

# REQUEST FOR PROPOSALS

## ACCOUNTING SERVICES

TERM: 7/1/2023 THROUGH 6/30/2024

DUE: Wednesday, June 7, 2023 by 10:30AM

HOUSING AUTHORITY OF THE TOWNSHIP OF BRICK

165 CHAMBERS BRIDGE ROAD

BRICK, NEW JERSEY 08723

## REQUEST FOR PROPOSALS

The Housing Authority of the Township of Brick, New Jersey will accept proposals for accounting services for the fiscal year 7/1/2023 to 6/30/2024. It is the Housing Authority's desire to retain and employ a duly qualified Accountant to act as advisory for the Authority in all matters connected to the establishment and ongoing functions of the accounting books and records. All services must be in accordance with the existing rules, orders, directives and regulations promulgated by the United States Department of Housing and Urban Development (including the HUD Accounting handbook, the Financial Management Handbook and the Annual Contributions Contract) and the New Jersey Local Authorities Fiscal Control Act.

The services that are requested will be as follows and will relate to all of the Housing Authority's programs (including, but not limited to, Project Based Vouchers, Housing Choice Vouchers, Community Development Program and other grants and programs as administered by the Authority):

- 1) Maintenance and establishment of the accounting books and records, including monthly posting to the general ledger. The books must be maintained in accordance with the principles and standards and the classification and description of accounts as prescribed by HUD and the State of New Jersey.
- 2) Preparation of budgets, financial statements and forms as required by law and the policies of the United States Department of Housing and Urban Development and the State of New Jersey.
- 3) Preparation of all state and federal forms for requisitions and financial reports.
- 4) Preparation of all state and federal payroll forms and reports not currently prepared by the payroll service, including pension reports.
- 5) Attendance at meetings with HUD staff, HUD Auditors, Independent Auditors and Commissioners as requested by the Board of Commissioners and/or Executive Director.
- 6) A quarterly statement must be prepared showing the amounts budgeted and the actual amounts expended for the fiscal year to date shall be provided at the end of each calendar quarter (at a minimum). An individual statement should be prepared for each of the Housing Authority's programs.

- 7) Preparation of a monthly reconciliation of bank accounts shall be prepared promptly upon receipts of the bank statements.
- 8) Preparation of a reconciliation of balances of tenants accounts whenever the summary of transactions with tenants (as furnished by the Authority) does not agree with the accountant's control records.
- 9) Preparation of all worksheets, budgets, forms and other items essential in complying with the New Jersey Local Authorities Fiscal Control Act. All work papers necessary to complete the annual audit and financial statements, on a GAAP basis, shall be prepared by the accountant.
- 10) Preparation and filing of all HUD required electronic financial filings via the internet.
- 11) Review year-end tax filings including W-2's and 1099's.
- 12) Advise and train Housing Authority staff on HUD regulatory changes affecting financial operations.
- 13) Analyze Section 8 Project reserves to help determine available units leased for the program.
- 14) Submit annual unaudited and audited financial statements to the Real Estate Assessment Center "REAC"
- 15) Review Section 8 Files and prepare/submit Section 8 Management Assessment (SEMAP)
- 16) Advise in the implementation of Project Based Accounting and Budgeting to insure the Authority is in compliance with HUD regulations.
- 17) Answer any questions related to tenant income and verifications.
- 18) Prepare quarterly NJPERS report.
- 19) Prepare quarterly Section 8 Voucher Management System "VMS" Report.
- 20) Prepare year end work papers documenting financial statements submitted to REAC.
- 21) Review and monitor incoming portable vouchers billed and due on a monthly
- 22) Prepare a monthly budget to actual statement for the Board of Commissioners.

- 23) Be present for annual IPA Audit and answer any questions from the Auditor relating to the financial operations of the Authority.
- 24) Prepare annual Form 990 for the Not for Profit, if required.

