

Virgin Islands Water and Power Authority

Notice of Federal Guidelines

PROJECT SUMMARY:

The Virgin Islands Water and Power Authority is the recipient of a federal grant from the U. S. Department of Housing & Urban Development - Community Development Block Grant – Disaster Recovery Program which is administered locally by the Virgin Islands Housing Finance Authority.

This notice serves to advise contractors bidding on this project of the federal guidelines that are applicable to this project. Enclosed for review and adherence are the following:

- Federal Labor Standards Provisions (**Attachment #1**)
- Davis Bacon Wage Determination (**Attachment #2**)
- Certified Payroll Form (**Attachment #3**)
- Section 3 Guidelines (**Attachment #4 & 5**)
- Contractor Monthly Reporting Form (**Attachment #6**)

1. FEDERAL LABOR STANDARDS PROVISIONS (Attachment #1): In accordance with the **Davis Bacon Act**, as amended (40 U. S. 276a-276a-5), all laborers and mechanics employed in conjunction with the work covered by this contract shall be paid at rates not less than those prevailing on similar construction projects in the locality as determined by the Secretary of Labor (**Attachment #2**). Davis Bacon Wage Rate Determination is the listing of wage rates and fringe benefit rates for each classification of mechanics and laborers for which the Department of Labor has determined to be prevailing in a given area for a particular type of construction.

The Davis-Bacon and Related Acts, apply to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. The Davis-Bacon Act directs the Department of Labor to determine such locally prevailing wage rates.

The Contract Work Hours and Safety Standards Act (CWHSSA), is applicable to this project; workers shall receive overtime compensation in accordance with and subject to the provisions of the Contract Work Hours and Safety Standards Act 940 U. S. C. 327332). CWHSSA requires the payment of time and one-half for overtime hours or work in excess of 40 hours per week. CWHSSA violations carry a liquidated damages penalty (\$10/day per violation). The principal contractor is responsible for the full compliance of all sub-contractors and any lower tiers hired to perform work.

The Copeland Act (Anti-Kickback Act), is applicable to the project; the provision gives workers on covered Federal contracts the right to receive the full pay to which they are entitled for the work. It further regulates payroll deductions, the submission of weekly payroll reports, and the method by which contractors and subcontractors must pay their employees; apply to contracts in excess of \$2,000 for the construction, prosecution, repair, or completion of public buildings,

public works, or works which are supported by the United States, including buildings or works for which the federal assistance granted is in the form of loan guarantees or insurance.

The Fair Labor Standards Act (FLSA), is applicable to this project; it contains Federal minimum wage rates, overtime (O/T), and child labor requirements. These requirements generally apply to any labor performed. The DOL has the authority to administer and enforce FLSA. HUD will refer to the DOL any possible FLSA violations that are found on HUD projects.

For the duration of the construction project, the successful contractor will be required to submit weekly payrolls (**Attachment #3**) to the Virgin Islands Housing Finance Authority – Community Development Block Grant – Disaster Recovery Programs Division for review. Contractors shall also require any sub-contractors on the project to submit weekly payroll forms.

2. SECTION 3: (*For contracts of \$100,000 and above*) 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., 17010. **Section 3** requires that, to the greatest extent feasible, opportunities for training and employment be given to lower-income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in, the area of the project. The project area for this activity is refers to low income resident on St. Thomas, VI.

Applicability: Housing rehab (including lead-based paint abatement); housing construction (i.e., HOME housing rehabilitation; new construction); demolition; other public construction (i.e., CDBG(DR) infrastructure; public facilities). Section 3 covered contracts include all building trades (carpentry, masonry, plumbing, electrical) and also professional services (architectural, engineering, legal, management and administrative support).

Numerical goals for employment and contracting:

- 30% of new full-time hires = 1 out of 3
- 10% of total dollar amount of contracts for building trades work
- 3% of total dollar amount of professional services contracts

Potential bidders shall be advised that compliance with Section 3 is **mandatory**, that the winning bidder will be required to submit a list of their permanent full-time employees prior to award, that there will be certain numerical goals for hiring and contracting, and that VIHFA will collect personal information from your permanent full-time employees in order to determine whether at least 30% of the hires for the project qualify as Section 3 residents (i.e., public housing residents or low-income persons (Attachment #5).

