

# Habitat for Humanity of Goldsboro-Wayne Bid Packet

## **Company Profile**

1. Company Name: \_\_\_\_\_
2. Business Type: ☐ Corp ☐ LLC ☐ Partnership ☐ S Corp ☐ Sole Proprietor ☐ Other \_\_\_\_\_
3. Company Tax ID / Social Security (Sole Proprietor): \_\_\_\_\_
4. Is your company: Certified Minority Owned ☐ Yes ☐ No      Certified Woman Owned ☐ Yes ☐ No
5. Contact Name: \_\_\_\_\_
6. Physical Address: \_\_\_\_\_
7. Billing Address: \_\_\_\_\_
8. Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_
9. Alternate Contact: \_\_\_\_\_
10. Alternate Phone Number: \_\_\_\_\_ Alternate Email: \_\_\_\_\_

## **Insurance & License Information**

- 1) License Type & Number: \_\_\_\_\_ State Issued: \_\_\_\_\_
- 2) Worker's Comp Provider & Policy Number: \_\_\_\_\_
- 3) Worker's Comp Policy Term Dates: \_\_\_\_\_ to \_\_\_\_\_
- 4) General Liability Provider & Policy Number: \_\_\_\_\_
- 5) General Liability Policy Term Dates: \_\_\_\_\_ to \_\_\_\_\_
- 6) Insurance Agent Name, Telephone & Email: \_\_\_\_\_  
\_\_\_\_\_

## **Warranty Information**

Please detail what type of warranty is offered on the work performed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **References**

1) Contact Person, Phone & Email: \_\_\_\_\_

a. Project Location & Description & Dates: \_\_\_\_\_

\_\_\_\_\_

2) Contact Person, Phone & Email: \_\_\_\_\_

a. Project Location & Description & Dates: \_\_\_\_\_

\_\_\_\_\_

3) Contact Person, Phone & Email: \_\_\_\_\_

a. Project Location & Description & Dates: \_\_\_\_\_

\_\_\_\_\_

*I attest that the information provided is correct and I give Habitat for Humanity of Goldsboro-Wayne permission to contact the references associated with the work I've listed.*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Signature*

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

## **Federally Funded Work**

*See Federal Contract Provisions: Exhibit B; Section 3 Compliance Requirement: Exhibit C;  
Subcontractor Debarment Certification: Exhibit D*

☐ The Scope of Work (Exhibit A) is being paid for using federal funds. As such, all bidders should be aware of the Federal Contract Provisions (Exhibit B) that will be applicable to this project.

☐ This bid is part of an overall project that is expected to exceed \$200,000 in federal funding. Therefore all work performed under this contract will be subject to the requirements of Section 3 and preliminary Section 3 paperwork must also be filled out (see Section 3 Compliance Requirements: Exhibit C). If you have questions, please contact the Section 3 Coordinator, Executive Director Matthew Whittle at 919-736-9592 x2 or mwhittle@habitatgoldsboro.org.

☐ Because this Scope of Work (Exhibit A) is being paid for, all or in part, using federal funds, or is part of a larger project using federal funds, all bidders must sign the Subcontractor Debarment Certification (Exhibit D)

## **Bid Proposal**

*See Scope of Work: Exhibit A*

- Please provide a breakdown of your labor expense, your material expense and any other relevant expenses such as permits, delivery, fuel surcharge, etc. based on the Scope of Work (Exhibit A).
- Please include any materials or material categories that your bid does not include – anything that you may expect or need Habitat to furnish.
- Please include an estimated projection of how long it would take to complete the scope of work under normal conditions and assuming materials are all available.
- Habitat typically pays on a net 30 once the final work is completed, any inspections passed and invoice received. If you would like to ask for those payments to be split based on mutually agreed-upon terms, please outline your request below.
- If, as part of your bid, you are offering any sort of discount or donation of labor or material, please provide your full cost and list separately the amount of discount or donation being offered.
  - Please notate how long your bid is good for (minimum 90 days from date bid received in office to date work begins). If prices may vary based on variable factors, please itemize & notate.

---

---

---

---

---

---

---

---

---

---

---

---



of Goldsboro-Wayne

*I attest that the bid I've submitted is inclusive of all labor, materials, permits, transportation, supervision, delivery, insurance, and warranty including any unforeseen circumstances beyond the control of Habitat for Humanity of Goldsboro-Wayne. Bid proposals include all applicable charges, fixed and firm, and will not be modified during the entire duration of the project outlined in the Scope of Work.*

Date \_\_\_\_\_

***EXHIBIT A: Scope of Work***

*See attached.*

### ***EXHIBIT B: Federal Contract Provisions***

Affiliate must include, in addition to the provisions needed to define a complete agreement, the following provisions in all contracts for which the supplies, services and/or construction were financed with federal funds depending on the value of the contract award:

#### **For all contracts, the following provisions apply:**

1. **Suspension and Debarment.** Requirement of certification from subcontractors regarding their exclusion status on the General List of Parties Excluded from Federal Procurement or Non-procurement Programs as set forth in regulation (24 CFR, Part 24).
2. Provisions to ensure that the subcontractor shall comply with the requirements of Executive Orders 11625 and 12432 (concerning **Minority Business Enterprise**), and 12138 (concerning **Women's Business Enterprise**) by using its best efforts to encourage the use of minority and women's business enterprises in connection with contract work.
3. A provision requiring compliance with Executive Order 11246, entitled "**Equal Employment Opportunity**," as amended by Executive Orders 11375, 13672, and 11478, and as supplemented in the Department of Labor regulations (41 CFR Part 60).
4. A requirement that contractors and subcontractors, as a prior condition of being awarded the contract, certify that they will comply with The **Drug-Free Workplace Act** of 1988 (42 U.S.C. 701) and (24 CFR Part 24, Subpart F).
5. Provision for the rights of the Federal Government and Affiliate in any invention resulting from experimental, developmental or research work in accordance with regulations (37 CFR Part 401), "**Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements**," and any implementing regulations issued by HUD.