QUALIFICATIONS:

- 1) Must be a Certified Public Accountant (C.P.A.), licensed by the State of New Jersey or a licensed Public Accountant.
- 2) Must have previous experience and an understanding of HUD funded programs.
- 3) Must be approvable by the United States Department of Housing and Urban Development.

PROPOSAL SUBMISSION:

All persons interested in submitting a proposal for accounting services should submit a proposal based upon a lump-sum fee (Payment schedule to be established by the Authority). Proposals should be delivered to the Administrative Office of the Housing Authority of the Township of Brick, 165 Chambers Bridge Road, Brick, New Jersey 08723 on or before Wednesday, June 7, 2023 at 10:30AM. Proposals will be evaluated according to the Housing Authority's "Competitive Evaluation System". A copy of the evaluation system has been attached to the RFP for review by those persons interested in submitting a proposal. All persons submitting a proposal are encouraged to contact the Housing in an effort to personally review the financial operations of the Authority. This solicitation is being made as "Fair and Open" in accordance with N.J.S.A. 40A:19A-20.4 et seq.

Jacob C. Naszimento  
Executive Director

Date: 5/01/23

COMPETITIVE PROPOSAL EVALUATION SYSTEM

Prepared by: \_\_\_\_\_

Type of Service: Accounting Services

Name/Address of Respondent: \_\_\_\_\_

- 1.) Demonstrated experience and competence in this type of work (20 Points).
- 2.) Familiarity with the Brick Housing Authority's Programs in specific and HUD rules and regulations in general (30 Points).
- 3.) Capability and capacity to accomplish work within the required time period (30 Points).
- 4.) Specialized experience of key personnel in Housing Authority Programs (20 Points).
- 5.) Firm's Equal Opportunity Policy. Each bidder must ensure that all employees and applicants for employment are not discriminated against because of race, color, religion, sex or national origin (10 Points).
- 6.) Price (10 Points)

Total Point Score:

Narrative Review of Proposal:

\_\_\_\_\_

Legal Advertisement  
REQUEST FOR PROPOSALS

The Housing Authority of the Township of Brick, New Jersey will accept proposals for the following services:

"Accounting Services"

It is the Housing Authority's desire to retain a duly qualified, competent and capable accountant. All services must be in accordance with the existing laws, rules, orders, directives and regulations governing these services.

The Request for Proposals (RFP) may be obtained by visiting our website [www.brickha.org](http://www.brickha.org) or in person at the Housing Authority Administrative Office, 165 Chambers Bridge Road, Brick, New Jersey 08723 or by emailing [nnicholson@brickha.org](mailto:nnicholson@brickha.org). The RFP specifies the scope of the services and the requirements for submitting proposals.

All proposals must be submitted to the office of the Housing Authority of the Township of Brick, 165 Chambers Bridge Road, Brick, New Jersey 08723 on or before Wednesday, June 7, 2023 by 10:30AM.

The Housing Authority reserves the right to reject any and all proposals received for these services. It also reserves the right to terminate the contract, for convenience, at any time during the term of the contract. This solicitation is being made as "Fair and Open" in accordance with N.J.S.A. 40A:19A-20.4 et seq.

Jacob C. Naszimento  
Executive Director

Date: 5/01/2023

Please list three (3) references of recent customers who can verify the quality of service your company provides.

THIS FORM MUST BE RETURNED WITH YOUR PROPOSAL.

**REFERENCE ONE**

Government/Customer

\_\_\_\_\_

Address:

\_\_\_\_\_

Contact Person and Title:

\_\_\_\_\_

Phone:

Fax:

\_\_\_\_\_

Contract Period:

Amount of Contract

Scope of Work:

\_\_\_\_\_

\_\_\_\_\_

**REFERENCE TWO**

Government/Customer

\_\_\_\_\_

Address:

\_\_\_\_\_

Contact Person and Title:

\_\_\_\_\_

Phone:

Fax:

Contract

\_\_\_\_\_

Contract Period:

Amount of Contract

\_\_\_\_\_

Period:

Scope of Work:

