

COOK COUNTY
DEPARTMENT OF PLANNING AND
DEVELOPMENT



Community Development Block Grant Program

DAVIS-BACON
CONSTRUCTION PACKET

DAVIS-BACON FORMS FOR CONTRACTORS & SUBCONTRACTORS WITH CONTRACTS OVER \$2,000

- (1) CONTRACTOR AFFIRMATIVE ACTION PLAN
- (2) CONTRACTOR & SUBCONTRACTOR CERTIFICATIONS
- (3) CONTRACT & SUBCONTRACT ACTIVITY FORM (HUD-2516)
(This document may be required prior to construction completion.)
- (4) WEEKLY PAYROLL & STATEMENT OF COMPLIANCE
(A completed "Certified Payroll Review Form" must be attached to each payroll submitted.)
- (5) RECORD OF EMPLOYEE INTERVIEW FORM (HUD-11)
(During the course of construction, each required interview must be completed by the Subrecipient or their designated representative.)

All required CDBG Davis-Bacon documentation and certifications are to be completed and submitted to the Subrecipient or their designated Representative (Engineer, Consultant, Architect, etc.), prior to project and construction completion. No funds will be disbursed until all required documentation is approved.



**COOK COUNTY GOVERNMENT
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

**CONTRACTOR'S CERTIFICATION
CONCERNING LABOR STANDARDS AND PREVAILING WAGE REQUIREMENTS**

To:	Date
Project Name:	CDBG Project Number

1. The undersigned, having executed a contract with _____ for the construction of the above identified project, acknowledges that:
 - (a) The Labor Standards provisions are included in the aforesaid contract;
 - (b) Correction of any infractions of the aforesaid conditions, including infractions by any of his subcontractors and any lower tier subcontractors, is his responsibility.
2. He/She certifies that:
 - (a) Neither he nor any firm, partnership or association in which he/she has substantial interest is designated as an ineligible contractor by the Comptroller General of the United States pursuant to Section 5.6(b) of the Regulations of the Secretary of Labor, Part 5 (29 CFR, Part 5) or pursuant to Section 3a) of the Davis-Bacon Act, as amended ((40 U.S.C. 276-2(a)).
 - (b) No part of the aforementioned contract has been or will be subcontracted to any subcontractor if such subcontractor or any firm, corporation, partnership or association in which such subcontractor has a substantial interest is designated as an ineligible contractor pursuant to any of the aforementioned regulatory or statutory provisions.
3. He/She agrees to obtain and forward to the aforementioned recipient within ten days after the execution of any subcontract, including those executed by his/her subcontractors and any lower tier subcontractors, a Subcontractor's Certification Concerning Labor Standards and Prevailing Wage Requirements executed by the subcontractors.
4. He/She certifies that:
 - (a) The legal name and the business address of the undersigned are:

Name	
Business Address	

- (b) The undersigned is:

☐ (1) A SINGLE PROPRIETORSHIP

☐ (2) A PARTNERSHIP

☐ (3) A CORPORATION ORGANIZED IN THE STATE OF _____

☐ (4) OTHER ORGANIZATION (*Describe*) _____
- (c) The name, title and address of the owner, partners or officers of the undersigned are:

NAME	TITLE	ADDRESS

(d) The names and addresses of all other persons, both natural and corporate, having a substantial interest in the undersigned and the nature of the interest are (*If none, so state*):

NAME	TITLE	NATURE OF INTEREST

(e) The names, addresses and trade classifications of all other building contractors in which the undersigned has a substantial interest are (*If none, so state*):

NAME	TITLE	TRADE OF CLASSIFICATION

(Contractor)

By: _____

By: _____

WARNING

U.S. Criminal Code Section 1010, Title 18 U.S.C., provides in part: "Whoever,... makes, passes, utters, or publishes any statement, knowing the same to be false... shall be fined not more than \$5,000 or imprisoned not more than two years, or both."

COOK COUNTY GOVERNMENT
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
SUBCONTRACTOR'S CERTIFICATION
CONCERNING LABOR STANDARDS AND PREVAILING WAGE REQUIREMENTS

DATE: _____

CDBG PROJECT NUMBER

PROJECT NAME

1. The undersigned, having executed a contract with _____
(Contractor or Subcontractor)
_____ for _____
(Name of Work)
_____ In the amount of \$ _____

In the construction of the above-identified project, certifies that:

- (a) The Labor Standards Provisions of The Contract for Construction are included in the aforesaid contract.
 - (b) Neither he nor any firm, corporation, partnership or association in which he has a substantial interest is designated as an ineligible contractor by the Comptroller General of the United States pursuant to Section 5.6(b) of the Regulations of the Secretary of Labor, Part 5 (29 CFR, Part 5), or pursuant to Section 3(a) of the Davis-Bacon Act, as amended (40 U.S.C. 276a02 (a)).
 - (c) No part of the aforementioned contract has been or will be subcontracted to any subcontractor if such subcontractor or any firm, corporation, partnership or association in which such subcontractor has a substantial interest is designated as an ineligible contractor pursuant to the aforesaid regulatory or statutory provisions.
2. He agrees to obtain and forward to the contractor, for transmittal to the recipient, within ten days after the execution of any lower subcontract, a Subcontractor's Certification Concerning Labor Standards and Prevailing Wage Requirements, executed by the lower tier subcontractor, in duplicate.

- (a) The workmen will report for duty on or about _____
(Date)

3. He certifies that:

- (a) The legal name and the business address of the undersigned are:

- (b) The undersigned is:

(1) A SINGLE PROPRIETORSHIP: _____ (3) A CORPORATION ORGANIZED IN THE STATE OF: _____

(2) A PARTNERSHIP: _____ (4) OTHER ORGANIZATION (Describe) _____

- (c) The name, title and address of the owner, partners or officers of the undersigned are:

NAME

TITLE

ADDRESS

(d) The names and addresses of all other persons, both natural and corporate, having a substantial interest in the undersigned, and the nature of the interest are <i>(If none, so state)</i> :		
NAME	ADDRESS	NATURE OF INTEREST

(e) The names, addresses and trade classifications of all other building construction contractors in which the undersigned has a substantial interest are <i>(If none, so state)</i> :		
NAME	ADDRESS	TRADE CLASSIFICATION

(Subcontractor)

(Signature)

(Typed Name and Title)

WARNING

U.S. Criminal Code, Section 1010, Title 18, U.S.C., provides in part: "Whoever.....makes, passes, utters, or publishes any statement, knowing the same to be false.....shall be fined not more than \$5,000 or imprisoned not more than two years, or both.

Instructions for HUD Form 2516

This report is to be completed by grantees, developers, sponsors, builders, agencies, and/or project owners for reporting contract and subcontract activities of \$10,000 or more under the following programs:

Community Development Block Grants (entitlement and small cities); Urban Development Action Grants; Housing Development Grants; Multifamily Insured and Noninsured; Public and Indian Housing Authorities; and contracts entered into by recipients of CDBG rehabilitation assistance.

Contracts/subcontracts of less than \$10,000 need be reported only if such contracts represent a significant portion of your total contracting activity. Include only contracts executed during this reporting period.

