

EXHIBIT A. 1 - Hiring Affirmation Statement Form

Hiring Affirmation Statement Form

Name of General Contractor: _____

Title of IFB: _____

IFB #: _____

THIS DOCUMENT IS REQUIRED FOR ALL CONSTRUCTION AND NONCONSTRUCTION BID SUBMISSIONS

The Contractor hereby agrees to comply with all the provisions of Section 3 as set forth in 24 CFR 135.38 implementing Section 3 requirements. The contractor hereby submits this Affirmation Statement as evidence of its good faith commitment to comply with all provisions of HUD Section 3 as implemented by the Virgin Island Housing Authority ("VIHA").

The Contractor hereby agrees to complete and execute a Section 3 Utilization Plan, acceptable to the Virgin Islands Housing Authority & MDG-RNY VI Developers LLC ("MDG"), upon contract award. The Contractor understands and further agrees that the issuance of a Notice to Proceed in connection with the work subject to the awarded contract shall be contingent upon execution of Contractor's Section 3 Utilization Plan.

If the contractor has the need to hire new persons to complete the contract or needs to subcontract portions of the work to another business, they are required to direct their newly created employment and/or subcontracting opportunities to Section 3 residents and Section 3 business concerns. The same numerical goals apply to contractors and subcontractors (i.e., 25 percent of all labor hours to be performed by a Section 3 worker and 5 percent of all labor hours to be performed by Targeted Section 3 workers). In addition, the contractor/subcontractor must notify VIHA & MDG in writing about their efforts to comply with Section 3 and submit any required documentation.

Furthermore, the General Contractor shall apply for, federal or private funds to support apprenticeship and workforce development programs. The General Contractor will be expected to hire a minimum of 5 Youthbuild workers or apprenticeship participants for construction training jobs, to the extent feasible. The list of proposed Subcontractors, including the MBE, WBE and Section 3 Subcontractors, shall be submitted to VIHA and MDG for approval prior to the Construction Finance Closing. The General Contractor will be required to provide documentation of efforts relating to such requirements. The General Contractor also agrees to, at a minimum, at least two job fairs and two small business workshops with Developer, attendance at additional resident meetings at the Project to discuss hiring and job opportunities with the Project residents and public advertisement for sub-contracting opportunities on at least one occasion.

The Contractor shall provide a status report identifying its progress in meeting the Section 3 goals established in the Utilization Plan on a monthly basis throughout the contract period. The monthly status report shall be submitted at the time payment is being requested. For any goal not met, the report shall identify any other economic opportunities, which the contractor has provided, or intend to provide in order to meet the Section 3 goals.

The General Contractor shall comply with all applicable wage rate requirements and shall pay to all laborers and mechanics employed to perform the project work a wage that is not less than the wages prevailing in the locality of the Project, as pre-determined by the U.S. Secretary of Labor pursuant to the Davis-Bacon Act. This Project demands full compliance with federal Davis Bacon prevailing wage obligations.

The contractor further certifies to comply with the Section 3 regulations. The Contractor's Section 3 Plan Officer agrees to meet with VIHA residents and staff and provide documentation and reports required by VIHA to confirm compliance with Section 3 requirements. Failure to comply may be deemed a material breach of this contract and may result in sanctions, termination of this contract and/or unsatisfactory performance evaluation, cautions reported, and affect award of future contracts.

Acknowledged by:

Sworn & Subscribed Before Me

This _____ day of _____, _____
Day Month Year

(President or Authorized Officer)

Signature of Notary Public

Date: _____

Date Commission Expires _____