may view the public view or edit your Job opportunity posting at any time.

- a. [Click] **My Opportunities** in the upper menu.
- b. On the **My Opportunities** page, find the Job opportunity you wish to view or edit by entering a keyword from your job title in the Search field (just under the Job Opportunities heading). You can also [Click] the **numbers** below the listing, or [Click] **Previous** or **Next** to page through your listing of Jobs.
- c. If you wish to view the public view of the Job, [Click] on the **title**, then [Select] **View Public Post** from the context menu.
- d. If you wish to edit your Job posting, [Click] on the **title**, then [Select] **Edit** from the context menu.
- e. You can now edit any data as needed, then [Click] **Submit** to save the updates.
- f. Your Job posting will be saved and viewable only by you until it is approved. Each time you add or edit a Job posting, it will have a Pending status for 24 hours, after which it will be available for the public to search.

## Delete a Job Opportunity Posting

Following are the steps to delete a Job opportunity posting.

- a. [Click] **My Opportunities** in the upper menu.
- b. Find one of the Job Opportunities you wish to delete by entering a keyword from your job title in the Search field (just under the Job Opportunities heading), if it is not visible on the screen. You can also [Click] the **numbers** below the listing, or [Click] **Previous** or **Next** to page through your listing of Jobs.
- c. Once you have found the desired posting, [Click] on the **title**, then [Select] **Delete** from the context menu.

- d. In the popup dialog, [click] **“OK”** to confirm deletion.

## Post Contract Opportunity

If you selected the “I want to participate as an employer/contractor that posts job, training and/or contracting opportunities” role, you can post contract opportunities for the public to search.

- [Click] **My Opportunities** in the upper menu.
- [Scroll] down to the **Contract Opportunities** section and [Click] **Add New Contract Opportunity**.
- In the **Section 3 Recipient Details** section enter either a **Recipient Tax ID Number**, a **Recipient Agency Name**, or a **Recipient Agency Location** and [Select] an agency from the resulting suggestions.

- [Scroll] to the **Organization and Contact Details** section and fill in the requested information in the form. You must fill in all fields marked *Required*.
- If you have already created a prior Job or Contract opportunity, you can [Select] your prior information from the **Autofill from prior entries** dropdown.
- For the **Organization ZIP** field, enter the first 3 (or more) numbers of the ZIP code, then [Select] the ZIP code you desire. This will automatically enter the proper **Organization City, State**.
- Enter data in all required fields under **Organization Details, Contact Details, and Contract Opportunity Details**. You may also enter data in any optional fields.
- For the **NAICS Code**, [Enter] either a partial NAICS Code OR [Enter] a keyword for the code (such as “paint”, “plumbing”, etc.), then [select] one of the suggested codes.
- The **Description** and **Requirements** fields allow you to enter rich text (e.g., bold, italic, bullets, links).

Highlight the text you wish to embellish, and [Click] the proper **icon** in the gray bar at the top of the field to make the change.

- If you have the same contract listing posted to a different job site or your own web site, you can submit a link that goes directly to this contract posting. To do this, enter the full URL (starting with http:// or https://) in the **Posting URL** field. This will put a direct link to the original contract post in your new contract posting.
- Enter a **Posting Start Date** and **Posting Expire Date** by [Clicking] in the appropriate field and [Selecting] the date from the calendar popup. You can also enter the date directly in the following format: **mm/dd/yyyy**. Note that contract postings can be up to 1 year, and you can extend them as needed at a later date.
- When all required fields and any optional fields are filled in and you are ready to save the information, [Click] **“The above information is true/accurate.”** Then [Click] **Submit**.
- Your Contract posting will be saved and viewable only by you. Each time you add or edit a Contract posting, it will have a Pending status for 24 hours, after which it will be available for the public to search unless it is flagged by HUD management.

## View and Edit Contract Opportunity Posting

You may view the public view or edit your Contract opportunity posting at any time.

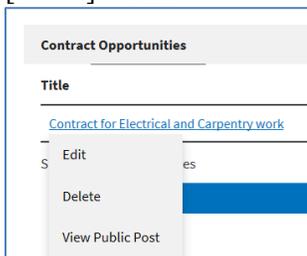
- [Click] **My Opportunities** in the upper menu.
- On the **My Opportunities** page, find the Contract opportunity you wish to view or edit by entering a

keyword from your contract title in the Search field (just under the Contract Opportunities heading), if it is not visible on the screen. You can also [Click] the **numbers** below the listing, or [Click] **Previous** or **Next** to page through your listing of Contracts.