**NOTE:** Not applicable to construction contracts.

#### **For contracts valued at \$10,000 or more, the following provisions also apply:**

6. **Provisions for termination** "for convenience" by Affiliate, including when and how termination may occur and the basis for settlement. In addition, all contracts must describe conditions under which the contract may be terminated for default and conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

#### **For contracts valued at \$100,000 or more, the following provisions also apply:**

7. A requirement that subcontractors certify compliance with the **Byrd Anti-Lobbying Amendment** (31 U.S.C. 1352), and disclosure of any party's lobbying with non-federal funds that takes place in connection with obtaining any federal award.

#### **For contracts valued at equal to or greater than the simplified acquisition threshold (currently at \$250,000 or more), the following provisions also apply:**

8. **Breach of Contract.** Provisions that will allow for administrative, contractual or legal remedies in instances where subcontractors violate or breach contract terms, and that will provide for appropriate sanctions and penalties.
9. A provision that requires subcontractors to agree to comply with all applicable standards, orders or regulations issued pursuant to the **Clean Air Act** (42 U.S.C. 7401 et seq.) and **Federal Water Pollution**

**Control Act** as amended (33 U.S.C. 1251 et seq.). Violations shall be reported to HUD and the Regional Office of the Environmental Protection Agency (EPA).

**The following provision is only applicable if the contracts are as a result of a Section 3 Project that exceeds \$200,000:**

10. Requirement that the subcontractor comply with **Section 3** of the HUD Act of 1968 when the threshold is based upon Section 3 projects, which includes housing rehabilitation, housing construction and other construction projects assisted with HUD Housing and Community Development financial assistance when the total amount of assistance to the projects exceeds \$200,000 in a federal fiscal year (Oct. 1-Sept. 30) as required under 24 CFR Part 75 as follows:
  1. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (“Section 3”). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3 shall, to the greatest extent feasible, be directed to low- and very low-income persons, including persons who are recipients of HUD assistance for housing, with preference for both targeted workers living in the service area or neighborhood of the development and YouthBuild participants, as defined at 24 CFR Part 75 (“Section 3 Regulations”).
  2. The parties to this contract agree to comply with HUD’s regulations in Section 3 Regulations, which implement Section 3. As evidenced by their execution of this Contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Section 3 Regulations.
  3. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers’ representative of the contractor’s commitments under this section of the contract and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference and shall set forth the following:
    1. Minimum number and job titles subject to hire.
    2. Availability of apprenticeship and training positions.
    3. Qualifications for each.
    4. Name and location of the person or people taking applications for each of the positions.
    5. The anticipated date the work shall begin.
  4. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in Section 3 Regulations and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in Section 3 Regulations. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in Section 3 Regulations.
  5. The contractor will certify that any vacant employment positions, including training positions, that are filled (i) after the contractor is selected but before the contract is executed, and (ii) with people other than those to whom the regulations of Section 3 Regulations require employment opportunities to be directed, were not filled to circumvent the contractor’s obligations under Section 3 Regulations.

6. Noncompliance with HUD's regulations in Section 3 Regulations may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD-assisted contracts.

**The following provisions are applicable only as required if the contracts involve mechanics and laborers and/or if the federal funding source requires compliance:**

11. **Contract Work Hours and Safety Standards Act** (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than 1½ times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions that are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
12. **Davis-Bacon Act**, as amended (40 U.S.C. 3141-3148). When required by federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-federal entity must report all suspected or reported violations to the federal awarding agency. The contracts must also include a provision for compliance with the **Copeland "Anti-Kickback" Act** (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-federal entity must report all suspected or reported violations to the federal awarding agency.
13. **Build America, Buy America Act** (2 CFR: 184). Products covered under BAP include iron & steel, construction materials and manufactured products. Because CDBG funds originating in fund year 2025 are mixed into this project, the highest requirement applies, and so in addition to iron and steel, BAP also covers non-ferrous metals, lumber, plastic & polymer-based composite building materials, pipe and tube, as well as all other plastic & polymer-based materials, glass, fiber optic cable, optical fiber, engineered wood and drywall. All manufacturing processes for construction material must occur in the US. For manufactured materials, the final product must be manufactured in the U.S. and at least 55% of the cost of the components must be associated with components that were mined, produced or manufactured in the U.S. Waivers can be sought for exigent circumstances, de minimis, small grants, or if specific materials cannot be sourced from the U.S. or if doing so would create an undue financial hardship (raising cost of project by 25% or more).

***EXHIBIT C: Section 3 Compliance***

*See attached.*

## SECTION 3

### COMPLIANCE INSTRUCTIONS TO BIDDERS

During the procurement and contracting process for this project:

1. Review the Section 3 Clause
2. Review the Section 3 Pre-Bid Meeting Checklist
3. Complete the Section 3 Business Concern Self-Certification Form and return it with your bid
4. Complete the Statement of Section 3 Qualifications and return it with your bid
5. Facilitate completion of the Section 3 Worker / Targeted Section 3 Worker Self-Certification Form(s) for each employee to be counted as either a Section 3 Worker or a Targeted Section 3 Worker on this project and return these forms with your bid
6. Provide a breakdown of the estimated project workforce for the awarded project and return form with your bid

If selected for the contract, incorporate Section 3 requirements into the subcontracts and require submission of items 2-6 below from each subcontractor:

