

GUIDANCE ON MBE/WBE OUTREACH

I. Minimum Acceptable Outreach Standards

Section 281 of the National Affordable Housing Act requires each contractor to prescribe procedures to establish and oversee a minority outreach program. The program shall include minority and women-owned businesses in all contracting activities entered into by the contractor to facilitate the provision of affordable housing authorized under this Act or any other federal housing law applicable to such jurisdiction. Therefore, minimum HUD standards require that each subrecipient/contractor's outreach effort to minority and women-owned businesses be:

- A good faith, comprehensive and continuing endeavor;
- Supported by a statement of public policy and commitment published in the print media of widest local circulation;
- Supported by an office and/or a key, ranking staff person with oversight responsibilities and access to the chief elected official (or CEO or ED); and
- Designed to utilize all available and appropriate public and private sector local resources. Search Oregon's [Disadvantaged Business Enterprise Database](#) for businesses by trade. Encourage businesses to get certified through the [Certification Office for Business Inclusion and Diversity \(COBID\)](#).

II. Guidelines for a Minority/Women Business Outreach Program

Under the minimum HUD standards cited above, the following guidelines are provided for use by subrecipients and contractors in implementing outreach programs to ensure the inclusion, to the maximum extent possible, of entities owned by minorities and women. Each subrecipient and contractor should:

- Develop a systematic method for identifying and maintaining an inventory of certified minority and women's business enterprises (MBEs and WBEs), their capabilities, services, supplies and/or products;
- Utilize the local media, electronic and print, to market and promote contract and business opportunities for MBEs and WBEs;
- Develop informational and documentary materials (fact sheets, program guides, procurement forecasts, etc.) on contract / subcontract opportunities for MBEs and WBEs;
- Develop procurement procedures that facilitate opportunities for MBEs and WBEs to participate as vendors and suppliers of goods and services;
- Sponsor business opportunity-related meetings, conferences, seminars, etc., with minority and women business organizations; and
- Maintain centralized records with statistical data on the utilization and participation of MBEs and WBEs as contractors / subcontractors in all HUD-assisted program contracting activities. (Annually complete and submit the attached Minority and Women Owned Businesses Reporting Form to cdbq@cityofalbany.net.)

Each contractor, utilizing the standards and guidelines listed above, shall prescribe procedures and actions it will undertake in implementing a minority and women's business enterprise outreach program. The above items represent basic outreach-related activities and are not all-inclusive actions a contractor may undertake.

City of Albany CDBG Programs Minority and Women Owned Business and Section 3 Business Reporting

Report Time Frame: _____ (Please include the dates this report represents).

Project Address 7a.	Business Name 7b.	Role on job: Prime or Sub contractor (Prime or Sub) 7c.	Amount of Contract or Subcontract 7d.	Type of Trade Code (See below) 7e.	Business Owner(s) Racial/Ethnic (See below) 7f.	Woman Owned Business (Yes or No) 7g.	Section 3 (Yes or No) 7h.	Business Identification Number (IRS EIN) 7i.	Contractor/Subcontractor Address 7j.		
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7c. Type of Trade Codes:
 1 = New Construction 3 = Repair 5 = Project Mngmnt
 2 = Substantial Rehab 4 = Service 6 = Professional
 9 = Architectural/Engineering/Appraisal 7 = Tenant Services

7d. Racial / Ethnic Codes:
 1 = White Americans 3 = Native Americans 5 = Asian / Pacific Americans
 2 = Black Americans 4 = Hispanic Americans 6 = Hasidic Jews

PREPARER CERTIFICATION: I hereby certify that, to the best of my knowledge and belief, the contents in this report are true and correct.

Full Name of the Report Preparer: <i>(This serves as an electronic signature.)</i>		Date Signed:	
Preparer's Job Title:		Preparer's Email Address:	
Company/Employer:		Preparer's Phone #:	

City of Albany CDBG Programs

MBE/WBE Report Definitions & Instructions

MBE/WBE REPORT FORM DEFINITIONS

1. A **Minority-owned Business Enterprise (MBE)** is a business that is both owned and controlled by minorities. This means that there must be not less than 51 percent minority ownership of the business (a business in which more than 50 percent of the ownership or control is held by one or more minority individuals, and more than 50 percent of the net profit or loss which accrues is to one or more minority individuals), and that the minority ownership must control the management and daily operations of the business. When 51% or more of the business is not owned and controlled by any single racial/ethnic category, enter the race/ethnicity code which best classifies the majority of employees working for the Contractor or Sub-Contractor.
2. A **Woman-owned Business Enterprise (WBE)** is a business that is both owned and controlled by women. This means that there must be not less than 51 percent women ownership of the business (a business in which more than 50 percent of the ownership or control is held by one or more female individuals, and more than 50 percent of the net profit or loss which accrues is to one or more female individuals), and that the women ownership must control the management and daily operations of the business.
3. A **Section 3 Business** is a business that provides economic opportunities to low-income & very low-income persons. A Section 3 Business must be able to provide documentation to support at least one of the following situations:
 - The business has at least 51 percent ownership by Section 3 residents (a business in which 51 percent or more of the ownership is held by one or more Section 3 residents, and 51 percent or more of the net profit or loss which accrues is to one or more Section 3 residents); **OR**
 - At least 30 percent of the full-time employees of the business include persons that are currently Section 3 residents, or were Section 3 residents within 3 (three) years of their date of first hire by the Section 3 business; **OR**
 - The business provides evidence, as required, of a commitment to sub-contract in excess of 25 percent of the dollar amount awarded of all sub-contracts to business concerns that meet one of the first two qualifications for being a Section 3 Business (as listed above).
4. A **Section 3 resident (or Section 3 person)** is an individual that:
 - Is a public housing resident; **OR**
 - Is a low-income or very low-income person (as defined below):
 - i. A Low-Income level is defined as being 80% (or less than 80%) of the median income of that area.
 - ii. A Very Low-Income level is defined as being 50% (or less than 50%) of the median income of that area.