Labor Standards Enforcement

Involves the activities that take place during construction to ensure contractor compliance.

1. Posting the wage decision and Notice to Employees. The contractor is required to display on the job site a copy of the applicable Davis- Bacon wage decision and the form WH-1321, Notice to Employees (<https://www.dol.gov/whd/regs/compliance/posters/fedprojc.pdf>). The purpose of this posting is to provide information to the construction laborers and mechanics working on the project about their entitlement to the prevailing wage rate for their trade and to inform them of who to contact (the contract administrator) if they have any questions or want to file a complaint.

Puerto Rico		
Caribbean District Office		
 Address	 Phone	 District Director
US Dept. of Labor Wage & Hour Division T-Mobile Center B-7 Tabonuco Street Suite 1104 Guaynabo, PR 00968	(787) 775-1947 1-866-4-USWAGE (1-866-487-9243)	Jose R. Vazquez

a. **Conduct on-site interviews with laborers and mechanics (Attachment # 6).** The Davis-Bacon Act requires interviews to determine if the contractor is complying with the Federal Davis-Bacon prevailing wages. VIHFA must periodically conduct interviews with the construction workers on the job site. The purpose of the interviews is to capture observations of the work being performed and to get the workers' views on the hours they work, the type work they perform and the wages they receive.

2. **Review contractor and subcontractor certified payroll reports.** VIHFA will review the certified payroll generally to ensure that all laborers and mechanics are being paid no less than the wage rates contained on the applicable Davis-Bacon wage decision for the type of work they perform.

3. **Contractor Reporting.** This report is to be developed on a monthly basis by each contractor receiving Community Development Block Grants Disaster Recovery Program funds for construction projects. This report is due five (05) days after the reporting period or the 5th of the following month. Failure to submit this report according to the required frequency may result in the suspension of payment until all the reports are submitted (**Attachment #7**).

Conclusion

The successful contractor will be required to comply with the federal requirements above for the duration of the project. Failure to comply will be deemed substantial non-compliance and may be considered a default under the terms of the contract. Default may result in disciplinary action to include suspension or debarment from future participation in contracts issued by VIHFA or funded by any programs administered by the VIHFA. The CDBG-DR program staff will be available to provide technical assistance to the contractor and sub-contractor (or the contractor's authorized representative) with respect to instructions on the preparation of the weekly payroll forms and also the procedures for documentation of household income for determination of Section 3 resident status.

Please refer any questions/concerns about the federal requirements to the CDBG staff:

Ms. Jamila Haynes
Senior Compliance and Monitoring Manager
3438 Kronprindsens Gade
GERS Complex 1st Floor, Suite 4
St. Thomas, VI 00802
Telephone: (340) 777-4432
e-mail: jhaynes@vihfa.gov

Federal Labor Standards Provisions**U.S. Department of
Housing
and Urban
Development
Office of Labor Relations****Applicability**

The Project or Program to which the construction work covered by this contract pertains is being assisted by the United States of America and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

A. 1. (i) Minimum Wages. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under Section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs, which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under 29 CFR 5.5(a)(1)(ii) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible, place where it can be easily seen by the workers.

(ii) (a) Any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. HUD shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(b) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and HUD or its designee agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by HUD or its designee to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB control number 1215-0140.)

(c) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and HUD or its designee do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), HUD or its designee shall refer the questions, including the views of all interested parties and the recommendation of HUD or its designee, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

(d) The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(ii)(b) or (c) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part

Attachment #2

"General Decision Number: VI20190002 01/04/2019

Superseded General Decision Number: VI20180002

State: Virgin Islands

Construction Types: Heavy and Highway

Counties: Virgin Islands Statewide.

Heavy and Highway Construction Projects

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.60 for calendar year 2019 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, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.60 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 calendar year 2019. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number Publication Date
0 01/04/2019

* SUVI2003-001 02/09/1990

	Rates	Fringes
BOILERMAKER.....	\$ 8.42	a+b+c
CARPENTER.....	\$ 7.41	
CEMENT MASON/CONCRETE FINISHER...	\$ 7.59	
ELECTRICIAN.....	\$ 7.63	
Insulation Mechanic.....	\$ 7.67	.17+e+f
IRONWORKER.....	\$ 7.25	.17+e+f
Laborers:		
Jackhammer Operators.....	\$ 7.25	a+b+c
Laborers.....	\$ 7.25	
Mason Tenders.....	\$ 7.25	.17+e+f
MILLWRIGHT.....	\$ 8.85	a+b+c
Painter & Sandblaster.....	\$ 7.25	.17+e+f
PLUMBER/PIPEFITTER.....	\$ 7.77	a+b+c
Power equipment operators:		
Asphalt Machine Operators...	\$ 7.62	i+j
Backhoe.....	\$ 7.68	