\_\_\_\_\_

\_\_\_\_\_

**REFERENCE THREE**

Government/Customer

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Address:

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Contact Person and Title:

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Contract Period: \_\_\_\_\_ Amount of COntRaCt \_\_\_\_\_

Scope of Work: \_\_\_\_\_

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## Registering A Business with the New Jersey Department of the Treasury

Business organizations or individuals doing business in New Jersey are required to register with the Department of the Treasury, Division of Revenue. Registration is free and is a one-time action — there are no fees to register. However, you should update your contact and tax eligibility information as needed. Registration is required to conduct most business with any state, county, municipal, local board of education, charter school, county college, authority, or state college or university. The contracting agency may be required to have a copy of the "proofofregistration certificate" submitted as part of a public bid or prior to issuing a purchase order.

To register: Businesses must complete Form NJ-REG and submit it to the Division of Revenue. The form can be filed online or by mailing a paper form to the Division. Online filing is strongly encouraged.

> Register online at [www.nj.gov/treasury/revenue/taxreg.htm](http://www.nj.gov/treasury/revenue/taxreg.htm). Click the "online" link and then select "Register for Tax and Employer Purposes."

➤ Download the paper form and instructions at [www.nj.gov/treasury/revgm.te.h•exn.'nf,.htm](http://www.nj.gov/treasury/revgm.te.h•exn.'nf,.htm).

> Call the Division at 609-292-1730 to have a form mailed to you.

> Write to the Division at: Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.

Note: If you operate a corporation, limited partnership, limited liability company or limited liability partnership, before registering, you must obtain legal authority to operate in the State of New Jersey. Generally, this is accomplished by filing an original business certificate with the Division of Revenue, such as a Certificate of Incorporation or Formation. For more information on this subject, visit [www.nj.gov/treasury/revenue/filccerts.htm](http://www.nj.gov/treasury/revenue/filccerts.htm) or call 609-292-9292.

Registering as an individual: There is a simplified registration process for individuals doing business with any New Jersey government agency. The form (NJ-REG-A) may be on the back of this form. If not, it can be downloaded from the web. To obtain a copy by mail, call 609-292-1730, or to the Division at the Client Registration Bureau, PO Box 252, Trenton, NJ 08646-0252.



Questions about the registration process? Call 609-292-1730 or submit by e-mail at [www.nj.gov/treasury/revenue/revcontact.html](http://www.nj.gov/treasury/revenue/revcontact.html).

How do I receive the proof of registration certificate?

- New regisfrants. When completing Form NJ-REG, make sure you answer "Yes" to the contractor/sub-contractor question (Online - Item 17; Paper Form - Item 18). The Division of Revenue will mail the certificate to the mailing address you supply on your registration form.
- Previously Registered Business. Call 609-292-1730 and select option 3. The Division of Revenue's service agents will take your order and mail you a certificate. Please allow 7 to 10 working days to receive your certificate. Alternately, you may visit the Division's Client Registration Bureau in person and request a certificate. The address is 847 Roebling Avenue, Trenton, NJ 08611. Service desk hours are 8:30am to 4pm, weekdays, excluding holidays.

What information does the proof of registration contain? The certificate displays the following information: Business Name, Trade Name (If Applicable), Tax Payer ID (Usually the Employer Identification Number), Business Address, Contractor Certification Number (State Issued), Certification Issuance Date, Effective Date (Business Start Date Entered on Form NJ-REG).

STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE  
FOR STATE AGENCY AND CASINO SERVICE CONTRACTOR

DEPARTMENT OF TREASURY  
DIVISION OF REVENUE  
PO BOX 282  
TRENTON NJ 08646

TAXPAYER NAME: TAX REGISTRATION TEST ACCOUNT  
TAXPAYER IDENTIFICATION #: 970-097-382/000  
ADDRESS: 847 ROEBLING AV  
TRENTON NJ 08611  
EFFECTIVE DATE: 01/01/00  
CORPORATION

TRADE NAME: CLIENT REGISTRATION  
SEQUENCE NUMBER: 01075  
ISSUANCE DATE: 07/14/04

*John S. Tully*

THIS CERTIFICATE IS NOT VALID UNLESS IT IS ACCOMPANIED BY THE ORIGINAL REGISTRATION APPLICATION DISPLAYED AT ABOVE ADDRESS



STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: TAX REGISTRATION ACCOUNT

Trade Name:

847 ROEBLENG  
TRENTON, NJ 08611

Certificate Number: 1093907

Issue Date: October 14, 2004

For Office Use:

2a04t014t1282Z533



Certification Regarding  
Debarment, Suspension, and Other Responsibility Matters  
Primary Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 13 CFR Part 145. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211). Copies of the regulations are available from local offices of the U.S. Small Business Administration.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(<sup>1</sup>) The prospective primary participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective primary participant shall attach an explanation to this proposal.

Business Name \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_

Name and Title of Authorized Representative

\_\_\_\_\_  
Signature of Authorized Representative

## INSTRUCTIONS FOR CERTIFICATION

I. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is submitted for assistance in obtaining a copy of those regulations (13 CFR Part 145).

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the ineligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

MUST BE RETURNED SIGNED WITH BID

NON-COLLUSIVE AFFIDAVIT

State of \_\_\_\_\_ ) SS.

County of \_\_\_\_\_ )

\_\_\_\_\_ being first duly sworn, deposes  
and says:

That his is \_\_\_\_\_ the party making the  
foregoing

(a pa-ruler or officer of the firm of, etc.) proposal or bid, that such  
proposal or bid is genuine and not collusive or sham; that said bidder has not colluded,  
conspired, connived or agreed, directly or indirectly, any bidder or person to put in a sham  
bid or to refrain from bidding, and has not, in any manner, directly or indirectly, sought by  
agreement or collusion, or communication or conference, with any person, to fix the bid  
prices of affiant or of any other bidder, or to fix any overhead, profit or cost element of said  
bid price, or of that or any other bidder, or

to \_\_\_\_\_ secure any advantage against the Housing Authority of the  
\_\_\_\_\_ or any person interested in the proposed contract; and that  
all statements in said proposal or bid are true.

\_\_\_\_\_  
\_\_\_\_\_  
By \_\_\_\_\_  
\_\_\_\_\_  
(Title)

Subscribed and sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ .  
\_\_\_\_\_

MUST BE RETURNED SIGNED WITH BID

My com-mission expires \_\_\_\_\_, 20 .

STOCKHOLDER DISCLOSURE

Chapter 33 of the Public Laws of 1977 provides that no corporation or partnership shall be awarded a contract unless prior to the receipt of the bid or accompanying the bid of the said corporation or partnership there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or of all the individual partners in the partnership who own 10% or greater interest in the said corporation or partnership.

Name of Bidder:

\_\_\_\_\_

Address:

\_\_\_\_\_

Project Name:

\_\_\_\_\_

Work Being Bid:

\_\_\_\_\_

Check One:

\_\_\_\_\_ Corporation

\_\_\_\_\_ Partnership

\_\_\_\_\_ Proprietorship

List all persons having an interest of 10% or more in the Bidder Company:

<u>NAME</u>	<u>ADDRESS</u>	<u>% OF OWNERSHIP</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

MUST BE RETURNED SIGNED WITH BID

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STOCKHOLDER DISCLOSURE OF OWNERSHIP

IF A CORPORATION:

Name of Contractor:

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Signature of Bidder:

---

Printed Name & Title:

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Business Address:

---

Business Telephone No.:

---

Tax Identification No.: \_\_\_\_\_

Incorporated under the laws of the State of \_\_\_\_\_

Names and Officers:

President: \_\_\_\_\_

Secretary: Treasurer: \_\_\_\_\_

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Dated: \_\_\_\_\_

(Affix Corporate Seal Here)

IF A PARTNERSHIP, INDIVIDUAL, OR NON-CORPORATED ORGANIZATION:

Name of Contractor:

MUST BE RETURNED SIGNED WITH BID

Signature of Bidder:

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Printed Name & Title: .