1. Section 3 Clause
2. Section 3 Pre-Bid Meeting Checklist
3. Section 3 Business Concern Self-Certification Form
4. Qualitative Outreach Efforts for Contractors
5. Section 3 Worker / Targeted Section 3 Worker Self-Certification Form(s)
6. Totals tab from the Section 3 Labor Hours Tracking Spreadsheet (to be submitted with the final payroll report)

During the project:

1. Continue implementing Section 3 as part of your hiring practices
2. Notify all subcontractors of their responsibilities under Section 3
  - a. Refrain from contracting with subcontractors if they have received notice or have knowledge that the subcontractors have been found in violation of the regulations in 24 CFR 75.
3. Maintain records of hours worked by type of worker (Section 3 Worker, Targeted Section 3 Worker, other workers) as well as trainees to facilitate reporting
4. Implement Qualitative Outreach Efforts for Contractors, as appropriate

After the project is complete:

1. Collect the Section 3 Labor Hours Tracking Spreadsheet from all participating subcontractors
2. Prepare the contractor's Totals tab from the Section 3 Labor Hours Tracking Spreadsheet
3. Submit Section 3 Labor Hours Tracking Spreadsheet to the affiliate
4. Submit Qualitative Outreach Efforts for Contractors report to the affiliate

Recordkeeping requirements for recipients are found at 24 CFR § 75.31. The contractor is required to maintain documentation to demonstrate compliance with the regulations and is responsible for requiring their subcontractors to maintain or provide any documentation that will assist the affiliate in demonstrating compliance, including documentation that shows hours worked by Section 3 Workers and Targeted Section 3 Workers.

## SECTION 3

### SECTION 3 CLAUSE PER 24 CFR PART 75

- A.** The work to be performed under this Contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (“Section 3”). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, including persons who are recipients of HUD assistance for housing, with preference for both targeted workers living in the service area or neighborhood of the development and YouthBuild participants, as defined at 24 CFR Part 75 (“Section 3 Regulations”).
- B.** The parties to this contract agree to comply with HUD’s regulations in Section 3 Regulations, which implement Section 3. As evidenced by their execution of this Contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Section 3 Regulations.
- C.** The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers’ representative of the contractor’s commitments under this section of the Contract and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference and shall set forth the following: (i) minimum number and job titles subject to hire, (ii) availability of apprenticeship and training positions, (iii) qualifications for each, (iv) name and location of the person(s) taking applications for each of the positions, and (v) the anticipated date the work shall begin.
- D.** The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in Section 3 Regulations and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in Section 3 Regulations. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in Section 3 Regulations.
- E.** The contractor will certify that any vacant employment positions, including training positions, that are filled (i) after the contractor is selected but before the contract is executed, and (ii) with persons other than those to whom the regulations of Section 3 Regulations require employment opportunities to be directed, were not filled to circumvent the contractor’s obligations under Section 3 Regulations.
- F.** Noncompliance with HUD’s regulations in Section 3 Regulations may result in sanctions, termination of this Contract for default, and debarment or suspension from future HUD assisted contracts.



## SECTION 3

### PRE-BID MEETING CHECKLIST

#### Habitat for Humanity of Goldsboro-Wayne

Affiliate Name		
McNair Heights Neighborhood		
Project Name		Project Number
Date		Time
Virtual		Location of Pre-Bid Meeting

This presentation will familiarize you with the federal requirements applicable to this contract because it is funded in whole or in part with federal Housing and Community Development financial assistance administered by the U.S. Department of Housing and Urban Development (HUD). Please be sure to ask any questions you may have about these requirements before you leave today's meeting.

#### SECTION 3 EMPLOYMENT, CONTRACTING, AND TRAINING OPPORTUNITY PROGRAM

- ☐ Section 3 of the Housing and Community Development Act of 1968 requires that the affiliate implement an employment, contracting and training opportunity program in connection with its HUD-funded housing construction, housing rehabilitation, or other public construction contracts. The goal of Section 3 is to provide employment and training opportunities to individuals that qualify as "Section 3 Workers" or "Targeted Section 3 Workers".
- ☐ This is a Section 3 covered project. Section 3 project means housing construction, housing rehabilitation, 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 project is the site or sites together with any building(s) and improvements located on the site(s) that are under common ownership, management, and financing.
- ☐ The Section 3 requirements apply to all contractors and subcontractors performing work in connection with a Section 3 covered project. Contractor means any entity entering into a contract with the affiliate to perform work in connection with a Section 3 project. Subcontractor means any entity that has a contract with a Contractor to undertake a portion of the contractor's obligation to perform work in connection with a Section 3 project.
- ☐ A Section 3 Worker is a worker who currently fits or when hired within the past five years (as documented) fits at least one of the following categories:
  - a. The worker's income for the previous or annualized calendar year is below the income limit established by HUD;
  - b. The worker is employed by a Section 3 Business Concern; or
  - c. The worker is a YouthBuild participant.

- ☐ A Targeted Section 3 Worker is:
- a. A worker employed by a Section 3 Business Concern; or
  - b. A worker who currently fits or when hired fit at least one of the following categories, as documented within the past five years:
    - (i) Living within the service area or the neighborhood of the project, which is defined as an area within one mile of the Section 3 project or, if fewer than 5,000 people live within one mile of the 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; or
    - (ii) A YouthBuild participant.
- ☐ A Section 3 Business Concern is a business meeting at least one of the following criteria, documented within the last six-month period:
- a. is at least 51 percent owned and controlled by low- or very low-income persons;
  - b. over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 Workers; or
  - c. 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.
- ☐ The affiliate is required by HUD to implement Section 3 to the greatest extent feasible, which means that the affiliate and its contractors and subcontractors must undertake all reasonable measures to meet the established HUD Labor Hour Benchmarks for Section 3 Workers and Targeted Section 3 Workers. The current HUD Section 3 minimum labor hour benchmarks are as follows:

Labor Hour Standard	Ratio Formula	Minimum %
Section 3 Workers	Section 3 Workers ÷ Total Labor Hours	25%
Targeted Section 3 Workers	Targeted Section 3 Workers ÷ Total Labor Hours	5%

Note that the Section 3 Labor Hours worked reflected above should also include the Total Labor Hours worked for Targeted Section 3 Workers.