Bulldozers.....	\$ 7.55	
Cherry Pickers.....	\$ 8.42	a+b+c
Cranes.....	\$ 7.76	
Drillers.....	\$ 7.25	g+h
Loaders.....	\$ 7.25	g+h
Oilers.....	\$ 9.55	.17+e+f
Riggers.....	\$ 8.47	e+f
Tractors.....	\$ 7.25	
TRUCK DRIVER.....	\$ 7.25	

FOOTNOTES:

- a. 6-2/3 (six and two-thirds) hours vacation pay per month when a minimum of 120 hours is worked in the month.
- b. 10 Paid Holidays
- c. \$25.52 per month
- d. \$23.16 per month.
- e. 11 Paid Holidays
- f. 12 hours per month paid vacation.
- g. 9 Paid Holidays
- h. 7 hours vacation pay per month if employee works more than half the regular working hours in the month.
- i. 5 Paid Holidays
- j. 40 hours paid vacation after 2 years with employer.

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

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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 www.dol.gov/whd/govcontracts.

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) (ii)).

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

Union Rate Identifiers

A four-letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example:

PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which 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. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of 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. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

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

- * an existing published wage determination
- * a survey underlying a wage determination

- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write 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 the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write 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 by 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

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION

Attachment #3

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

PAYROLL

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

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



U.S. Wage and Hour Division

Rev. Dec. 2008

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>		ADDRESS	OMB No.: 1215-0149 Expires: 12/31/2011
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PAYROLL NO.	FOR WEEK ENDING	PROJECT AND LOCATION	PROJECT OR CONTRACT NO.
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(1)	(2)	(3)	(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 EMPLOYERS	WORK CLASSIFICATION	OT ORST.							TOTAL HOURS	RATE OF PAY	GROSS AMOUNT EARNED	FICA	WITH- HOLDING TAX			OTHER	TOTAL DEDUCTIONS	NET WAGES PAID FOR WEEK	
				HOURS WORKED EACH DAY																
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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, ESA, U.S. Department of Labor, Room 83502, 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:

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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.

SECTION 3 BUSINESS CONCERN CERTIFICATION FORM

NAME OF BUSINESS _____

ADDRESS OF BUSINESS _____

CONTACT PERSON _____ TITLE _____

TELEPHONE #: () _____ CELL# () _____

MUST PROVIDE EVIDENCE OF SECTION 3 STATUS PRIOR TO CONTRACT AWARD

The Bidder certifies that it is a Section 3 Business Concern based on:

_____ Business is owned, at least 51% by Section 3 Residents.

- Provide copy of resident lease, evidence of participation in a public assistance program, or signed Certification for Section 3 Resident
- Provide business license number _____

_____ At least 30% of their permanent, full-time employees are currently Section 3 Residents or were Section 3 Residents within the past 3 years.

- Provide List of Full-time Employees (Form 2)
- Provide signed Certification for each Section 3 employee (Form 3)

_____ Commitment to subcontract 25% of the dollar award to qualified Section 3 Business Concerns. (Only applicable for Prime Contractors)

I hereby certify that the information provided by me to be true and correct, and understand falsification of any information could result in rejection of my bid or termination of contract award and could subject me/my business to prosecution under the law up to and including debarment from participation in federally-funded projects.

Owner Signature

Date

Witness Signature

Date

Print Name

Print Name

SECTION 3 RESIDENT PREFERENCE CLAIM FORM

Eligibility for Preference

In accordance with federal regulations, contractors can receive preferences for award of federally-funded projects based on their employment of persons who qualify as Section 3 residents. A Section 3 Resident seeking a preference in training and employment provided by this part shall certify, or submit evidence to the recipient, contractor or subcontractor, if requested, that he/she is a Section 3 Resident, as defined in Section 135.5.