This form has been modified to capture Section 3 contract data in columns 7g and 7i. Section 3 requires that the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low- and very low-income persons, particularly those who are recipients of government assistance for housing. Recipients using this form to report Section 3 contract data must also use Part I of form HUD-60002 to report employment and training opportunities data. Form HUD-2516 is to be completed for public and Indian housing and most community development programs. Form HUD-60002 is to be completed by all other HUD programs including State administered community development programs covered under Section 3. A Section 3 Contractor/subcontractor is a business concern that provides economic opportunities to low and very low-income residents of the metropolitan area (or non-metropolitan county), including a business concern that is 51% or more owned by low-income residents; or provides subcontracting or business development opportunities to businesses owned by low or low-income residents. Low and very low-income residents; include participants in Youth build programs established under Subtitle D of Title IV of the Cranston-Gonzalez National Affordable Housing Act.

The terms “low-income persons” and “very low-income persons” have the same meanings given the terms in section 3(b)(2) of the United States Housing Act of 1937. Low-income persons mean families (including single persons) whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families. Very low-income families (including single persons) whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the secretary may establish income ceilings higher or lower than 50% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

Submit two (2) copies of this report to your local HUD Office within ten (10) days after the end of the reporting period you checked in item 4 on the front. Complete item 7h. Only once for each contractor/subcontractor on each semi-annual report.

Enter the prime contractor's ID in item 7f for all contracts and subcontracts. Include only contracts expected during this reporting period. PHAs/IHAs are to report all contracts/subcontracts.

Instructions for HUD Form 2516, continued

Community Development Programs

1. Grantee: Enter the name of the unit of government submitting this report.

3. Contact Person: Enter name and phone of person responsible for maintaining and submitting contract/subcontract data.

7a. Grant Number: Enter the HUD Community Development Block Grant Identification Number (with dashes). For example: B-32-MC-25-0034. For Entitlement Programs and Small City multi-year comprehensive programs, enter the latest approved grant number.

7b. Amount of Contract/Subcontract: Enter the dollar amount rounded to the nearest dollar. If subcontractor ID number is provided in 7f, the dollar figure would be for the subcontract only and not for the prime contract.

7c. Type of Trade: Enter the numeric codes which best indicates the contractor's/subcontractor's service. If subcontractor ID number is provided in 7f., the type of trade code would be for the subcontractor only and not for the prime contractor.

The "other" category includes supply, professional services and all other activities except construction and education/training activities.

7d. Business Racial/Ethnic/Gender Code: Enter the numeric code which indicates the racial/ethnic/gender character of the owner(s) and controller(s) of 51% of the business.

When 51% or more is not owned and controlled by any single racial/ethnic/gender category, enter the code which seems most appropriate. If the subcontractor ID number is provided, the code would apply to the subcontractor and not to the prime contractor.

7e. Woman Owned Business: Enter Yes or No.

7f. Contractor Identification (ID) Number: Enter the Employer (IRS) Number of the Prime Contractor as the unique identifier for prime recipient of HUD funds. Note that the Employer (IRS) Number must be provided for each contract/subcontract awarded.

7g. Section 3 Contractor: Enter Yes or No.

7h. Subcontractor Identification (ID) Number: Enter the Employer (IRS) Number of the subcontractor as the unique identifier for each subcontract awarded from HUD funds. When the subcontractor ID Number is provided, the respective Prime Contractor ID Number must also be provided.

7i. Section 3 Contractor: Enter Yes or No.

7j. Contractor/Subcontractor Name and Address: Enter this information for each firm receiving contract/subcontract activity only one time on each report for each firm.

Contract and Subcontract Activity						U.S. Department of Housing and Urban Development						OMB Approval No.: 2577-0088 OMB Approval No.: 2502-0355						
Public reporting burden for this collection of information is estimated to average .5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The Information is voluntary. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB Control Number.																		
Executive Orders dated July 14, 1983, directs the Minority Business Development Plans shall be developed by each Federal Agency and the these annual plans shall establish minority business development objectives. The information is used by HUD to monitor and evaluate MBE activities against the total program activity and the designated minority business enterprise (MBE) goals. The Department requires the information to provide guidance and oversight for programs for the development of minority business enterprise concerning Minority Business Development. If the information is not collected HUD would not be able to establish meaningful MBE goals nor evaluate MBE performance against these goals.																		
Privacy Act Notice = The United States Department of Housing and Urban Development, Federal Housing Administration, is authorized to solicit the Information requested in this form by virtue of Title 12, United States Code, Section 1701 et seq., and regulation. It will not be disclosed or relesed outside the United States Department of Housing and Urban Development without your consen, except as required or permitted by Law.																		
1. Grantee/Project Owner/Developer/Sponsor/Builder/Agency												Check if:		2. Location (City, State Zip Code)				
												PH						
												IH						
												CPD						
												Housing		S				
3a. Name of Contact Person					3b. Phone Number (Including Area Code)			4. Reporting Period <input type="checkbox"/> Oct. 1 - Sept. 30 (Annual -FY)			5. Program Code (Not applicable for CPD programs.) See explanation of Codes at bottom of Page Use a separate sheet for each program code.			6. Date Submitted to Field Office				
Grant/Project Number or HUD Case Number or other identification of property, subdivision, dwelling unit, etc. 7a.		Amount of Contract or Subcontact 7b.	Type of Trade Code (See below) 7c.	Contractor or Subcontractor Business Racial/Ethnic (See below) 7d.	Woman Owned Business (Yes or No) 7e.	Prime Contractor Identification (ID) Number 7f.		Sec. 3 7g.	Subcontractor Identification (ID) Number 7h.	Sec. 3 7i.	Contractor/Subcontractor Name and Address 7j.							
											Name		Street		City		State	Zip
		</																

MAKE CERTAIN ALL PAYROLLS CONTAIN THE FOLLOWING:

1. Manual signature on back of payroll.
2. Statement of Compliance completed on back of payroll.
3. Appropriate block is checked regarding payment of fringe benefits.
4. Show a breakdown on trades in remarks on back of payroll, base rate and fringe benefits.
5. Payrolls are numbered. First payroll is No. 1 and continue. Mark last payroll "FINAL" and numbered.
6. Days and dates appear under Item 4.
7. Subcontractor's name and address on top of line.
8. Project number (upper right hand corner), name and location.
9. Workman's address and social security number appears on the first payroll on which the name appears.
10. Fill in Classification in No. 3 and include Class, Type, Size, etc. of power equipment operated.
11. Note in column 3 if workman is an apprentice, and furnish proof to HUD-FHA.
12. Make sure net wages, gross wages and deductions are shown.
13. The new "Certified Payroll Review Form" must be completed and attached to each payroll. The payroll number, week ending and reviewers signature is required.

NOTE: INCOMPLETE PAYROLLS ARE UNACCEPTABLE!

Contractors Payroll checklist

1. Make certain all item in the heading are completed, including payroll number and project number. Also review reverse side of Form to make certain proper block is checked and signature is affixed.

2. Specify the name, full address (including zip code) an social security number for each employee the first time such an employee is listed on a Payroll report. If employees with identical names are shown on payrolls, provide social security numbers on each payroll to distinguish these employees.

If payrolls are typed, we suggest you make a “master” listing of each employee, address, city, state , zip code and social security number. Reproduce from the “master” payroll for each week ensuring each week of work is numbered sequentially. For those employees who did not work during a particular week, just draw a line though the entry by their names and write “no work.”