- c. If you wish to view the public view of the Contract, [Click] on the **title**, then [Select] **View Public Post** from the context menu.
- d. If you wish to edit your Contract posting, [Click] on the **title**, then [Select] **Edit** from the context menu.
- e. You can now edit any data as needed, then [Click] **Submit** to save the updates.
- n. Your Contract posting will be saved and viewable only by you. Each time you add or edit a Contract posting, it will have a Pending status for 24 hours, after which it will be available for the public to search unless it is flagged by HUD management.

## Delete Contract Opportunity Posting

- a. [Click] **My Opportunities** in the upper menu.
- b. Find one of the Contract Opportunities you wish to delete by entering a keyword from your contract title in the Search field (just under the Contract Opportunities heading), if it is not visible on the screen. You can also [Click] the **numbers** below the listing, or [Click] **Previous** or **Next** to page through your listing of Contracts.
- c. Once you have found the desired posting, [click] on the **title**, then [Select] **Delete** from the context menu.



- d. In the popup dialog, [click] “**OK**” to confirm deletion.

## My Businesses

Any user may register their Section 3 self-certified business listing within the Section 3 Opportunity Portal. Any registered businesses are listed on the My Businesses page.

- a. [Click] **My Section 3 Portal** in the upper menu, then [Click] **My Businesses**.

Along with self-registered businesses, the application will Claim any businesses that match with the user’s email address. Upon claiming, a checkmark will appear beside the business for the next 3 days. After claiming, the user may edit and re-post the business similar to any other entries.

My Businesses			
Below are the businesses you have registered to the Opportunity Portal. Click on the Title to view, edit, or delete a business.			
Businesses			
Title	City	State	Zip
<a href="#">ASAP Mow &amp; Snow, LLC</a>	Toledo	OH	43607
<a href="#">Business 01</a>	Anywhere	AK	12345
<a href="#">Flowers Concrete and Snow Removal LLC</a> ✓	Omaha	NE	68105

## Add Business

You can add a Section 3 self-certified business listing within the Section 3 Opportunity Portal.

- b. [Click] **My Section 3 Portal** in the upper menu, then [Click] **My Businesses**.
- c. [Click] **Add Business**.

### 1. Business Information.

- a. [Enter] **Business Name**, **Business Street Address**, **City**, **State**
- b. Enter the first 3 (or more) numbers of the ZIP code, then [Select] the ZIP code you desire. This will automatically update the **City** and **State** fields.

### 2. Contact Information.

[Enter] **Business Telephone Number**, **Business Point of Contact** and **Business Email**.

## Add a Business (cont.)

### 3. Business Details

[Enter] Business Details in the following fields.

The form contains the following fields:

- Number of Employees (Required): A dropdown menu with '0' selected.
- Business License: A text input field.
- NAICS: A text input field.
- Year Business Established (Required): A text input field.
- DUNS Number (€): A text input field.
- Employer Identification Number (€): A text input field.
- UEI (€): A text input field.

Optionally,  
 a. [Enter] County and/or City Area(s) that the business is **not** willing to serve. **Entries must be less than 200 characters.**  
 b. The Capabilities Narrative is a summary of a company's ability to perform. Narratives must be less than 4,000 characters.

### 4. Small Business

[Check] if you identify as a small business.

### 5. Business Designations

[Check] one or more checkboxes (optional) to select business designations.

The form contains the following checkboxes:

- DOL Registered Apprenticeship
- DOL Youthbuild Participant/Grantee
- HUBZone Firm
- Labor Union Certified Firm
- Minority-Owned Business
- SBA 8a Firm
- Woman-Owned Business

### 6. Provided Services

The selection (one or more) of the following checkboxes is required.

The form contains the following checkboxes:

- Accounting
- Architecture
- Asphalt/Paving
- Brick Masonry
- Carpentry
- Consulting
- Demolition
- Electrical
- Engineering
- General Contractor
- HVAC
- IT
- Insulation
- Janitorial
- Landscaping
- Lead Hazard Control
- Maintenance
- Painting Dry Wall
- Plumbing
- Roofing
- Security Other (describe)
- Signage/Graphics
- Steel Fabrication

### 7. Business Currently Hiring

[Select] the appropriate option for the business' hiring status. (The default radio option is No).