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Business Address:

---

Business Telephone No.:

---

Tax Identification No.:

---

Names and Addresses of Company Members:\_\_\_\_\_

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# Representations, Certifications, and Other Statements of Bidders Public and Indian Housing Programs

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1 . Certificate of Independent Price Determination	

(a) The bidder certifies that—

(1)The prices in this bid have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other bidder or competitor relating to (i) those prices, (ii) the intention to submit a bid, or (iii) the methods or factors used to calculate the prices offered;

(2)The prices in this bid have not been and will not be knowingly disclosed by the bidder, directly or indirectly, to any other bidder or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a competitive proposal solicitation) unless otherwise required by law; and

(3)No attempt has been made or will be made by the bidder to induce any other concern to submit or not to submit a bid for the purpose of restricting competition.

(b) Each signature on the bid is considered to be a certification by the signatory that the signatory—

(1)Is the person in the bidder's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs through (a)(3) above; or

(2)(i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs through (a)(3) above.

[insert full name of person(s) in the bidder's organization responsible for determining the prices offered in this bid or

proposal. and the title of his or her position in the bidder's organization];

(ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(i) above have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and

(iii) As an agent, has not personally participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above.

(c) If the bidder deletes or modifies subparagraph (a)2 above, the bidder must furnish with its bid a signed statement setting forth in detail the circumstances of the disclosure.

[ ] [Contracting Officer check if following paragraph is applicable]

(d) Non-collusive affidavit. (applicable to contracts for construction and equipment exceeding \$50,000)

(1)Each bidder shall execute, in the form provided by the PHA/ IHA, an affidavit to the effect that he/she has not colluded with any other person, firm or corporation in regard to any bid submitted in response to this solicitation. If the successful bidder did not submit the affidavit with his/her bid, he/she must submit it within three (3) working days of bid opening. Failure to submit the affidavit by that date may render the bid nonresponsive. No contract award will be made without a properly executed affidavit.

(2)A fully executed "Non-collusive Affidavit" [ ] is, [ ] is not included with the bid.

## 2. Contingent Fee Representation and Agreement (a) Definitions. As used in this provision:

"Bona fide employee" means a person, employed by a bidder and subject to the bidder's supervision and control as to time, place, and manner of performance, who neither exerts, nor proposes to exert improper influence to solicit or obtain contracts nor holds out as being able to obtain any contract(s) through improper influence.

"Improper influence" means any influence that induces or tends to induce a PHA/IHA employee or officer to give consideration or to act regarding a PHA/IHA contract on any basis other than the merits of the matter.

(b) The bidder represents and certifies as part of its bid that, except for full-time bona fide employees working solely for the bidder, the bidder:

(1) [ ] has, [ ] has not employed or retained any person or company to solicit or obtain this contract; and

(2) [ ] has, [ ] has not paid or agreed to pay to any person or company employed or retained to solicit or obtain this contract any commission, percentage, brokerage, or other fee contingent upon or resulting from the award of this contract.

(c) If the answer to either (a)(1) or (a)(2) above is affirmative, the bidder shall make an immediate and full written disclosure to the PHA/IHA Contracting Officer.

(d) Any misrepresentation by the bidder shall give the PHA/IHA the right to (1) terminate the contract; (2) at its discretion, deduct from contract payments the amount of any commission, percentage, brokerage, or other contingent fee; or (3) take other remedy pursuant to the contract-

### 3. Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (applicable to contracts exceeding \$100,000)

(a) The definitions and prohibitions contained in Section 1352 of title 31, United States Code, are hereby incorporated by reference in paragraph (b) of this certification.