Except for the work ending column, the date and days worked and the payroll report number, hours worked and pay information, everything else is preprinted.

Payrolls may be completed in dark lead #2 pencil or pen, but they must be legible. Illegible payrolls which are difficult to read are unacceptable.

Payrolls must be signed in ink, they are unacceptable when signed in pencil.

3. For equipment operators and truck drivers, include a brief but clear description of the equipment the employee is operating. (This is to be shown on each payroll report.)
4. Show the hours and wages actually worked on the subject project separate from the employees total wages for the week. To illustrate: “Joe Doe” (see Example 4) worked on the project 18 hours and on other projects for the same contactor 22 hours. ($18 \times \$6.45 = \116.10 earned this project \$239.30 gross amount earned all projects). Circle hours, rate and gross amount on HUD job. State on the bottom of the first Payroll report that “circled hours represent hours worked on HUD job.”

The net amount shown on Payroll report must represent the check amount. If the employee is paid a separate check for work performed on the HUD job, it is not necessary to provide information about work or salary paid on other jobs, but the check received by the employee must agree with the amount shown on the certified payroll report.

5. Fringe Benefits: Fringe benefits (if shown on the wage determination) must be paid (in cash, to a trust, plan or fund) for each hour worked.

When fringe benefits are sent to an approved program, (trust, plan or fund) they need not be included in the rate of pay. Example 5 - Cement Mason, Mr. John Johnson, receives \$5.90 per hours, an additional \$0.66 is being sent to an approved plan – indicated by marking box (a) of paragraph (4) on the Statement of Compliance (reverse side of payroll form).

Cement Mason, Mr. Bill Thomas, receives the fringe benefits required in cash – the total rate of pay shown must be equal to the wage rate for the classification plus fringe benefits. The \$5.90 (wage rate) plus \$.066 (fringe) - \$6.56 – indicated by marking box (b) of paragraph (4) on reverse side of payroll.

6. When an individual performs work on the project in more than one classification within the same work week, have that individual sign the payroll report by his name or submit a copy of his time card with the payroll report. (If a lower rate of pay per hour is applicable).
7. When a bonified subcontractor works on the job, he/she shall be listed on the payroll as owner and show his/her daily and total hours for the week. I.M. Boss (see example 7). If the subcontractor has no employees and performs alone on the project, he/she will submit weekly payrolls showing daily and total hours worked. When two or more working owner/operators (partners, co-owners, corporation officers, etc.) perform work on the project they must show daily and total hours worked (always show exact work classification.)
8. Apprentices/Trainees: Submit an Apprenticeship or Trainee Certification with the payroll report on which apprentice or trainee if first reported. Indicate step of apprenticeship or trainee and what percentage of the journeyman wage he is receiving. (see Example 8)
9. It is the General Contractor's responsibility to submit correct payrolls. The General Contractor should therefore compare the wage rate shown on each Subcontractor's payroll with the required rate shown on the wage determination for this project. If there are underpayments, restitution should be required and the payroll report corrected prior to submitting it to the HUD office or contracting agency.

Deductions must be identified; you must specify what each deduction is for. You cannot lump-sum deductions under "other". The reviewer must ensure deductions are "authorized" such as insurance, vacation, health benefits, etc. For other deductions such as "Union Dues", Credit Unions, monetary advances, or deductions for tool purchases, employee authorization statements are required. A statement from each employee authorizing the deduction be made for a specific purpose should be filed with the HUD office or contracting agency.

10. Payroll Form: Contractors are urged to use the Department of Labor (DOL) Form WH-347, Payroll. The text of the "weekly statement with respect to the payment of wages," which is required by regulations of the Secretary of Labor, appears on the reverse side of this optional form. A contractor may use a computerized payroll document or a payroll form of his/her own choosing as long as it contains essentially the same information required on the front and back of the WH-347 Payroll Form. For example, contractors may choose to submit their own payroll form each week and fill out only the back of the WH-347 Payroll Form, or WH-348 which is the required "Statement of Compliance."
11. In the event any contractor sees he will be employing a trade for which a wage rate is not listed on the wage determination, it should be brought immediately to the attention of the contracting agency so that a wage rate determination for that trade can be made at the earliest possible date. A HUD 4230A (Optional Form) should be completed so that a rate can be established (see Example).
12. Submission of Payrolls: Each contractor or subcontractor shall submit to the contracting agency a completed payroll for each work week from the time he begins work on a project until work it is completed. All payrolls are to be numbered sequentially (starting with Number 1), and "final payrolls shall be identified accordingly. If no work is performed on the project during a given period, on the next performance payroll, state: "No work performed from pay period ending _____ through _____." (date) (date)
13. Payroll must be signed by an officer of the company or an individual who has been "authorized" to do so by an officer of the company.
14. Overtime: Overtime provisions for work performed over 40 hours per work week is computed at one and one-half (1 ½) times the basic rate of pay paid by the contractor. Fringe benefits are not included in the computation of overtime.

15. Additional Classifications: All laborers or mechanics need be classified in one of the listed classifications on the wage decision. If one is missing, please complete the attached HUD 4230A.

Note: The PRIME Contractor and originating SUBCONTRACTOR must maintain a copy of all documents submitted to HUD or the contracting agency. This is required.

Wage and Hour Division (WHD)

Instructions for Completing Payroll Form, WH-347

WH-347 (PDF)

OMB Control No. 1235-0008, Expires 01/31/2015.

General: Form WH-347 has been made available for the convenience of contractors and subcontractors required by their Federal or Federally-aided construction-type contracts and subcontracts to submit weekly payrolls. Properly filled out, this form will satisfy the requirements of Regulations, Parts 3 and 5 (29 C.F.R., Subtitle A), as to payrolls submitted in connection with contracts subject to the Davis-Bacon and related Acts.

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) requires contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) Regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct, complete and each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Under the Davis-Bacon and related Acts, the contractor is required to pay not less than prevailing wage, including fringe benefits, as predetermined by the Department of Labor. The contractor's obligation to pay fringe benefits may be met either by payment of the fringe benefits to bona fide benefit plans, funds or programs or by making payments to the covered workers (laborers and mechanics) as cash in lieu of fringe benefits.

This payroll provides for the contractor to show on the face of the payroll all monies to each worker, whether as basic rates or as cash in lieu of fringe benefits, and provides for the contractor's representation in the statement of compliance on the payroll (as shown on page 2) that he/she is paying for fringe benefits required by the contract and not paid as cash in lieu of fringe benefits.

Detailed instructions concerning the preparation of the payroll follow:

Contractor or Subcontractor: Fill in your firm's name and check appropriate box.

Address: Fill in your firm's address.

Payroll No.: Beginning with the number "1", list the payroll number for the submission.

For Week Ending: List the workweek ending date.

Project and Location: Self-explanatory.

Project or Contract No.: Self-explanatory.

Column 1 - Name and Individual Identifying Number of Worker: Enter each worker's full name and an individual identifying number (e.g., last four digits of worker's social security number) on each weekly payroll submitted.

Column 2 - No. of Withholding Exemptions: This column is merely inserted for the employer's convenience and is not a requirement of Regulations, Part 3 and 5.