### 8. Section 3 Business Criteria

The selection (one or more) of the following checkboxes is required.

The form contains the following checkboxes:

- A. At least 51 percent of the business is owned and controlled by low- or very low-income persons;
- B. 75 percent of the labor hours performed for the business over the prior three-month period were performed by Section 3 workers; or
- C. At least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing

[Check] The above information is true/accurate  
 [Click] Submit

### Edit a Business

- [Click] **My Section 3 Portal** in the upper menu, then [Click] **My Businesses**.
- [Click] the Title of a business, from the pop-up menu, [Click] Edit
- Revise the Business listing's data as needed.
- [Check] The above information is true/accurate
- [Click] Submit

### View a Business

- [Click] **My Section 3 Portal** in the upper menu, then [Click] **My Businesses**.
- [Click] the Title of a business, from the pop-up menu, [Click] View Public Post

### Delete a Business

- [Click] **My Section 3 Portal** in the upper menu, then [Click] **My Businesses**.
- [Click] the Title of a business, from the pop-up menu, [Click] Delete
- In the pop-up dialog, [click] OK

### Search for Section 3 Businesses

[Click] **Search** in the upper menu, then  
 [Click] **Search Business**

#### 1. Select Metropolitan Area.

- a. In the Location text box, start entering the name of a state, metro area, county or zip code, then select the Location for the Business from the auto loaded drop down list. Selection of a Location is required.

#### 2. Select Filters.

- a. [Click] the “+” on the Filters section

Designations	Services
<input type="checkbox"/> DOL Registered Apprenticeship	<input type="checkbox"/> Accounting
<input type="checkbox"/> DOL Youthbuild Participant/Grantee	<input type="checkbox"/> Architecture
<input type="checkbox"/> HUBZone Firm	<input type="checkbox"/> Asphalt/Paving
<input type="checkbox"/> Hiring	<input type="checkbox"/> Brick Masonry
<input type="checkbox"/> Labor Union Certified Firm	<input type="checkbox"/> Carpentry
<input type="checkbox"/> Minority-Owned Business	<input type="checkbox"/> Consulting
<input type="checkbox"/> SBA 8a Firm	<input type="checkbox"/> Demolition
<input type="checkbox"/> Small Business	<input type="checkbox"/> Electrical
<input type="checkbox"/> Woman-Owned Business	<input type="checkbox"/> Engineering
	<input type="checkbox"/> General Contractor

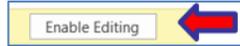
- b. [Check] on one or more Check Boxes for Designations or Services to filter (optional)
- c. [Click] Search to view Search Results.

Business	Address	Telephone
Allen-Norris Permitting and Inspections	107 R Street NE Washington, DC 20002	(410) 322-0809

#### 3. Export Results to Excel.

- a. To export the results of the business search to Microsoft Excel, [Click] the [Download search results](#) link, which is just before the table.

- b. Depending on the browser, the file will either open in a viewer or can be downloaded and saved.
- c. When opening the file in MS Excel, it may open in a Protected View.
- d. If so, [Click] the **Enable Editing** option at the top of the screen.



Business Name	Address	City	State	Zip	County	Phone	Website
Allen-Norris Permitt	107 R Street	Washingt	DC	20002	District Of C	(410) 322-	https://w
Alliance To End Stro	5554 B Stree	Washingt	DC	20019	District Of C	(202) 582-	http://ww

## Search for Workers

If you selected the role “I want to participate as an employer/contractor that searches for Workers seeking employment. (This requires approval by HUD)” and you are approved, you can search for Workers who have created a profile on the site.

- [Click] **Search Workers** in the upper menu (Note: this menu option will only be available once you are approved by a system administrator).
- [Enter] **Keywords** and a **Location** related to the job for which you are seeking employees (e.g., job title keyword, skills needed, etc.) and [Click] **Search**.

- In the results, [Click] a **Name** link from the search results to view the Worker’s profile.
- You can contact the Worker via the contact information in their profile.

## Bookmark Workers

- Once you have found a Worker profile you would like to bookmark, [Click] **Add Bookmark** at the top of the Worker’s profile to bookmark the Worker.

- To remove a bookmark, go to the Worker profile and [Click] **Remove Bookmark** at the top of the page.
- To see a list of all Workers you have bookmarked, [Click] **Bookmarked Workers** in the upper menu.

- You can also remove bookmarks on this page by [Clicking] **Remove** next to the bookmark you wish to remove.