- ☐ Upon completion of the contract, the successful bidder will be required to provide the Labor Hours Tracking Spreadsheet and the Qualitative Outreach Efforts for Contractors report, which details all efforts made to create contracting, employment and training opportunities for low- and very low-income residents in connection with this project. This form is also included in the bid document; however, it is to be submitted by October 1st or with your final payroll report, whichever occurs first.

## CONTRACTOR ELIGIBILITY

- ☐ All contractors' license status will be verified by the affiliate with the Contractors State License Board.
- ☐ The affiliate will verify the debarment status of all contractors through the U.S. General Services Administration's System for Award Management (SAM).
- ☐ The affiliate will verify that all contractors have appropriate insurance in conformance with contract requirements.

## REQUIRED FEDERAL CONTRACT PROVISIONS

The following Federal Contract Provisions are applicable to the project based upon the amount of the contract:

For **all** contracts, the following provisions apply:

- ☐ **Suspension and Debarment.** Requirement of certification from subcontractors regarding their exclusion status on the General List of Parties Excluded from Federal Procurement or Non-procurement Programs as set forth in regulation (24 CFR, Part 24).
- ☐ Provisions to ensure that the subcontractor shall comply with the requirements of Executive Orders 11625 and 12432 (concerning **Minority Business Enterprise**), and 12138 (concerning **Women's Business Enterprise**) by using its best efforts to encourage the use of minority and women's business enterprises in connection with Contract Work.
- ☐ A provision requiring compliance with Executive Order 11246, entitled "**Equal Employment Opportunity**," as amended by Executive Orders 11375, 13672, and 11478, and as supplemented in the Department of Labor regulations (41 CFR Part 60).
- ☐ A requirement that contractors and sub-contractors, as a prior condition of being awarded the contract, certify that they will comply with The **Drug-Free Workplace Act** of 1988 (42 U.S.C. 701) and (24 CFR Part 24, Subpart F).

For contracts valued at **\$10,000** or more, the following provisions also apply:

- ☐ **Provisions for termination** "for convenience" by Affiliate, including when and how termination may occur and the basis for settlement. In addition, all contracts must describe conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

For contracts valued at **\$100,000** or more, the following provisions also apply:

- ☐ A requirement that subcontractors certify compliance with the **Byrd Anti-Lobbying** Amendment (31 U.S.C. 1352), and disclosure of any party's lobbying with non-Federal funds that takes place in connection with obtaining any Federal award.

For contracts valued at equal to or greater than the Simplified Acquisition Threshold (currently at **\$250,000** or more), the following provisions also apply:

- ☐ **Breach of Contract.** Provisions which will allow for administrative, contractual or legal remedies in instances where subcontractor violate or breach contract terms, and provide for appropriate sanctions and penalties.
- ☐ A provision that requires subcontractors to agree to comply with all applicable standards, orders or regulations issued pursuant to the **Clean Air Act** (42 U.S.C. 7401 et seq.) and **Federal Water Pollution Control Act** as amended (33 U.S.C. 1251 et seq.). Violations shall be reported to HUD and the Regional Office of the Environmental Protection Agency (EPA).

The following provision is only applicable if the contracts are as a result of a **Section 3 Project that exceeds \$200,000**:

- ☐ Requirement that the subcontractor comply with Section 3 of HUD Act of 1968 when the threshold is based upon Section 3 projects which includes housing rehabilitation, housing construction, and other construction projects assisted with HUD Housing and Community Development financial assistance when the total amount of assistance to the projects exceeds \$200,000 in a federal fiscal year (Oct. 1 – Sept. 30) as required under 24 CFR Part 75 as follows:

The work to be performed under this Contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u ("Section 3"). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, including persons who are recipients of HUD assistance for housing, with preference for both targeted workers living in the service area or neighborhood of the development and YouthBuild participants, as defined at 24 CFR Part 75 ("Section 3 Regulations").

The parties to this contract agree to comply with HUD's regulations in Section 3 Regulations, which implement Section 3. As evidenced by their execution of this Contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Section 3 Regulations.

The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section of the Contract and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference and shall set forth the following: (i) minimum number and job titles subject to hire, (ii) availability of apprenticeship and training positions, (iii) qualifications for each, (iv) name and location of the person(s) taking applications for each of the positions, and (v) the anticipated date the work shall begin.

The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in Section 3 Regulations and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in Section 3 Regulations. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in Section 3 Regulations.

The contractor will certify that any vacant employment positions, including training positions, that are filled (i) after the contractor is selected but before the contract is executed, and (ii) with persons other than those to whom the regulations of Section 3 Regulations require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under Section 3 Regulations.

Noncompliance with HUD's regulations in Section 3 Regulations may result in sanctions, termination of this Contract for default, and debarment or suspension from future HUD assisted contracts.

The following provisions are only applicable as required if the contracts involve mechanics and laborers and/or if the federal funding source requires compliance:

- ☐ **Contract Work Hours and Safety Standards Act** (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- ☐ **Davis-Bacon Act**, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the **Copeland "Anti-Kickback" Act** (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

**\*Addendum: Buy America Build America also applies to all contracts that include use of iron/steel, construction materials & manufactured products.**

The Affiliate will actively monitor this project for compliance with the aforementioned requirements.