Name _____ Last four (4) digits of Soc. Sec. # _____

Physical Address _____ (will be verified)

Telephone #: _____

I, _____, am a legal resident of _____
(Name)

_____, VI and I qualify as a Section 3 Resident because: () I am a public
(Island District)

housing resident; () I am homeless; () I am a participant in a HUD Youthbuild Program; OR
() my annual household income does not exceed the income guidelines by family size as shown below.

FY 2019 - HOUSEHOLD INCOME GUIDELINES

Family Size	1	2	3	4	5	6	7	8
St. Croix	\$31,650	\$36,200	\$40,700	\$45,200	\$48,850	\$52,450	\$56,050	\$59,700
St. John	\$47,150	\$53,900	\$60,650	\$67,350	\$72,750	\$78,150	\$83,550	\$88,950
St. Thomas/ St. John	\$36,700	\$41,950	\$47,200	\$52,400	\$56,600	\$60,800	\$65,000	\$69,200

*** Please circle the appropriate column based on household size and income**

I hereby certify that the information provided herein by me is true and correct and, by my signature on this document, acknowledge my understanding that any intentional or negligent falsification of any of the information in this document could subject me to disqualification from participation and punishment under federal law.

By my signature below, I authorize verification or re-verification of any information contained herein by the grant administering agency (VIHFA), its agents, successors, and assigns either directly or through a third-party source.

Signature

Date

Print Name

Attachment #6 - CONTRACTOR MONTHLY REPORTING FORM

Virgin Islands Housing Finance Authority
Community Development Block Grant - Disaster Recovery Program (CDBG-DR)

This form is distributed to the General Contractor (GC) at the Pre-Construction Meeting. GC is also required to provide this form to a subcontractor firms that they anticipate hiring for this project.

Project: _____ Implementing Partner/Sub-recipient: _____

Reporting Month _____ Date Submitted _____

Contractor information:

Name of Business:

EIN#:

Address of Business:

Minority/Women Owned: Yes ☐ No ☐

Authorized Representative:

Race/Ethnicity:

Authorized Signatory:

ADDITIONALLY, PLEASE REVIEW AND COMPLY WITH STEPS 1-3 BELOW:

1. You must sign and date this form for each applicable reporting month in connection with awarded project and deliver to:

VIHFA CDBG-DR Compliance and Monitoring Unit or email to: jhaynes@vihfa.gov

2. When you hire a Section 3 resident in connection with this project, you must also complete this form and submit it to the Section 3 Coordinator identified above. Even if there were no new hires this form must be completed and submitted to the Section 3 Coordinator identified above.

☐ I have not hired any new employees during the reporting Month specified.

I have hired _____ Section 3 employees and/or _____ non Section 3 employees during the reporting month shown here.

The following is a list of the new hires and the trades:

New Hire Names
Job Category/Trade
Full-time? Yes or No

- 1.
- 2.
- 3.
- 4.

I have taken one more of the following recruitment steps to hire a Section 3 Resident with the highest training and employment priority ranking. Provide a brief description of actions taken:

I have taken one more of the following recruitment steps to hire a Section 3 Resident with the highest training and employment priority ranking. Provide a brief description of actions taken:

I have taken steps to find a resident in the applicable target area where the project(s) assistance will take place. List areas:

☐ Placed signs or posters at prominent places in each of the above listed areas. Photographs were taken to document this action.

I have advertised to fill vacancy(ies) at the site(s), where work is taking place, in connection with this project. List advertisements (name publication, e.g. VI Daily News, VI Source, and/or website(s):

☐ Distributed employment flyers to the administrative office of the VI Housing Authority.

☐ Provided notice of positions available to the VI Department of Labor for potential applicants. Provide copy of notice.

☐ Contacted employment referrals of Name of Program referrals. List contacts:

☐ Contacted with applicable parties to ensure that any HUD programs currently operating in the project(s) area/assistance will take place.

☐ Kept a log of all applicants and indicated the reasons why Section 3 Residents who applied were not hired.

☐ Retained copies of any employment applications completed by public housing, Section 8 certificate or voucher holders or other Section 3 residents.

☐ Sent a notice about Section 3 training and employment requirements and opportunities to the Department of Labor or to worker representatives with whom our firm has a collective bargaining or other agreement.

3. Verification

☐ I have attached proof of all checked items.

Authorized Name and Signature

Date/Time Field

Attested By:

Text