Column 3 - Work Classifications: List classification descriptive of work actually performed by each laborer or mechanic. Consult classification and minimum wage schedule set forth in contract specifications. If additional classifications are deemed necessary, see Contracting Officer or Agency representative. An individual may be shown as having worked in more than one classification provided an accurate breakdown of hours worked in each classification is maintained and shown on the submitted payroll by use of separate entries.

Column 4 - Hours worked: List the day and date and straight time and overtime hours worked in the applicable boxes. On all contracts subject to the Contract Work Hours Standard Act, enter hours worked in excess of 40 hours a week as "overtime".

Column 5 - Total: Self-explanatory

Column 6 - Rate of Pay (Including Fringe Benefits): In the "straight time" box for each worker, list the actual hourly rate paid for straight time worked, plus cash paid in lieu of fringe benefits paid. When recording the straight time hourly rate, any cash paid in lieu of fringe benefits may be shown separately from the basic rate. For example, "\$12.25/.40" would reflect a \$12.25 base hourly rate plus \$0.40 for fringe benefits. This is of assistance in correctly computing overtime. See "Fringe Benefits" below. When overtime is worked, show the overtime hourly rate paid plus any cash in lieu of fringe benefits paid in the "overtime" box for each worker; otherwise, you may skip this box. See "Fringe Benefits" below. Payment of not less than time and one-half the basic or regular rate paid is required for overtime under the Contract Work Hours Standard Act of 1962 if the prime contract exceeds \$100,000. In addition to paying no less than the predetermined rate for the classification which an individual works, the contractor must pay amounts predetermined as fringe benefits in the wage decision made part of the contract to approved fringe benefit plans, funds or programs or shall pay as cash in lieu of fringe benefits. See "FRINGE BENEFITS" below.

Column 7 - Gross Amount Earned: Enter gross amount earned on this project. If part of a worker's weekly wage was earned on projects other than the project described on this payroll, enter in column 7 first the amount earned on the Federal or Federally assisted project and then the gross amount earned during the week on all projects, thus "\$163.00/\$420.00" would reflect the earnings of a worker who earned \$163.00 on a Federally assisted construction project during a week in which \$420.00 was earned on all work.

Column 8 - Deductions: Five columns are provided for showing deductions made. If more than five deductions are involved, use the first four columns and show the balance deductions under "Other" column; show actual total under "Total Deductions" column; and in the attachment to the payroll describe the deduction(s) contained in the "Other" column. All deductions must be in accordance with the provisions of the Copeland Act Regulations, 29 C.F.R., Part 3. If an individual worked on other jobs in addition to this project, show actual deductions from his/her weekly gross wage, and indicate that deductions are based on his gross wages.

Column 9 - Net Wages Paid for Week: Self-explanatory.

Totals - Space has been left at the bottom of the columns so that totals may be shown if the contractor so desires.

Statement Required by Regulations, Parts 3 and 5: While the "statement of compliance" need not be notarized, the statement (on page 2 of the payroll form) is subject to the penalties provided by 18 U.S.C. § 1001, namely, a fine, possible imprisonment of not more than 5 years, or both. Accordingly, the party signing this statement should have knowledge of the facts represented as true.

Items 1 and 2: Space has been provided between items (1) and (2) of the statement for describing any deductions made. If all deductions made are adequately described in the "Deductions" column above, state "See Deductions column in this payroll." See "FRINGE BENEFITS" below for instructions concerning filling out paragraph 4 of the statement.

Item 4 FRINGE BENEFITS - Contractors who pay all required fringe benefits: If paying all fringe benefits to approved plans, funds, or programs in amounts not less than were determined in the applicable wage decision of the Secretary of Labor, show the basic cash hourly rate and overtime rate paid to each worker on the face of the payroll and check paragraph 4(a) of the statement on page 2 of the WH-347 payroll form to indicate the payment. Note any exceptions in section 4(c).

Contractors who pay no fringe benefits: If not paying all fringe benefits to approved plans, funds, or programs in amounts of at least those that were determined in the applicable wage decision of the Secretary of Labor, pay any remaining fringe benefit amount to each laborer and mechanic and insert in the "straight time" of the "Rate of Pay" column of the payroll an amount not less than the predetermined rate for each classification plus the amount of fringe benefits determined for each classification in the application wage decision. Inasmuch as it is not necessary to pay time and a half on cash paid in lieu of fringe benefits, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the half time premium on basic or regular rate, plus the required cash in lieu of fringe benefits at the straight time rate. In addition, check paragraph 4(b) of the statement on page 2 the payroll form to indicate the payment of fringe benefits in cash directly to the workers. Note any exceptions in section 4(c).

Use of Section 4(c), Exceptions

Any contractor who is making payment to approved plans, funds, or programs in amounts less than the wage determination requires is obliged to pay the deficiency directly to the covered worker as cash in lieu of fringe benefits. Enter any exceptions to section 4(a) or 4(b) in section 4(c). Enter in the Exception column the craft, and enter in the Explanation column the hourly amount paid each worker as cash in lieu of fringe benefits and the hourly amount paid to plans, funds, or programs as fringe benefits. The contractor must pay an amount not less than the predetermined rate plus cash in lieu of fringe benefits as shown in section 4(c) to each such individual for all hours worked (unless otherwise provided by applicable wage determination) on the Federal or Federally assisted project. Enter the rate paid and amount of cash paid in lieu of fringe benefits per hour in column 6 on the payroll. See paragraph on "Contractors who pay no fringe benefits" for computation of overtime rate.

Public Burden Statement: We estimate that it will take an average of 55 minutes to complete this collection of information, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.



Toni Preckwinkle
President
Cook County Board of Commissioners

CERTIFIED PAYROLL REVIEW FORM

(Cook County Department of Planning and Development)

SUBRECIPIENT: _____

PROJECT NO.: _____ PROJECT TITLE: _____

CONTRACTOR: _____

SUBCONTRACTOR: _____

PAYROLL NO.: _____ WEEK ENDING: _____

I have reviewed the Certified Payroll(s) specified above for the above referenced project.

Based on my review, the wages paid meets the current Federal Prevailing Wage for Cook County.

PROJECT MANAGER: _____
(Subrecipient/Engineer) Reviewer's Signature Date

PROJECT MANAGER: _____
(Cook County Planner/Manager) County Signature Date

***This form must be completed and attached to each payroll submission.** The awarded CDBG Subrecipient or hired Engineer (Project Manager) must sign, date and return all required certified payroll review forms, along with proof of payrolls to Cook County's assigned project planner/manager prior to submitting drawdown requests.

U.S. Department of Labor
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.



NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>	ADDRESS
---	---------

OMB No.: 1215-0149
Expires: 12/31/2011

PAYROLL NO.	FOR WEEK ENDING	PROJECT AND LOCATION	PROJECT OR CONTRACT NO.
-------------	-----------------	----------------------	-------------------------

(1)	(2)	(3)	OT OR ST.	(4) DAY AND DATE							(5)	(6)	(7)	(8) DEDUCTIONS						(9)
NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	NO. OF WITHHOLDING EXEMPTIONS	WORK CLASSIFICATION									TOTAL HOURS	RATE OF PAY	GROSS AMOUNT EARNED	FICA	WITH- HOLDING TAX			OTHER	TOTAL DEDUCTIONS	NET WAGES PAID FOR WEEK
				HOURS WORKED EACH DAY																
			O																	
			S																	
			O																	
			S																	
			O																	
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

(over)

Date _____

I, _____
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

_____ on the
(Contractor or Subcontractor)

_____ ; that during the payroll period commencing on the
(Building or Work)

_____ day of _____, _____, and ending the _____ day of _____, _____,

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

_____ from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS



— in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH



— Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE

SIGNATURE

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

Record of Employee Interview Instructions	U.S. Department of Housing and Urban Development Office of Davis-Bacon and Labor Standards	OMB Approval No. 2501-0009 (exp. 12/31/2024)
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Instructions

General:

This form is to be used by HUD and local agency staff for recording information gathered during on-site interviews with laborers and mechanics employed on projects subject to Federal prevailing wage requirements. Typically, the staff that will conduct on-site interviews and use this form are HUD staff and fee construction inspectors, HUD Labor Standards staff, and local agency labor standards contract monitors.