<b>Signature of Affiliate Representative</b>	<b>Date</b>
--	-------------

<b>Matthew Whittle</b>	<b>Executive Director</b>
Print name of Affiliate Representative	Title

<b>Signature of Contractor</b>	<b>Date</b>
--------------------------------	-------------

Print name of Contractor	Title
--------------------------	-------

## SECTION 3

### SECTION 3 BUSINESS CONCERN SELF-CERTIFICATION FORM

#### Habitat for Humanity of Goldsboro-Wayne

(Insert affiliate's name)

receives federal funds through the Self-Help Homeownership Opportunity Program (SHOP) and Community Development Block Grants (CDBG), and is required by federal law, to the greatest extent feasible, to provide job training and employment opportunities to Section 3 Workers and contracting opportunities with Section 3 Business Concerns.

A Section 3 Business Concern is a business that meets at least one of the following criteria, documented within the last six-month period:

- (1) It is at least 51 percent owned and controlled by low- or very low-income persons;
- (2) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 Workers; or
- (3) 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.

A Section 3 Worker, as referenced below, is defined as any worker who currently fits or when hired within the past five (5) years fits at least one of the following categories, as documented:

- (1) The worker's income for the previous or annualized calendar year is below the income limits establish by HUD (see chart below);
- (2) The worker is employed by a Section 3 Business Concern; or
- (3) The worker is a YouthBuild participant.

A Targeted Section 3 Worker, as referenced below, is defined as a Section 3 Worker who is:

- (1) A worker employed by a Section 3 Business Concern; or
- (2) A worker who currently fits or when hired fit at least one of the following categories, as documented within the past five (5) years:
  - (i) Living within the service area or the neighborhood of the project; or
  - (ii) A YouthBuild participant.

2025	2024	2023	2022	2021	2020		
\$42,800	\$41,100	\$38,750	\$36,650	\$32,800	\$32,550	\$	\$
(insert current 80% of the HUD Area Median Income (AMI) for project area) Income limits can be found at <a href="https://www.huduser.gov/portal/datasets/il.html">https://www.huduser.gov/portal/datasets/il.html</a>							

***\*Income threshold based on individual income - a one-person household.***

## SECTION 3 BUSINESS CONCERN SELF-CERTIFICATION FORM

Name of Business: \_\_\_\_\_  
Address of Business: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Company Website: \_\_\_\_\_

**Type of Business (check one):**

☐ Corporation      ☐ Partnership      ☐ Sole Proprietorship      ☐ Joint Venture

Check one of the boxes below and attach the appropriate documentation as evidence of your business' status:

☐ **51 percent owned and controlled by low- or very low-income persons:**

(Attach list of owners/stockholders and % ownership of each)

(Attach Section 3 Worker and Targeted Section 3 Worker Self-Certification Forms for all Section 3 owners claimed and a list of all other non-income eligible owners)

☐ **Over 75 percent of the labor hours performed for the business over the prior three-month period were performed by Section 3 Workers**

a. Total number of Labor Hours for the prior 3-month period: Enter #

b. Number of Labor Hours for the prior 3-month period performed by Section 3 Workers: Enter #

c.  $b \div a =$  Enter #

(Attach Summary Labor Report Form for the prior 3-month period)

(Attach Section 3 Worker and Targeted Section 3 Worker Self-Certification Forms for all Section 3 Workers)

☐ **At least 51 percent owned and controlled by public housing residents or residents who currently live in Section 8-assisted housing**

**Number of Section 3 Resident Owners** Enter #  $\div$  **Number of Owners** Enter # = Enter # %

(Attach list of owners/stockholders and % ownership of each)

(Attach copy of the lease/rental agreement or current HUD Certificate of Compliance/Annual Renew Notice, issued by Public Housing Authority OR Housing Choice Vouchers for all Section 3 owners claimed)

*Under the provisions of Title 18, Section 1001 of the U.S. Code, it is a felony for any person to knowingly and willingly make false or fraudulent statements to any department of the United States Government. I, the undersigned, hereby certify that all statements contained herein, are true and correct to the best of my knowledge and belief. I understand the information I provide in this certification is subject to verification, and I agree to provide necessary documentation if requested.*

Under the penalty of perjury, I certify that the above information is true and correct.

**Signature of Authorized Official**

**Date**

Print name of Authorized Official

Title of Authorized Official

## STATEMENT OF SECTION 3 QUALIFICATIONS

Bidder name and address:		Project name:	Dollar amount of bid:
		McNair Heights Neighborhood	
		Contact person and title:	
		Contact person email address	
Phone: (inc. area code)	Contractor's license number and class:		Federal EIN:
Do you currently qualify as a Section 3 Business Concern?		Date report submitted:	
<input type="checkbox"/> Yes <input type="checkbox"/> No			

### Part I: Past Performance under Section 3 Projects

Has your firm previously performed work on Section 3 projects? ☐ Yes ☐ No

If yes, complete the attached spreadsheet detailing your Section 3 accomplishments for the last year.

### Part II: Efforts to Meet Section 3 Worker and Targeted Section 3 Worker Labor Hour Obligations

Please specify the commitments that you have made to meet your Section 3 Worker and Targeted Section 3 Worker Labor Hour Obligations

- ☐ We have a sufficient number of verifiable Section 3 Workers and Targeted Section 3 Workers currently employed, which based on the labor hour projections for this project, will meet or exceed both of the HUD Minimum Labor Hour Thresholds of 25% for Section 3 Workers and 5% for Targeted Section 3 Workers.
- ☐ We have contractual commitments with Section 3 Business Concerns, which when combined with labor hour projections for our staff and those of the Section 3 Business Concerns for this project, will meet or exceed both of the HUD Minimum Labor Hour Thresholds of 25% for Section 3 Workers and 5% for Targeted Section 3 Workers.
- ☐ We will engage in outreach efforts to identify and secure bids from Section 3 Business Concerns, which when combined with labor hour projections for our staff and those of the Section 3 Business Concerns for this project, will meet or exceed both of the HUD Minimum Labor Hour Thresholds of 25% for Section 3 Workers and 5% for Targeted Section 3 Workers.
- ☐ We commit to performing the following targeted outreach activities to expand the number of Section 3 Workers and Targeted Section 3 Workers to a level which based on the labor hour projections for this project, will meet or exceed both of the HUD Minimum Labor Hour Thresholds of 25% for Section 3 Workers and 5% for Targeted Section 3 Workers (list all outreach activities to be performed):