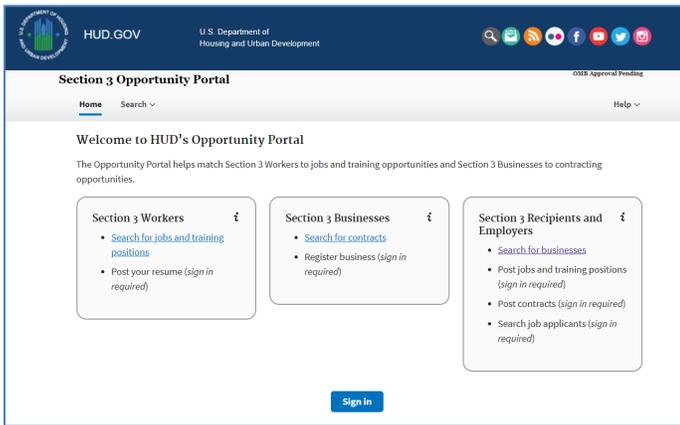
## Flag Workers—Notify HUD

If you notice a profile that you believe violates HUD’s standards (such as a fake profile, spam, etc.) you can “flag” the profile for HUD review by doing the following steps.

- Once you have found a Worker profile you would like to flag, [Click] **Notify HUD** at the top of the Worker’s profile to flag the Worker profile and notify HUD.

- To remove a flag, go to the Worker profile and [Click] **HUD Notified** at the top of the page. This will remove the flag.

The **HUD Section 3 Opportunity Portal** is intended to help HUD grantees and Section 3 businesses meet their Section 3 obligations for employment and contracting. The site is to be used by either Section 3 Workers or Employers. Section 3 workers may use the site to Search for Jobs, post their profile/employment history for companies to search or post their business(es). Employers may use the site for posting opportunities or business(es) or search for Workers to fill positions. Authentication has been implemented using GSA’s Login.Gov service. Login.gov is an authentication service that offers the public secure and private online access to participating government programs, including the HUD Section 3 Opportunity Portal.



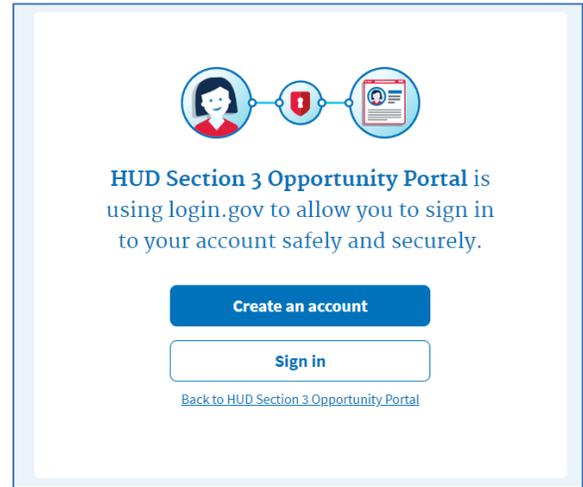
This document will guide the user through the creation of a Login.Gov account, logging into the Opportunity Portal application, and exercising the features that are available to both Section 3 Employers and Workers such as updating contact information, posting an employment profile, posting opportunities and searching for job/contract opportunities.

## Create a Login.gov UserID

To access certain features in the Opportunity Portal such as creating a Worker profile so that businesses can search for you, posting Job and Contract opportunities, or search for Workers seeking employment, you must create a Login.gov account. If you only wish to search for open Job and Contract opportunities, you do not need a Login.gov account. To create an account:

- a. Open a web browser such as Chrome, Edge, Firefox or Safari.

- b. [Enter] <https://hudapps.hud.gov/OpportunityPortal> in the URL box.



- c. [Click] the **Create an account** button. *Note: if you already have an account, you can [Click] the **Sign in** button.*
- d. Enter your email address in the **Email address** field (Note: this must be a valid email address that you can access at that time), then [Click] **Submit**.
- e. You can now close the tab or window you are currently working in.
- f. Go to your email account and look for a new email from no-reply@login.gov with the Subject: Confirm your email and open it.
- g. In the email, [Click] the **Confirm your email address** button. (Note: this will open in your default browser; if you wish to use a different browser, simply copy this URL and paste it into the browser you wish to use.)
- h. Create a new password. It must be at least 9 characters long and not be a commonly used password. Type the password into the Password field and [Click] **Continue**. (Note: you will not be able to move forward unless your password is “strong” enough).