Information recorded on the form HUD-11 is evaluated for general compliance and compared to certified payroll reports submitted by the respective employer. The comparison tests the veracity of the payroll reports and may be critical to the successful conclusion of enforcement actions in the event of labor standards violations. The thoroughness and accuracy of the information gathered during interviews is crucial.

Note that the interview itself and the information collected on the form HUD-11 are considered confidential. Interviews should be conducted individually and privately. All laborers and mechanics employed on the job site must be made available for interview at the interviewer's request. The employee's participation, however, is voluntary. Interviews shall be conducted in a manner and place that are conducive to the purposes of the interview and that cause the least inconvenience to the employer(s) and the employee(s).

Completing the form HUD-11:

Items 1a - 1c: Self-explanatory

Items 2a – 2d: Enter the employee's full name, a telephone number where the employee can be reached, and the employee's home address. Many construction workers use a temporary address in the locality of the project and have a more permanent address elsewhere from which mail may be forwarded to them. Obtain a more permanent address, if available. Ask the employee for a form of identification (e.g., driver's license) to verify their name.

Items 3a – 4c: Enter the employee's responses. Ask the employee whether they have a pay stub with them; if so, determine whether the pay stub is consistent with the information provided by the employee.

Items 5 – 7: Be certain that the employee's responses are specific. For example, job classification (#5) must identify the trade involved (e.g., Carpenter, Electrician, Plumber) – responses such as "journeyman" or "mechanic" are not helpful for our purposes.

Items 8 – 12b: Self-explanatory

Items 13 – 15c: These items represent some of the most important information that can be gathered while conducting on-site interviews. Please be specific about the duties you observed the employee performing. It may be easiest to make these observations before initiating the interview. Please record any comments or remarks that may be helpful. For example, if the employee interviewed was working with a crew, how many workers were in the crew? Was the employee evasive?

The level of specificity that is warranted is directly related to the extent to which interview(s) or other observations indicate that there may be violations present. If interviews indicate that there may be underpayments involving a particular trade(s), the interviewer is encouraged to interview as many workers in that trade(s) that are available.

Items 16 – 17b: The information on the form HUD-11 may be reviewed for general compliance, initially. For example, are the job classification and wage rate stated by the employee compatible with the classifications and wage rates on the applicable wage decision? Are the duties observed by the interviewer consistent with the job classification?

Item 18: Please place here any additional information you may want to document or continuing information from other lines that do not fit in their block space.

Once the corresponding certified payroll reports are received, the information on the HUD-11 shall be compared to the payroll reports. Any discrepancies noted between the HUD-11 information and that on the payroll report shall be noted in Item 16, Remarks. If discrepancies are noted, follow-up actions to resolve the discrepancies must be taken.

Record of Employee Interview

U.S. Department of Housing and Urban Development Office of Davis-Bacon and Labor Standards

OMB Approval No. 2501-0009

(exp. 12/31/2024)

The public reporting burden estimate for this collection of information is 15 minutes per response on average. This includes reviewing instructions, searching existing data sources, gathering, and maintaining the data, and completing the collection of information. This information may not be collected, nor are you required to provide, the information requested unless it displays a currently valid OMB control number. The information collected ensures compliance with the Federal labor standards through recording interviews with construction workers. The information collected assists HUD in compliance monitoring of Federal labor standards. Any information collected is covered by the Privacy Act of 1974 and by 29 CFR 5.6(a)(5). Individuals and agencies collecting this information must maintain these records in a manner that protects the individuals on whom the information is maintained. The information collected herein is voluntary, and any information provided shall be kept confidential, but failure to provide the information collected may delay enforcement of any possible Federal labor standards violations if the information would have identified any. Comments concerning this burden statement, or this collection should be sent to: National Director, Office of Davis-Bacon and Labor Standards, 451 7th Street SW, Room 7108, Washington, DC 20410. When providing comments, please refer to OMB Approval 2501-0009.

Pursuant to 5 U.S.C. § 552a(e)(3), this Privacy Act Statement serves to inform you of the following concerning the collection of the information on this form.

A. AUTHORITY: Collection of the information solicited on this form is authorized by the Davis-Bacon Act as promulgated through Department of Labor Regulations under 29 CFR Part 5.

B. PURPOSE: The primary purpose for soliciting this information is to determine if the wages paid by an employer on a project covered by the Davis-Bacon Act are in compliance with federal labor standards.

C. ROUTINE USES: The information collected ensures compliance with the Federal labor standards through recording interviews with construction workers on topics related to wages paid on the project. The information is reviewed by HUD authorized personnel to ensure compliance with Federal labor standards under the Davis-Bacon Act on covered projects. If violations are found, the information collected is used to conduct enforcement actions to ensure restitution is paid to workers of covered projects are paid proper wages under the Davis-Bacon Act.

D. CONSEQUENCES OF FAILURE TO PROVIDE INFORMATION: The information collection is voluntary. Refusing to give information will not impact your status with your employer or the government. Failure to provide the information will limit the ability of HUD to determine if you were paid proper wages under the Davis-Bacon Act, and will limit the ability for HUD to seek restitution for you in the event a violation is found.

1a. Project Name			2a. Employee Name		
1b. Project Number			2b. Employee Phone Number (including area code)		
1c. Contractor or Subcontractor (Employer)			2c. Employee Home Address & Zip Code		
			2d. Verification of identification? Yes No		
3a. How long on this job?	3b. Last date on this job before today?	3c. No. of hours last day on this job?	4a. Hourly rate of pay?	4b. Fringe Benefits? Vacation Yes No Medical Yes No Pension Yes No	4c. Pay stub? Yes No
5. Your job classification(s) (list all) --- continue in block 18 if necessary					
6. Your duties --- continue in block 18 if necessary					
7. Tools or equipment used --- continue in block 18 if necessary					
8. Are you an apprentice or trainee? Yes No			10. Are you paid at least time and ½ for all hours worked in excess of 40 in a week? Yes No		
9. Are you paid for all hours worked? Yes No			11. Have you ever been threatened or coerced into giving up any part of your pay? Yes No		
12a. Employee Signature			12b. Date		
13. Duties observed by the Interviewer (Please be specific.)					
14. Remarks --- continue in block 18 if necessary					
15a. Interviewer Name (Please Print)		15b. Signature of Interviewer		15c. Date of Interview	
Payroll Examination					
16. Remarks --- continue in block 18 if necessary					
17a. Signature of Payroll Examiner			17b. Date		

EQUAL EMPLOYMENT OPPORTUNITY FORMS FOR
CONTRACTORS & SUBCONTACTORS WITH
CONTRACTS OVER \$10,000

- (1) CONTRACTOR'S NOTIFICATION OF SUBCONTRACTS AWARDED
- (2) CONTRACTOR'S LIST OF FEDERAL & NON-FEDERAL WORK IN BID
CONDITION AREAS

The “Notification of Subcontractors Awarded” and “Contractor’s List of Federal & Non-Federal Work in Bid Condition Areas” are to be completed and submitted to the Subrecipient or their designated representative (Engineer, Consultant, Architect, etc.), prior to project and construction completion.