--

- ☐ We commit to performing the following measures designed to ensure that the labor hours performed by Section 3 Workers and Targeted Section 3 Workers for this project, will meet or exceed both of the HUD Minimum Labor Hour Thresholds of 25% for Section 3 Workers and 5% for Targeted Section 3 Workers (provide a detailed description of the measures to be implemented):

### Part III: Labor Utilization Projections for Section 3 Workers and Targeted Section 3 Workers

Please complete the following information for the project for which this bid proposal is being submitted:

Current Staffing	
Total Number of Personnel that will be working on this Project	
Number of currently employed Section 3 Workers that will be working on this Project	
Number of currently employed Targeted Section 3 Workers that will be working on this Project	

Projected Labor Utilization Includes Current and New hires, Subcontractors, and Work performed by Section 3 Business Concerns	
a. Total Projected Labor Hours for all Project Personnel	
b. Total Projected Labor Hours for Section 3 Workers	
c. Total Projected Labor Hours for Targeted Section 3 Workers	
Projected Labor Hours by Section 3 Workers as a percentage of Total Labor Hours (b ÷ a)	%
Projected Labor Hours by Targeted Section 3 Workers as a percentage of Total Labor Hours (c ÷ a)	%

### Part IV: Efforts performed to generate economic opportunities and assist in meeting Section 3 Labor Hour Requirements

Please indicate which of the following measures have been completed prior to the submission of this bid:

- ☐ Trained and/or Employed Enter Number Section 3 Workers and Enter Number Targeted Section 3 Workers (attach Section 3 Worker and Targeted Section 3 Worker Certification forms)
- ☐ Awarded subcontracts to Enter Number Section 3 Business Concern(s). (Attach Section 3 Business Concern Certification forms).
- ☐ Attempted to recruit Section 3 Workers through:
- ☐ Advertising through local media, television, radio, newspaper (attach copy of advertisement).
  - ☐ Signs prominently displayed at the project site.

- ☐ Contacts with community organizations (attach correspondence).
- ☐ Contacted residents of job availability and posted or distributed flyers at local community organizations and businesses (Attach list).
- ☐ Participated in a HUD program or other program which promotes the training or employment of low-income individuals (attach supporting documentation).
- ☐ Participated in a HUD program or other program which promotes the award of contracts to Section 3 Business Concerns.
- ☐ Contacted agencies administering HUD YouthBuild programs. (Attach correspondence).
- ☐ Maintained a file of eligible qualified low-income residents and qualified Section 3 Business Concerns for future employment.
- ☐ OTHER: (Describe and attach supporting documentation)

*Under the provisions of Title 18, Section 1001 of the U.S. Code, it is a felony for any person to knowingly and willingly make false or fraudulent statements to any department of the United States Government. I, the undersigned, hereby certify that all statements contained herein, are true and correct to the best of my knowledge and belief. I understand the information I provide in this certification is subject to verification, and I agree to provide necessary documentation if requested.*

Under the penalty of perjury, I certify that the above information is true and correct.

<b>Signature of Contractor</b>	<b>Date</b>
--------------------------------	-------------

---

Print name of Contractor	Title of Contractor
--------------------------	---------------------

## Section 3 Accomplishments

(Please include all Section 3 Projects in which you participated during the last 12 months)

[illegible]

## SECTION 3 WORKER & TARGETED SECTION 3 WORKER SELF-CERTIFICATION FORM

### Habitat for Humanity of Goldsboro-Wayne

(Insert affiliate's name)

receives federal funds through the Self-Help Homeownership Opportunity Program (SHOP) and is required by federal law, to the greatest extent feasible, to provide job training and employment opportunities to Section 3 Workers and contracting opportunities with Section 3 Business Concerns.

A Section 3 Worker, as referenced below, is defined as any worker who currently fits or when hired within the past five (5) years fits at least one of the following categories, as documented:

- (1) The worker's income for the previous or annualized calendar year is below the income limits establish by HUD (see chart below);
- (2) The worker is employed by a Section 3 Business Concern; or
- (3) The worker is a YouthBuild participant.

A Targeted Section 3 Worker, as referenced below, is defined as a Section 3 Worker who is:

- (1) A worker employed by a Section 3 Business Concern; or
- (2) A worker who currently fits or when hired fit at least one of the following categories, as documented within the past five (5) years:
  - (i) Living within the service area or the neighborhood of the project; or
  - (ii) A YouthBuild participant.

SECTION 3 INCOME LIMITS		
Eligibility Guideline		
Year	Very Low Income (50%)	Low Income (80%)
2025	\$ 26,750	\$ 42,800
2024	\$ 25,700	\$ 41,100
2023	\$24,250	\$38,750
2022	\$ 22,900	\$ 36,650
2021	\$ 20,500	\$ 32,800
2020	\$ 20,350	\$ 32,550
	\$	\$
	\$	\$
(Insert current 50% and 80% of the HUD Area Median Income (AMI) for project area) Income limits can be found at <a href="https://www.huduser.gov/portal/datasets/il.html">https://www.huduser.gov/portal/datasets/il.html</a>		

\*Income threshold based on individual income - a one-person household.