- i. Login.gov requires “two factor authentication”, meaning you need to provide an additional way to prove you are the owner of your account when logging in (this adds an additional layer of security to your account). Choose one of the 3 options presented (the simplest is usually Text Message/SMS if you have a cell phone; otherwise, the next simplest is to get a phone call). Then [Click] the **Continue** button.
- j. If you chose Text Message/SMS then enter your mobile phone number in the Mobile phone number field, then [Click] the **Send code button**.

- k. If you chose Text Message/SMS then enter your security code that you received via text message/SMS

in the One-time security code field, then [click] **Submit**. (Note: you must do this within 10 minutes of receiving the code, or you will need to generate a new one).

- l. Write down, print out, or take a screen shot of your personal key; you may need this to log in later to regain access to your account if you lose your phone, for example.
- m. [Click] **Continue**.

- n. Type the personal key that you just saved in the field that appears. You do not need to enter dashes, just the numbers and letters from your key.
- o. [Click] **Agree and Continue**.

## Log in with Login.gov

To log in to the Section 3 Opportunity Portal, do the following.

- a. Once you have an account, you can go to <https://hudapps.hud.gov/OpportunityPortal> in your web browser, then [Click] the **Sign in** button.
- b. [Enter] your **Email Address** and **Password** that you used when signing up for Login.gov and [Click] **Next**.
- c. Follow the steps for multi-factor authentication.
- d. You will then be logged into the application and the Section 3 Opportunity Portal home page will appear.

## Choose Worker Role

When you log in for the first time, you will need to select a role. The Worker Profile role allows you to post information that only approved employers can search for, such as your skills, interests, preferences, employment information and resume.

- On the Role page, [Select] “I want to participate as a **Section 3 Worker** by posting a resume with my employment history/experience, skills, and training for approved employers/contractors to review for possible employment.”, [Click] “I certify that I meet HUD’s Section 3 eligibility requirements”, then [Click] **Save**.

## Edit Worker Profile

- [Click] **My Section 3 Portal** in the upper menu, then [Click] **My Worker Profile**.
- [Scroll] to the **Contact** section and [Click] the **Edit** button.
- [Enter] data. You must enter data in all of the *Required* fields. [Click] **Save**.

- [Scroll] down to the **Profile Details** section and [Click] the **Edit** button.
- [Enter] data into all of the relevant fields. [Click] **Save**.

- [Scroll] down to the **Employment History** section and [Click] the **Add Employment History** button.
- [Enter] data into all of the fields. [Click] **Save**.

Employment History will be displayed with the most recent starting date at the top of the list.

- To edit employment history, [Scroll] down to the **Employment History** section and [Click] the **Edit** button next to one of your entries. [Update] data in the fields you want to change. [Click] **Save**.
- To delete an Employment History entry, [Scroll] to the **Employment History** section and [Click] the **Delete** button next to one of your entries. When prompted, [Click] **OK** to confirm.

- j. If you have a Document to add, [Scroll] down to the **Documents** section and [Click] the **Add Document** button.
- k. [Click] **Browse...** and choose a file to upload (PDF or .docx), then [Enter] data into all of the relevant fields. [Click] **Upload**.

- l. NOTE: Each file upload is limited to 2MB in size, but unlimited in the number of files that may be uploaded.
- m. To edit a Document's properties, [Scroll] down to the **Documents** section and [Click] the **Edit** button next to one of your documents. [Update] data in the fields you want to change. [Click] **Save**.
- n. To delete a Document, [Scroll] down to the **Documents** section and [Click] the **Delete** button next to one of your documents. When prompted, [Click] **OK** to confirm.

## My Businesses

Any user may register their Section 3 self-certified business listing within the Section 3 Opportunity Portal. Any registered businesses are listed on the My Businesses page.

- a. [Click] **My Section 3 Portal** in the upper menu, then [Click] **My Businesses**.

Along with self-registered businesses, the application will Claim any businesses that match with the user's email address. Upon claiming, a checkmark will appear beside the business for the next 3 days. After claiming, the user may edit and re-post the business similar to any other entries.

Title	City	State	Zip
ASAP Mow & Snow, LLC	Toledo	OH	43607
Business 01	Anywhere	AK	12345
Flowers Concrete and Snow Removal LLC	Omaha	NE	68105

## Add Business

- b. [Click] **My Section 3 Portal** in the upper menu, then [Click] **My Businesses**.
- c. [Click] **Add Business**.