Suggested Format

Contractors Notification of Subcontracts Awarded

Location: _____

General Contractor's Name: _____

Month of: _____

CDBG Project Number: _____

Subcontractor's Name	Dollar Amount	Estimated		Crafts to be Used
		Starting Date	Completion Date	
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				
(7)				
(8)				
(9)				
(10)				
(11)				

CONTRACTOR'S LIST OF FEDERAL AND NON-FEDERAL WORK IN BID CONDITION AREAS

BID CONDITION AREA:_____ **CONTRACTOR'S NAME& NUMBER:**_____

I. Federally-Assisted Contracts

Responsible Federal Agency	Project Name & Location*	Contract/Project Number	Dollar Amount	Percent Complete	Projected Completion Date
(1)					
(2)					
(3)					
(4)					
(5)					

II. Non-Federal Contracts

Project Name & Location	Contract/Project Number	Dollar Amount	Percent Complete	Projected Completion Date
(1)				
(2)				
(3)				
(4)				
(5)				

*LOCATIONS MUST INCLUDE CITY AND STREET ADDRESS

SECTION 3 FORMS FOR CONTRACTORS &
SUBCONTRACTORS WITH CONTRACTS
OVER \$200,000

(1) PRELIMINARY STATEMENT OF WORKFORCE NEEDS

(2) SECTION 3 FINAL RULE REPORT
(Only complete if the project received funding over \$200,000.00)

(3) SECTION 3 REQUIRED CERTIFICATIONS
**Section 3: Acknowledgement of Compliance Requirements*
**Section 3: Compliance Certification*
**Section 3: Employer Self-Certification Checklist*
**Section 3: Employee Self-Certification Checklist*

BUILD AMERICA, BUY AMERICA (BABA) FOR
CONTRACTORS & SUBCONTRACTORS WITH
CONTRACTS OVER \$250,000

BUILD AMERICA, BUY AMERICA (BABA)
(All iron, steel, manufactured products, and construction materials used for the project are produced in the United States.)

**Build America, Buy America Act: Employer Self-Certification*

To ensure full compliance with the CDBG Program, copies of the reports and completed forms must be submitted to the Subrecipient or their designated representative (Engineer, Consultant, Architect, etc.), prior to project and construction completion.



COOK COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Outline for Contractor's Section 3 Affirmative Action Plan*

This outline is provided to assist contractors who are awarded Community Development assisted contracts in preparing a Section 3 Affirmative Action Plan (AAP). In the AAP, the contractor is to describe his or her efforts to train and employ lower income residents of the project area and to utilize small businesses located in the project area as subcontractors. First consideration should be given to persons living in or businesses located in or closest to the programmed activity with second consideration to the municipality as a whole.

Initially, the contractor should list name and address, amount of the Community Development contract, kind of contract, and location of the project.

The next step concerns the training and employment of lower income residents. In this regard, the contractor should include the following:

1. A completed "Preliminary Statement Work Force Needs" (see attached). The contractor should show all positions occupied or vacant and, if positions exist set a goal for Section 3 hiring.
2. If no vacant positions are indicated, provide an explanation of why this is the case, (e.g. the contractor will be using a work force from another job recently completed). Any contractor who fills positions immediately prior to undertaking community development work is to provide evidence why its actions are not an attempt to circumvent the HUD requirements.
3. If hiring is anticipated, the contractor should give names and addresses of employment agencies, minority organizations if applicable to the area, union halls, or other organizations which will be used to recruit employees**. Advertising on the job site is also an effective method of affirmative action.

With regards to utilization of local, small businesses, the contractor's AAP should include the following"

1. A signed Certification Form (see attached) if no work will be subcontracted.
2. If work is to be subcontracted, the contractor should list the kind and dollar amount.
3. When subcontracting, the contractor should describe the efforts which will be used to locate Section 3 businesses. This should include contact with local business organizations such as the Chamber of Commerce. Also, the municipality may be able to assist based on its knowledge of local businesses.

4. Give the name of any local news media in which the work will be advertised to attract Section 3 businesses.

Finally, the contractor should indicate in the MP that lower income residents and owners of small businesses will be informed in the event of a grievance or complaint against the contractor, that they can file their grievance with:

HUD Area Office
FH & EO Division
547 West Jackson
Chicago, IL 60606

NOTE: The AAP must be filed with the municipality within fifteen (15) days of award of the contract.

* This outline is a concise version of HUD's Chicago Area Office Section 3 outline with some additions.

** A municipality which has a Personnel Office and/or a Comprehensive Employment Training Act (CETA) program may be able to assist the contractor in meeting Section 3 hiring goal.

**PRELIMINARY STATEMENT
WORK FORCE NEEDS**

Municipality or Contractor's Name _____

Address and City _____

Date: _____

EMPLOYMENT CLASSIFICATION	OCCUPIED PERMANENT POSITION				VACANT POSITIONS**				*Minority African-American Hispanic Asian Native American **Show Section 3 lower income residents only under the Grand Total vacant positions slanted line ***To be used by municipalities and service contractors, such as engineering, consulting firms and other similar firms.
	TOTAL		MINORITY*		TOTAL		MINORITY		
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	
CONSTRUCTION:									
Foreman									
Journeyman									
Apprentices									
Labors									
GRAND TOAL									
NON- CONSTRUCTION***									
Administrators									
Professionals									
Technicians									
Clerks									
Labors									
GRAND TOAL									

Submitted By: _____
(Official responsible for filling out this form)

Phone: _____

SECTION 3 – FINAL RULE REPORT

Section 3 ensures employment and other economic opportunities generated by the HUD financial assistance goes, to the greatest extent feasible, toward Low-and very low-income persons and businesses. Section 3 applies to HUD-provided Housing (HOME/HTF), Community Development and Public Housing Programs.

Recipient Name & Address (street, city, state, zip):	Federal Identification/grant no.:	Total Amount of Award:
Contact Person:	Phone:	Email:
Program Name:	Reporting Period:	Length of Grant:
Date Submitted:		

Part I Information Regarding Agency Employment

Complete the table below for contracts/subcontracts or agency's receiving \$200,000 or more of HUD financial assistance for this project. Please report labor hours generated in connection with this HUD-provided housing (HOME/HTF), community development, and public housing projects. Include labor hours for part-time and full-time positions, along with contractor, subcontractors and agency staff working on this project. Contracts, subcontracts or agencies receiving a \$100,000.00 or more for Lead Hazard Control Projects must also report.