A Section 3 resident seeking the preference in training and employment provided by federal law shall certify, or submit evidence to

**Habitat for Humanity of Goldsboro-Wayne**

(Insert affiliate's name)

Habitat for Humanity International, HUD or a designee, if requested, that the candidate is a Section 3 resident, as defined in Section 75.5.

## SECTION 3 WORKER & TARGETED SECTION 3 WORKER SELF-CERTIFICATION FORM (cont'd)

I, \_\_\_\_\_ reside within one mile\* of the project area or neighborhood of the **McNair Heights Neighborhood** SHOP/CDBG project.

My permanent address is: \_\_\_\_\_

And: (check one of the following)

- ☐ I meet the income eligibility guidelines for a low- or very low-income person as published on the reverse side of this form.
- ☐ I am employed by a Section 3 Business Concern.
- ☐ I participate in a HUD YouthBuild program.

Check one of the boxes below and attach the appropriate documentation as evidence of your status:

- ☐ Proof of Current Address
  - ☐ Copy of Driver's License
  - ☐ Copy of Lease
  - ☐ Copy of Utility Bill
- ☐ Employer Proof of Section 3 Concern Status
  - ☐ Certification from City / County / State Agency
  - ☐ Copy of Section 3 Business Concern form
  - ☐ Copy of evidence of participation in a HUD YouthBuild program

I was hired on: \_\_\_\_\_  
Month | Date | Year

*Under the provisions of Title 18, Section 1001 of the U.S. Code, it is a felony for any person to knowingly and willingly make false or fraudulent statements to any department of the United States Government. I, the undersigned, hereby certify that all statements contained herein, are true and correct to the best of my knowledge and belief. I understand the information I provide in this certification is subject to verification, and I agree to provide necessary documentation if requested.*

Under the penalty of perjury, I certify that the above information is true and correct.

**Signature**

**Date**

Print Name

\* If fewer than 5,000 people live within one mile of a Section 3 project, then the applicant may live 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.

## SECTION 3

### CONTRACTOR ESTIMATED PROJECT WORKFORCE

**Contractor Name:** \_\_\_\_\_

The employment and training component of Section 3 applies to the contractor and all subcontractors providing construction services or professional services to the Enter Affiliate Name's Self-Help Homeownership Opportunity Program. It is the responsibility of the contractor to enforce these same requirements with any subcontracts.

To be in compliance with HUD's Section 3 benchmarks, 25% of total labor hours must be Section 3 Workers and 5% of total labor hours must be Targeted Section 3 Workers.

*Please note that Section 3 Workers and Targeted Section 3 Workers must meet the minimum qualifications for the available job.*

**Complete the table below.**

Job Category	Total Estimated Positions	Number of Positions Currently Occupied by Permanent Employees	Number of Vacant Positions	Number of Positions to be Filled with Section 3 Workers and/or Targeted Section 3 Workers	Estimated Hiring Date for Section 3 Workers and/or Targeted Section 3 Workers
Officers/Supervisors					
Professionals					
Technicians					
Office					
Clerical					
Trade					
Journeyman					
Apprentices					
Trainees					
Others					
Others					
Others					
<b>TOTAL</b>					

***EXHIBIT D: Subcontractor Debarment Certification*****Subcontractor  
Debarment Certification  
For ALL contracts**

These certified statements are required by law. The Applicant hereby assures and certifies that:

- 1) The undersigned and its principals [see 2 CFR 2424.20(a)]:
  - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transaction (see 2 CFR 2424.220) by any Federal department or agency;
  - b) have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in (b) of this certification;
  - d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default; and

If the applicant is unable to certify to any of the statements in this certification, such applicant shall attach an explanation behind this page.

---

Signature of Authorized Certifying Official

Date

---

Printed Name / Title

---

Company

"General Decision Number: NC20250110 01/03/2025

Superseded General Decision Number: NC20240110

State: North Carolina

Construction Type: Residential

County: Wayne County in North Carolina.

RESIDENTIAL CONSTRUCTION PROJECTS (consisting of single family homes and apartments up to and including 4 stories).

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	<ul style="list-style-type: none"><li>. Executive Order 14026 generally applies to the contract.</li><li>. The contractor must pay all covered workers at least \$17.75 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2025.</li></ul>
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	<ul style="list-style-type: none"><li>. Executive Order 13658 generally applies to the contract.</li><li>. The contractor must pay all covered workers at least \$13.30 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2025.</li></ul>

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

Modification Number	Publication Date
0	01/03/2025

SUNC2016-019 02/22/2019

	Rates	Fringes
BRICKLAYER.....	\$ 18.62	0.00
CARPENTER.....	\$ 17.50 **	0.00
CEMENT MASON/CONCRETE FINISHER...	\$ 14.63 **	0.00
ELECTRICIAN, Includes Low Voltage Wiring and Alarm Installation.....	\$ 16.30 **	1.04
HVAC MECHANIC (HVAC Duct Installation Only).....	\$ 17.45 **	1.61
IRONWORKER, ORNAMENTAL.....	\$ 15.71 **	0.00
IRONWORKER, STRUCTURAL.....	\$ 16.89 **	0.00
LABORER: Common or General.....	\$ 10.44 **	0.00
LABORER: Mason Tender - Brick...	\$ 13.32 **	0.00
LABORER: Mason Tender - Cement/Concrete.....	\$ 13.49 **	0.00
LABORER: Pipelayer.....	\$ 11.79 **	0.58
OPERATOR: Backhoe/Excavator/Trackhoe.....	\$ 18.50	1.47
OPERATOR: Bobcat/Skid Steer/Skid Loader.....	\$ 18.50	1.56
OPERATOR: Bulldozer.....	\$ 16.83 **	0.00
OPERATOR: Grader/Blade.....	\$ 15.83 **	0.00
OPERATOR: Loader.....	\$ 15.12 **	0.00
OPERATOR: Paver (Asphalt, Aggregate, and Concrete).....	\$ 17.45 **	0.00
OPERATOR: Roller.....	\$ 13.55 **	0.00
PAINTER (Brush and Roller).....	\$ 9.87 **	0.00
PAINTER: Spray.....	\$ 9.87 **	0.00
PLUMBER.....	\$ 17.12 **	1.18
ROOFER.....	\$ 14.60 **	0.00
SHEET METAL WORKER.....	\$ 16.75 **	0.00
TRUCK DRIVER: Dump Truck.....	\$ 15.13 **	0.48