### 1. Business Information.

- a. [Enter] **Business Name**, **Business Street Address**, **City**, **State**
- b. Enter the first 3 (or more) numbers of the ZIP code, then [Select] the ZIP code you desire. This will automatically update the **City** and **State** fields.

### 2. Contact Information.

[Enter] Business Telephone Number, Business Point of Contact and Business Email.

### 3. Business Details

[Enter] Business Details in the following fields.

Optionally,

a. [Enter] County and/or City Area(s) that the business is **not** willing to serve. **Entries must be less than 200 characters.**

b. The Capabilities Narrative is a summary of a company's ability to perform. Narratives must be less than 4,000 characters.

### 4. Small Business

[Check] if you identify as a small business.

### 5. Business Designations

[Check] one or more checkboxes (optional) to select business designations.

## Add a Business (cont.)

## 6. Provided Services

The selection (one or more) of the following checkboxes is required.

## 7. Business Currently Hiring

[Select] the appropriate option for the business' hiring status. (The default radio option is No).

## 8. Section 3 Business Criteria

The selection (one or more) of the following checkboxes is required.

Your business is eligible to apply for preference as a Section 3 Business if, in addition to meeting all applicable state and local regulations, it self-certifies that it meets one or more of the following criteria (you must check at least one):

- A. At least 51 percent of the business is owned and controlled by low- or very low-income persons;
- B. 75 percent of the labor hours performed for the business over the prior three-month period were performed by Section 3 workers; or
- C. At least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing

[Check] The above information is true/accurate  
 [Click] Submit

## Edit a Business

- [Click] My Section 3 Portal in the upper menu, then [Click] My Businesses.
- [Click] the Title of a business, from the pop-up menu, [Click] Edit
- Revise the Business listing's data as needed.
- [Check] The above information is true/accurate
- [Click] Submit

## View a Business

- [Click] My Section 3 Portal in the upper menu, then [Click] My Businesses.
- [Click] the Title of a business, from the pop-up menu, [Click] View Public Post

## Delete a Business

- [Click] My Section 3 Portal in the upper menu, then [Click] My Businesses.
- [Click] the Title of a business, from the pop-up menu, [Click] Delete
- In the pop-up dialog, [click] OK

## Search for Section 3 Businesses

[Click] Search in the upper menu, then [Click] Search Business

### 1. Select Metropolitan Area.

- In the Location text box, start entering the name of a state, metro area, county or zip code, then select the Location for the Business from the auto loaded drop down list. Selection of a Location is required.

### 2. Select Filters.

- [Click] the "+" on the Filters section

- [Check] on one or more Check Boxes for Designations or Services to filter (optional)

### Search Businesses (cont.)

- c. [Click] Search to view Search Results.

Section 3 Business Search Results

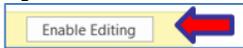
• Location search for 'Washington-Arlington-Alexandria, DC-VA-MD'

[Download search results](#)

Business	Address	Telephone
<a href="#">Allen-Norris Permitting and Inspections</a>	107 R Street NE Washington, DC 20002	(410) 322-0809

### 3. Export Results to Excel.

- a. To export the results of the business search to Microsoft Excel, [Click] the [Download search results](#) link, which is just before the table.
- b. Depending on the browser, the file will either open in a viewer or can be downloaded and saved.
- c. When opening the file in MS Excel, it may open in a Protected View.
- d. If so, [Click] the **Enable Editing** option at the top of the screen.



Business Name	Address	City	State	Zip	County	Phone	Website
Allen-Norris Permitt	107 R Street	Washing	DC	20002	District Of C	(410) 322-	https://w
Alliance To End Stro	5554 B Stree	Washing	DC	20019	District Of C	(202) 582-	http://ww

### Search and View Job and Contract Opportunities

- a. [Click] **Search Jobs/Contracts** in the upper menu.
- b. [Choose] either the **Job Search** or **Contract Search** tab for your search.

- c. To search for an opportunity, [Enter] one or more keywords and a location related to the type of job or contract you are seeking and [Click] **Search**. Note that you can limit the results by clicking the **Filter** panel and clicking any of the options.

- d. [Click] a **Job or Contract Title** link from the search results to view the read-only view of the posting.
- e. Contact details are available in the posting, and some postings will have clickable URLs for more information.