(b) The bidder, by signing its bid, hereby certifies to the best of his or her knowledge and belief as of December 23, 1989 that:

(1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with the awarding of a contract resulting from this solicitation;

(2) If any funds other than Federal appropriated funds (including profit or fee received under a covered Federal transaction) have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with this solicitation, the bidder shall complete and submit, with its bid, OMB standard form LLL, "Disclosure of Lobbying Activities;" and

(3) He or she will include the language of this certification in all subcontracts at any tier and require that all recipients of subcontract awards in excess of \$100,000 shall certify and disclose accordingly.

(c) Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by section 1352, title 31, United States Code. Any person who makes an expenditure prohibited under this provision or who fails to file or amend the disclosure form to be filed or amended by this provision, shall be subject to a civil penalty of not less than \$10,000, and not more than \$100,000, for each such failure.

(d) Indian tribes (except those chartered by States) and Indian organizations as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450B) are exempt from the requirements of this provision.

### 4. Organizational Conflicts of Interest Certification

The bidder certifies that to the best of its knowledge and belief and except as otherwise disclosed, he or she does not have any organizational conflict of interest which is defined as a situation in which the nature of work to be performed under this proposed contract and the bidder's organizational, financial, contractual, or other interests may, without some restriction on future activities:

(a) Result in an unfair competitive advantage to the bidder; or,

(b) Impair the bidder's objectivity in performing the contract work.

[ ] In the absence of any actual or apparent conflict, I hereby certify that to the best of my knowledge and belief, no actual or apparent conflict of interest exists with regard to my possible performance of this procurement.

### 5. Bidder's Certification of Eligibility

(a) By the submission of this bid, the bidder certifies that to the best of its knowledge and belief, neither it, nor any person or firm which has an interest in the bidder's firm, nor any of the bidder's subcontractors, is ineligible to:

(1) Be awarded contracts by any agency of the United States Government, HUD, or the State in which this contract is to be performed; or,

(2) Participate in HUD programs pursuant to 24 CFR Part 24.

(b) The certification in paragraph (a) above is a material representation of fact upon which reliance was placed when making award. If it is later determined that the bidder knowingly rendered an erroneous certification, the contract may be terminated for default, and the bidder may be debarred or suspended from participation in HUD programs and other Federal contract programs.

### 6. Minimum Bid Acceptance Period

(a) "Acceptance period," as used in this provision, means the number of calendar days available to the PHA/IHA for awarding a contract from the date specified in this solicitation for receipt of bids. (b) This provision supersedes any language pertaining to the acceptance period that may appear elsewhere in this solicitation. (c) The PHA/IHA requires a minimum acceptance period of [Contracting Officer insert time period] calendar days.

(d) In the space provided immediately below, bidders may specify a longer acceptance period than the PHA's/IHA's minimum requirement. The bidder allows the following acceptance period: calendar days.

(e) A bid allowing less than the PHA's/IHA's minimum acceptance period will be rejected.

(f) The bidder agrees to execute all that it has undertaken to do, in compliance with its bid, if that bid is accepted in writing within (1) the acceptance period stated in paragraph (c) above or (2) any longer acceptance period stated in paragraph (d) above.

### 7. Small, Minority, Women-Owned Business Concern Representation

The bidder represents and certifies as part of its bid/ offer that it

(a) [ ] is, [ ] is not a small business concern. "Small business concern," as used in this provision, means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding, and qualified as a small business under the criteria and size standards in 13 CFR 121.

(b) [ ] is, [ ] is not a women-owned business enterprise. "Women-owned business enterprise," as used in this provision, means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

(c) [ ] is, [ ] is not a minority business enterprise. "Minority business enterprise," as used in this provision, means a business which is at least 51 percent owned or controlled by one or more minority group members or, in the case of a publicly owned business,

at least 51 percent of its voting stock is owned by one or more minority group members and whose management and daily operations are controlled by one or more such individuals. For the purpose of this definition, minority group members are: (Check the block applicable to you)

- Black Americans
- Hispanic Americans
- Native Americans
- Asian Pacific Americans
- Asian Indian Americans
- Hasidic Jewish Americans

8. Indian-Owned Economic Enterprise and Indian Organization Representation (applicable only if this solicitation is for a contract to be performed on a project for an Indian Housing Authority)

The bidder represents and certifies that it:

a)  is,  is not an Indian-owned economic enterprise. "Economic enterprise," as used in this provision, means any commercial, industrial, or business activity established or organized for the purpose of profit, which is at least 51 percent Indian owned. "Indian," as used in this provision, means any person who is a member of any tribe, band, group, pueblo, or community which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs and any "Native" as defined in the Alaska Native Claims Settlement Act.