TRUCK DRIVER: Semi-Trailer

Truck.....\$ 14.77 \*\* 0.00

-----  
WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

=====

\*\* Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$17.75) or 13658 (\$13.30). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (iii)).

-----

The body of each wage determination lists the classifications and wage rates that have been found to be prevailing for the type(s) of construction and geographic area covered by the wage determination. The classifications are listed in alphabetical order under rate identifiers indicating whether the particular rate is a union rate (current union negotiated rate), a survey rate, a weighted union average rate, a state adopted rate, or a supplemental classification rate.

#### Union Rate Identifiers

A four-letter identifier beginning with characters other than ""SU"", ""UAVG"", ?SA?, or ?SC? denotes that a union rate was prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2024. PLUM is an identifier of the union whose collectively bargained rate prevailed in the survey for this classification, which in this example would be Plumbers.

0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

#### Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE:

UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio. The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the collective bargaining agreements on which the rate is based.

#### Survey Rate Identifiers

The ""SU"" identifier indicates that either a single non-union rate prevailed (as defined in 29 CFR 1.2) for this classification in the survey or that the rate was derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As a weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SUFL2022-007 6/27/2024. SU indicates the rate is a single non-union prevailing rate or a weighted average of survey data for that classification. FL indicates the State of Florida. 2022 is the year of the survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 6/27/2024 in the example, indicates the survey completion date for the classifications and rates under that identifier.

?SU? wage rates typically remain in effect until a new survey is conducted. However, the Wage and Hour Division (WHD) has the discretion to update such rates under 29 CFR 1.6(c)(1).

#### State Adopted Rate Identifiers

The ""SA"" identifier indicates that the classifications and prevailing wage rates set by a state (or local) government were adopted under 29 C.F.R 1.3(g)-(h). Example: SAME2023-007 01/03/2024. SA reflects that the rates are state adopted. ME refers to the State of Maine. 2023 is the year during which the state completed the survey on which the listed classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 01/03/2024 in the example, reflects the date on which the classifications and rates under the ?SA? identifier took

effect under state law in the state from which the rates were adopted.

-----  
WAGE DETERMINATION APPEALS PROCESS

1) Has there been an initial decision in the matter? This can be:

- a) a survey underlying a wage determination
- b) an existing published wage determination
- c) an initial WHD letter setting forth a position on a wage determination matter
- d) an initial conformance (additional classification and rate) determination

On survey related matters, initial contact, including requests for summaries of surveys, should be directed to the WHD Branch of Wage Surveys. Requests can be submitted via email to [davisbaconinfo@dol.gov](mailto:davisbaconinfo@dol.gov) or by mail to:

Branch of Wage Surveys  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

Regarding any other wage determination matter such as conformance decisions, requests for initial decisions should be directed to the WHD Branch of Construction Wage Determinations. Requests can be submitted via email to [BCWD-Office@dol.gov](mailto:BCWD-Office@dol.gov) or by mail to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2) If an initial decision has been issued, then any interested party (those affected by the action) that disagrees with the decision can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Requests for review and reconsideration can be submitted via email to [dba.reconsideration@dol.gov](mailto:dba.reconsideration@dol.gov) or by mail to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board

U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210.

=====

END OF GENERAL DECISION"

# EXAMPLE FORM

## HUD Build America, Buy America (BABA) Compliance Checklist

Project Title:  
HUD Program / Grant No.:  
Prime Contractor / Grantee:  
Project Location:  
Prepared By:  
Date:

1 Project Applicability		Yes	No
1.1	Does the project receive federal financial assistance from HUD?		
1.2	Does the project involve infrastructure (construction, alteration, maintenance, or repair)?		
1.3	Does it include iron, steel, manufactured products, or construction materials?		
1.4	Has HUD or the funding agency issued any BABA waivers for this project?		

2 Material Categories & Compliance				
Material Category	U.S. Production Verified	Supplier/Manufacturer	Documentation Attached	Notes
Iron & Steel (rebar, beams, fittings)				
Manufactured Products (HVAC units, pumps, electrical panels)				
Construction Materials (glass, drywall, lumber, plastics, cement)				
Other Items / Mixed Products				

3 Supplier & Certification Records			
Requirement		Attached	Comments
Manufacturer’s certification of U.S. origin			
Cost breakdown showing ≥55% domestic content (for manufactured products)			
Certificates of compliance for iron & steel			
Contractor/subcontractor Buy America affidavit(s)			
Records of all BABA communications (emails, memos, waiver requests)			

4 Waivers (If Applicable)				
Waiver Type	Date Requested	Date Approved	Public Comment Period	Expiration
Nonavailability				
Unreasonable Cost				
Public Interest				

5 Contractor / Grantee Certification	
I certify that all materials incorporated into this project meet the Build America, Buy America (BABA) domestic content requirements (or have an approved waiver), and that supporting documentation is retained and available for inspection.	
Signature:	
Name & Title:	
Date:	
Organization:	

6 HUD / Grantee Review			
Reviewer	Title	Date	Comments / Findings

# EXAMPLE FORM