Section 3 – Reporting Form:

	Hour	Calculated Percentage	Safe Harbor Benchmark Met (Yes or No)	Benchmarks
Total Labor Hours				
# of Labor Hours of Section 3 Workers				5%
# of Labor Hours of Targeted Section 3 Workers				25%

Section 3 Worker: Any worker who currently fits, or when hired within the past five years, fit a least one of the following criteria:

- Low- or very low-income (as established by HUD's income limits)
- Employed by a Section 3 business concern*
- A Youth Build participant

Targeted Section 3 Worker: A Section 3 Worker who resides within the project's neighborhood or service area, defined as:

- one-mile radius of project site, or
- if area population <5,000, up to a radius containing 5,000 people.

***Section 3 Business Concern:** Businesses that meet one of the following criteria (in the last 6 months):

- At least 51% owned and controlled by low-income or very low-income persons.
- Over 75% of labor hours are performed by Section 3 Workers.
- At least 51%, owned and controlled by current residents of public housing or Section 8 assisted housing.

****Safe Harbor Benchmarks:** 25% of total hours or 5% of hours contracted to targeted workers.

Part II Nature of Agency Efforts

This section is required if, based on the labor hours reporting above, the reporting agency did not meet the safe harbor benchmarks**. Check all that apply and submit documentation on any efforts checked.

	Outreach efforts to generate job applicants who are Public Housing Targeted Workers.
	Outreach efforts to generate job applicants who are Other Funding Targeted Workers.
	Direct, on-the-job training (including apprenticeships).
	Indirect training such as arranging for, contracting for, or paying tuition for, off-site training.
	Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).
	Outreach efforts to identify and secure bids from Section 3 business concerns.
	Technical assistance to help Section 3 business concerns understand and bid on contracts.
	Division of contracts into smaller jobs to facilitate participation of Section 3 business concerns.
	Provided or connected residents with assistance in seeking employment which include drafting resumes, preparing for interviews, finding job opportunities, referring to job placement services.
	Held one or more job fairs.
	Provided or connected residents with supportive services that can provide direct services or referrals.
	Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation.
	Assisted residents with finding childcare.
	Assisted residents to apply for/or attend community college or a four-year educational institution.
	Assisted residents to apply for/or attend vocational/technical training.
	Assisted residents to obtain financial literacy training and/or coaching.
	Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
	Provided or connected residents with computer training or online technical assistance.
	Other, please specify:

Describe your agency's employee retention plan: _____

SECTION 3: ACKNOWLEDGEMENT OF COMPLIANCE REQUIREMENTS

Section 3 of the HUD Act of 1968 (12 U.S.C § 1701u) and its associated regulations (24 C.F.R. Part 75)

Project Name: _____ **HUD Grant:** CDBG / HOME **HUD Assistance:** \$ _____

The requirements of Section 3 apply to contractors and subcontractors performing work on construction or rehabilitation projects for which the amount of HUD financial assistance exceeds \$200,000. All contractors and subcontractors, regardless of the funding total, must execute the following acknowledgement (referred to as the Acknowledgement of Compliance Requirements) to acknowledge they have reviewed and understand Section 3 compliance for the HUD-funded project.

Review and initial each statement:

_____ HUD financial assistance for the project does / does not (circle one) exceed \$200,000.

_____ The parties will comply with HUD's regulations in 24 CFR part 75, which implement Section 3. The parties certify that they are under no impediment that would prevent them from complying with the Part 75 regulations.

_____ The parties acknowledge noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD-assisted contracts.

SECTION 3 BUSINESS CONCERN:

_____ 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. 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. A business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

SECTION 3 WORKER:

_____ A Section 3 worker is any worker who currently fits, or when hired within the past five years fit, 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 limit established by HUD:

Individual Annual Income	1
80 % (gross income)	\$61,800

2. The worker is employed by a Section 3 business concern; or
3. The worker is a YouthBuild participant.

SECTION 3 TARGETED WORKER:

_____ A Section 3 targeted worker is a 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.

SECTION 3: ACKNOWLEDGEMENT OF COMPLIANCE REQUIREMENTS

HIRING

_____ Contractors, to the greatest extent feasible, will fill vacant positions with Section 3 workers or Section 3 targeted workers. Any vacant employment positions, including training positions, that are filled **after** the contractor is selected but **before** the contract is executed, with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.

REPORTING

_____ Contractors, to the greatest extent feasible, will make efforts to have Section 3 workers conduct *25 percent* or more of the total number of labor hours worked by all workers on a Section 3 project and Targeted Section 3 workers conduct *5 percent* or more of the total number of labor hours worked by all workers on a Section 3 project (This *5 percent* is included as part of the *25 percent* threshold).

_____ Contractors will track labor hours in pursuit of meeting the above outlined benchmarks.

EQUAL OPPORTUNITIES

_____ The parties agree affirmative action and equal employment opportunity to those who do business with the federal government. It is illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information (medical history or predisposition to disease).

OUTREACH

_____ Contractors, to the greatest extent feasible, will conduct outreach to hire Section 3 workers and/or Section 3 targeted workers which includes, but is not limited to:

1. Notify labor organizations or representatives of workers of Section 3 preference, including job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
2. Provide technical assistance to help Section 3 workers compete for jobs.

_____ Contractors, to the greatest extent feasible, will support hired Section 3 workers and/or Section 3 targeted workers to ensure they have access to resources which includes, but is not limited to:

1. Provide training and/or apprenticeship opportunities.
2. Refer Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, childcare, financial literacy, etc.).
3. Notify laborers on the jobsite of the Section 3 worker qualifications to ensure all employees may complete eligibility certification.

The undersigned agrees to comply with the Section 3 Guidelines when applicable as referenced by HUD regulations in 24 CFR part 75 as amended.

Name/Title (printed)	Company	Signature
Name/Title (printed)	Company	Signature
Name/Title (printed)	Company	Signature

SECTION 3: COMPLIANCE CERTIFICATION

Please select a response to the below questions/statements.

1. Has the project been awarded over \$200,000 in HUD assistance? (Please consult the contracting organization if unsure).
☐ Yes – continue to question 2
☐ No – continue to the bottom of form, complete, sign, date. No additional forms required.
2. This project is receiving over \$200,000 of HUD assistance, and either the business itself, and/or any of its employees meet the definition of Section 3. (See Section 3 Acknowledgement of Compliance Requirements form for Business Concern and Worker criteria).
☐ True – continue to question 3
☐ False – continue to the bottom of form, complete, sign, date. No additional forms required.
3. Select how the Section 3 definition is met.
☐ The business **and** one or more employees are Section 3 – continue to question 4
☐ The business is Section 3; **no** employees are Section 3 – continue to question 4
☐ The business is **not** Section 3; one or more employees **are** Section 3 – continue to question 4
4. Please list the employee(s) name(s) and job title which meet the definition of a Section 3 Worker:

Please print your name, company, title, and sign/date below.