MBE/WBE REPORT FORM INSTRUCTIONS:

The City of Albany CDBG SUBRECIPIENTS are required to submit MBE/WBE Reports no less than annually on the federal calendar: October 1 through September 30. For each MBE/WBE Report submitted, the following items must be completed:

- Please list the date range for the report (e.g. Jan 1 through Jan 31, 2021, Quarterly Report) to specify the type of report being submitted.
- **PREPARER CERTIFICATION:** Provide the name, job title, company/employer, telephone number, and email address of the person preparing this MBE/WBE report. The preparer must certify that they have prepared this report by signing and dating the report prior to submitting it to DEHCR.
- **MBE/WBE CONTRACTOR & SUB-CONTRACTOR INFORMATION (Table on Page 2):** Begin by individually listing the **Business Name** (1a.) of each **Contractor and Sub-Contractor** awarded contracts (funded with program dollars) for the project during the reporting timeframe listed.

For each business (i.e. contract recipient) provide the following information in the table:

Column 7a: The address of the housing rehabilitation project.

Column 7b: The business name.

Column 7c: Indicate whether the business is the **Prime** contractor or **Sub-Contractor**.

Column 7d: Provide the contracted dollar amount for the business' services and materials. DO NOT DOUBLE-COUNT overlapping contract amounts. Funds awarded by a Contractor for sub-contracted work should be recorded with the Sub-

Column 7e: Provide the Trade Code for the type of work the business was hired to perform. (Refer to the list of Trade Codes provided at the bottom of the Table.)

Column 17f: Indicate whether each business is a **Minority-owned Business Enterprise (MBE)** by listing the **Race/Ethnicity Code** designation for each business. (Refer to the definition of an MBE above. A list of race/ethnicity codes is provided at the bottom of the table.)

PLEASE NOTE: If 51% or more of the business is not owned and controlled by any single racial/ethnic category, input the race/ethnicity code which best classifies the majority of minority employees working for the individual business.

Column 7g: Indicate whether each business is classified as a **Woman-owned Business Enterprise (WBE)**. (Refer to the definition of a WBE above.)

Column 7h: Indicate whether each business is classified as a **Section 3 Business**. (Refer to the definition of a Section 3 Business above.)

Column 7i: Provide the **FEIN # for the business**.

Column 7j: Provide the Street Address, City, State, & ZIP Code for the business.

- Retain the completed **MBE/WBE Report** form in your project file and submit a copy of the completed report (email is preferred) to Beth Freeland, cdbg@cityofalbany.net



City of Albany
Community Development Block Grant Programs (CDBG)
Minority or Women's Business Enterprise (MBE/WBE) and Section 3 Information Form

All vendors involved in CDBG-funded construction related projects (general contractors, subcontractors and those providing professional services), must complete this form per 2 CFR 200.321.

Business name: _____

Business full address: _____

Business email (if applicable): _____ Business Phone # _____

Taxpayer's EIN: _____

Project Address: _____ Amount of Contract: \$ _____

Scope of Work: _____

Select the category that best applies to the business for this project: _____

(A) Professional Services (B) General Contractor (C) Sub-Contractor

(D) Other (please describe) _____

Business Description: _____

Check all that apply: Minority-owned Women-owned Neither

A minority or women-owned business is one that is 51% or more owned, operated and controlled on a daily basis by a minority or a female. See more information on reverse side.

Racial/Ethnic Code Number from list below: _____

1 – White Americans

4 – Hispanic Americans

7 – Alaskan Native

2 – Black Americans

5 – Asian Pacific Americans

3 – Native Americans

6 – Hasidic Jews

Is the business a Section 3 Business (see reverse for info): Yes ____ No ____

Business Owner's Name: _____ Email: _____

Owner's Full Address: _____

Form Completed by (Print Name): _____

Title: _____

Signature: _____ Date: _____

Send completed form(s) to: anne.catlin@cityofalbany.net OR Anne Catlin, City of Albany, P.O. Box 490; Albany, OR 97321

INSTRUCTIONS

The City of Albany is required to submit a report the Department of Housing and Urban Development on an annual basis for the period October 1 – to September 30th reporting on any construction related contracts funded with Community Development Block grant funds .

The contracts reported are for the report period only and are not cumulative. Dollar amounts should be reported as total funds, including non-CDBG funds.

What is a Minority owned Business (MBE) or Women-owned Business (WBE) Enterprise?

A Minority-owned Business Enterprise (MBE) or a Women-owned Business Enterprise (WBE) is a business that is both owned and controlled by minorities for MBE or women for WBE. This means that there must be not less than 51 percent minority or women ownership of the business (a business in which more than 50 percent of the ownership or control is held by one or more minority or women individuals, and more than 50 percent of the net profit or loss which accrues is to one or more minority or women individuals), and that the minority or women ownership must control the management and daily operations of the business. When 51% or more of the business is not owned and controlled by any single racial/ethnic category, enter the race/ethnicity code which best classifies the majority of employees working for the Contractor or Sub-Contractor.

What Is a Section 3 business?

A Section 3 business is:



- 51% or more owned and controlled by low or very-low income persons

OR



- Over 75% of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers

OR



- 51% or more owned and controlled by current residents of public housing or Section 8-assisted housing



What is a 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:



- A low or very low-income worker

OR



- Employed by a Section 3 business concern

OR



- A Youthbuild participant



Low Income or very low-income workers are those whose household income is at or below 80% of the area median income by county.