(b)  is,  is not an Indian organization. "Indian organization," as used in this provision, means the governing body of any Indian tribe or entity established or recognized by such governing body.

recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin because of habit, local custom, or otherwise.

(c) By the submission of this bid, the bidder certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The bidder agrees that a breach of this certification is a violation of the Equal Employment Opportunity clause in the contract.

(d) The bidder further agrees that (except where it has obtained identical certifications from proposed subcontractors for specific time periods) prior to entering into subcontracts which exceed \$10,000 and are not exempt from the requirements of the Equal Employment Opportunity clause, it will:

- (1) Obtain identical certifications from the proposed subcontractors;
- (2) Retain the certifications in its files; and
- (3) Forward the following notice to the

proposed subcontractors (except if the proposed subcontractors have submitted identical certifications for specific time periods):

2

Indian "tribe" means any Indian tribe, band, group, pueblo, or community including Native villages and Native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native Claims Settlement Act, which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs.

9. Certification of Eligibility Under the Davis-Bacon Act (applicable to construction contracts exceeding \$2,000) (a) By the submission of this bid, the bidder certifies that neither it nor any person or firm who has an interest in the bidder's firm is a person or firm ineligible to be awarded contracts by the United States Government by virtue of section 3(a) of the Davis-Bacon Act or 29

CFR5.12(a)

(b) No part of the contract resulting from this solicitation shall be subcontracted to any person or firm ineligible to be awarded contracts by the United States Government by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR5.12(a)

(c) The penalty for making false statements is prescribed in the U. S. Criminal code, 18 U.S.C. 1001.

10. Certification of Nonsegregated Facilities (applicable to contracts exceeding \$10,000)

(a) The bidder's attention is called to the clause entitled Equal Employment Opportunity of the General Conditions of the Contract for Construction.

(b) "Segregated facilities," as used in this provision, means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains,

### Notice to Prospective Subcontractors of Requirement for Certifications of Nonsegregated Facilities

A Certification of Nonsegregated Facilities must be submitted before the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Employment Opportunity clause of the prime contract. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

Note: The penalty for making false statements in bids is prescribed in 18 U.S.C. 1001.

11. Clean Air and Water Certification (applicable to contracts exceeding \$100,000)

The bidder certifies that:

(a) Any facility to be used in the performance of this contract  is,  is not listed on the Environmental Protection Agency List of Violating Facilities:

(b) The bidder will immediately notify the PHA/IHA Contracting Officer, before award, of the receipt of any communication from the Administrator, or a designee, of the Environmental Protection Agency, indicating that any facility that the bidder proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities; and,

(c) The bidder will include a certification substantially the same as this certification, including this paragraph (c), in every nonexempt subcontract.

12. Previous Participation Certificate (applicable to construction and equipment contracts exceeding \$50,000)

(a) The bidder shall complete and submit with his/her bid the Form HUD-2530, "Previous Participation Certificate." If the successful bidder does not submit the certificate with his/her bid, he/she must submit it within three (3) working days of bid opening. Failure to submit the certificate by that date may render the bid nonresponsive. No contract award will be made without a properly executed certificate.

(b) A fully executed "Previous Participation Certificate" is, [ ] is not included with the bid.

13. Bidders Signature

The bidder hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

\_\_\_\_\_  
(Signature and Date)

\_\_\_\_\_  
(Typed or Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Company Address)