Company Name	
Name	
Job Title	
Date	
Signature	

Please complete the corresponding required Section 3 Forms:

Section 3 Business Self-Certification Form – Required from all businesses

Section 3 Laborer Self-Certification Form – Required if employee (laborer) of contractor/subcontractor is Section 3

SECTION 3 EMPLOYER SELF CERTIFICATION CHECKLIST

There are many ways to certify a Section 3 Business, Worker(s), or Targeted Section 3 Worker(s) under 24 CFR part 75:

For the following numbered items, please mark the checkbox that applies to your business with ☒ or ☐

1. For a Business to qualify as a **Section 3 Business Concern**, certification must be provided that the company meets at least one of the following, please select ONE of the below options that applies:
 - ☐ At least 51 percent owned and controlled by low- or very low-income persons; or
 - ☐ Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
 - ☐ My business is at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.
 - ☐ None of the above apply to our company.
2. For a worker to qualify as a **Section 3 worker**, one of the following must be maintained:
 - ☐ My company certifies that the income from this 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
 - ☐ My company certifies that our company is a Section 3 business concern; or
 - ☐ None of the above apply to our company.
3. For a worker to qualify as a **Targeted Section 3 worker**, the following must be maintained:
 - ☐ My company's confirmation that our **worker's residence is currently within one mile of the work site or when hired resided within one mile of the work site, as documented within the last five years**, 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;
 - ☐ My company certifies that our company is a Section 3 business concern; or
 - ☐ None of the above apply to our company.

Please use the below information to determine if your employee(s) meet the criteria for the first option of question #1. Low- and very low-income limits are defined in Section 3(b)(2) of the Housing Act of 1937 and are determined annually by HUD. These limits are typically established at 80 percent and 50 percent of the area median individual income. HUD income limits may be obtained from: <https://www.huduser.gov/portal/datasets/il.html>. This website also provides detailed explanations on how to calculate your annual income to compare it to this below income limits summary:

Individual Annual Income	1
80 % (gross income)	\$61,800

- ☐ I certify that my employee(s) meet the requirements of the Section 3 worker/Targeted Section 3 worker
(If you checked the above box, please list the qualifying employees on the next page)
 - ☐ I certify that my employee(s) **DO NOT** meet the requirements of the Section 3 worker/Targeted Section 3 worker
4. Not all businesses will meet the requirements of a Business Concern or have Section 3 or Targeted Section 3 employees. In that case, the U.S. Department of Housing and Urban Development requires qualitative outreach

efforts be made to Section 3 workers. Please select all that apply to your company which demonstrate qualitative efforts put forth to meet federal Section 3 requirements:

- ☐ Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.
- ☐ Provided training or apprenticeship opportunities.
- ☐ Provided technical assistance to help Section 3 workers compete for jobs (*e.g.*, resume assistance, coaching).
- ☐ 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.
- ☐ Held one or more job fairs.
- ☐ 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).
- ☐ Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
- ☐ Assisted Section 3 workers to obtain financial literacy training and/or coaching.
- ☐ Engaged in outreach efforts to identify and secure bids from Section 3 business concerns.
- ☐ Provided technical assistance to help Section 3 business concerns understand and bid on contracts.
- ☐ Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.
- ☐ Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
- ☐ Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.
- ☐ Outreach, engagement, or referrals with the state one-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.

I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief. I understand that businesses who misrepresent themselves as Section 3 business concerns and report false information to DuPage County may have their contracts terminated as default and be barred from ongoing and future considerations for contracting opportunities. I hereby certify, under penalty of law, that the information contained in this document is correct to the best of my knowledge.

Name (printed)	Company	Signature
Title	Project Name	Laborer Trade

Please provide the details of all employees meeting the Section 3 requirements from the previous page:
(print additional forms if necessary)

Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)
Name (printed)	Section 3 Worker (Yes/No)	Targeted Section 3 Worker (Yes/No)

SECTION 3 EMPLOYEE SELF CERTIFICATION CHECKLIST

The purpose of HUD's Section 3 program is to provide employment, training and contracting opportunities to low-income individual, particularly those who are recipients of government assistance for housing or other public assistance. **Your response is voluntary, confidential, and has no effect on your employment.**

There are many ways to certify a Section 3 Worker or Targeted Section 3 Worker under 24 CFR part 75:

For the following numbered items, please mark the checkbox that applies to you with ☒ or ☐

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

- ☐ I certify that my income is below the income limit from the prior calendar year (see income limit below);
- ☐ I certify that I participate in a means-tested program such as public housing or Section 8 assisted housing;
- ☐ 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;
- ☐ My employer's certification that my 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
- ☐ My employer's certification that I am a worker who is employed by a Section 3 business concern;
- ☐ None of the above apply to me;
- ☐ I prefer not to answer.

2. For a worker to qualify as a **Targeted Section 3 worker**, the following must be maintained:

- ☐ My employer's confirmation that my 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;
- ☐ My employer's certification that I am employed by a Section 3 business concern; or
- ☐ I certify that I am a YouthBuild participant;
- ☐ None of the above apply to me;
- ☐ I prefer not to answer.

Please use the below information to determine if you meet the criteria for the first and fourth options of question #1.

Low- and very low-income limits are defined in Section 3(b)(2) of the Housing Act of 1937 and are determined annually by HUD.

These limits are typically established at 80 percent and 50 percent of the area median individual income. HUD income limits may be obtained from: <https://www.huduser.gov/portal/datasets/il.html>. This website also provides detailed explanations on how to calculate your annual income to compare it to this below income limits summary:

Individual Annual Income	1
80 % (gross income)	\$61,800

- ☐ I certify that I meet the requirements of either the Section 3 worker or the Targeted Section 3 worker
- ☐ I certify that **I DO NOT** meet the requirements of either the Section 3 worker or the Targeted Section 3 worker

I affirm and hereby certify, under penalty of law, the information provided and the above selected statements are true, complete, and correct to the best of my knowledge and belief.

Name (printed)	Address	Employer
Signature	Project Name	Laborer Trade

BUILD AMERICA, BUY AMERICA ACT: EMPLOYER SELF-CERTIFICATION

The undersigned certifies, to the best of their knowledge and belief, that:

The Build America, Buy America Act (BABAA) requires that no federal financial assistance for “infrastructure” projects is provided “unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States.” Section 70914 of Public Law No. 117-58, §§ 70901-52.

The undersigned certifies that for the *(please insert project name)* _____
_____, *(insert project location)* _____

the iron, steel, manufactured products, and construction materials used in this contract are in full compliance with the BABAA requirements including:

1. All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
2. All manufactured products purchased with FEMA financial assistance must be produced in the United States. For a manufactured product to be considered produced in the United States, the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55% of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.
3. All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

“The, *(insert contractor or subcontractor company name)* _____
_____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the [Contractor or Subcontractor] understands and agrees that the provisions of 31 U.S.C. Chap. 38, Administrative Remedies for False Claims and Statements, apply to this certification and disclosure, if any.”

Signature of [Contractor or Subcontractor] Authorized Official

Name and Title of [Contractor or Subcontractor] Authorized Official (Print)

Date

COOK COUNTY DAVIS-BACON CONSTRUCTION PACKET CERTIFICATION – Signatures Required

Please sign two documents; one for the CDBG Grant Administrator and one for the Contractor.

It is acknowledged that HUD and Cook County Davis-Bacon and Labor Standards Regulations information was provided and the below Subrecipient and Contractor agrees to comply with all regulations as discussed:

CDBG Subrecipient Printed Name _____ CDBG Subrecipient

Signature _____ Date _____

Contractor Printed Name _____

Contractor Signature _____ Date _____

Submit the following documents to the CDBG Subrecipient to be forwarded to the CDBG Grant Administrator:

- Complete and return all required Davis Bacon Construction Packet documentation
- Post all required Labor Standards Regulations signage
- Post all Prevailing Wage (General Decision Number) signage
- Other items as required.