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 (a)(1) 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 (a)(1) 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 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.
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 [ ] Asian Pacific Americans
[ ] Hispanic Americans [ ] Asian Indian Americans
[ ] Native 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. 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 CFR 5.12(a)(1).
   (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 CFR 5.12(a)(1).
   (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, 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):

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. Bidder’s 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)

   (EIN)

   (Company Name)

   (Company Address)
DOCUMENT 00 0410
BID FORM

A. Proposal of ________________________________ (hereinafter called "Bidder"), organized and existing under the laws of the State of __________________, doing business as ______________________, * to the Portland Housing Authority (hereinafter called "Owner" or "LHA"). * Insert "a corporation", "a partnership", or an "individual" as applicable.

B. In compliance with the Bid Solicitation, BIDDER hereby proposes to perform and complete all WORK for the Entry Renovations - Decks of Bayside East Units in Portland, ME for the Portland Housing Authority in strict accordance with the BIDDING AND CONTRACT DOCUMENTS within the time set forth therein for the following price:

<table>
<thead>
<tr>
<th>BASE BID: Includes the replacement/repair of wood decks, concrete foundations and stairs and painting at four housing units. Work also consist of adding additional bituminous walk ways Bids must include all materials, labor, and disposal fees as part of this scope of work.</th>
<th>$ ____________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Selected colors are:</td>
<td></td>
</tr>
<tr>
<td>1. Exposed Wood – Exterior Latex (Endura)</td>
<td>TBD</td>
</tr>
<tr>
<td>2. Metal Components – Rust Inhibiting Paint</td>
<td>TBD</td>
</tr>
</tbody>
</table>

C. By submission of this BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to its own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID any other BIDDER or with any competitor.

D. BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within: ___________ Calendar Days

E. The undersigned agrees, if this proposal is accepted to sign a contract and deliver it, along with the affidavits for all insurance specified within twelve (12) calendar days after the date of notification of such acceptance,
except if the 12th day falls on a Saturday or Sunday, then the conditions will be fulfilled if the required documents are received before 12 o'clock noon on the day following the holiday, or the Monday following the Saturday or Sunday, and as a guarantee thereof, herewith submits a bid bond as required.

F. We, the undersigned, confirm the receipt and consideration of the following addenda prior to the submittal of our proposal. We have included the work called for in these addenda in our proposed price.

Addendum No.____ Dated _______ Addendum No.____ Dated _______

G. CONTRACT AWARD: The contract award will be made as one individual contract, the award will be made on either the Base Bid or an amount made up with the selection of the Deduct Alternate price, and may be adjusted for material cost increases, as detailed in Section I of this bid form. The Owner reserves the right to reject any or all bids, to waive any informality in the invitation for bids or to terminate the Bid Solicitation at any time, if deemed by the LHA to be in its best interest.

H. DISPOSAL METHODS: This bid includes all costs associated with disposal of all debris and trash and all other wastes generated by this project. Such items shall be recycled or disposed of in legally approved disposal sites in accordance with the construction waste management plan.

I. IMPORTANT NOTE - REGARDING ATTACHMENTS TO THIS BID FORM: The bidders are directed to HUD 5369 "Instructions to Bidders for Contracts, Public and Indian Housing Programs" for complete description of preparation and submission information, as well as preparation of Bid Form. The following documents (only one copy of each is needed) shall be required to be attached to all Bid Forms.

NOTE - Failure to do so may be grounds for rejection of the bid, however the Authority can waive any minor informalities in the bid submission and reserves the right through HUD's and their procurement policy to require any forms any forms that may not be part of the bid submitted to be submitted at a later time and date.

SUBMISSION REQUIREMENTS

<table>
<thead>
<tr>
<th>Document 00 0350</th>
<th>Complete form HUD-5369A &quot;Representations, Certifications, and Other Statements of Bidders, Public and Indian Housing Programs.&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Document 00 0410</td>
<td>Bid Form acknowledging receipt of Addenda when applicable</td>
</tr>
<tr>
<td>Document 00 0420</td>
<td>&quot;Certification of Bidder regarding Equal Opportunity&quot; if applicable</td>
</tr>
<tr>
<td>Document 00 0421</td>
<td>Bid Bond as required*</td>
</tr>
<tr>
<td>Document 00 0440</td>
<td>Form of Non-Collusive Affidavit properly notarized</td>
</tr>
<tr>
<td>Certification for business concerns seeking Section 3 Preference in contracting and demonstration of capability.</td>
<td></td>
</tr>
<tr>
<td>Document 00 0450</td>
<td>Previous Participation Certificate**</td>
</tr>
<tr>
<td>References</td>
<td>Provide five references</td>
</tr>
<tr>
<td>Certificate of Liability Insurance</td>
<td>If applicable, workers compensation will be required.</td>
</tr>
</tbody>
</table>
* For contracts over $25,000, submit a certified check or bank draft payable to the Portland Housing Authority of the City of Portland, Maine, or a satisfactory bid bond executed by the bidder and acceptable sureties in an amount equal to five percent (5%) of the bid shall be submitted with each bid. A 100% Performance and Payment Bond is required for contracts over $100,000 with exceptions noted in the HUD-5369 “Instructions to Bidders for Contracts.” The awarded contractor will be required to provide the proper Assurance of Completion and Certificate of Insurance.

** The Previous Participation Certification, HUD-2530 is to be completed on contracts that are greater than $50,000. It is not necessary to complete this form if the bid is not greater than $50,000.

The undersigned agrees to perform all work as ordered.

Signature

Physical Address, City, State, Zip

Title

Phone (fax if applicable)

License Number (if applicable)

SEAL – if Bid is by a corporation
CERTIFICATION OF BIDDER REGARDING
EQUAL EMPLOYMENT OPPORTUNITY

INSTRUCTIONS

This certification is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or regulations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and, if so whether it has filed all compliance reports due under applicable instructions.

Where the certification indicates that the bidder has not filed a compliance report due under applicable instructions, such bidder will be required to submit a compliance report within seven calendar days after bid opening. No contract shall be awarded unless such report is submitted.

CERTIFICATION BY BIDDER

Bidder's Name: ____________________________________________
Address and Zip Code: ______________________________________

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause
   Yes______ No______ (If answer is yes, identify the most recent contract.)

2. Compliance reports were required to be filed in connection with such contract or subcontract.
   Yes______ No______ (If answer is yes, identify the most recent contract.)

3. Bidder has filed all compliance reports due under applicable instructions, including SF-100.
   Yes______ No______ None Required

4. If answer to item 3 is "No", please explain in detail on reverse side of this certification.

Certification-The information above is true and complete to the best of my knowledge and belief.

________________________________________________________________________

Name and Title of Signer (Please print)

_________________________________  ____________________________________
Signature                            Date
BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we the undersigned, and as SURETY are held and firmly bound into the Portland Housing Authority, hereinafter called the "LHA", in the penal sum of Dollars, lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the Principal has submitted the accompanying bid, dated , 20 for:

NOR THEREFORE, if the Principal shall not withdraw said bid within the period specified therein after the opening of the same, or, if no period be specified, within sixty (60) days after the prescribed forms are presented to him for signature, enter into a written contract with the LHA in accordance with the bid as accepted, and give bond with good and sufficient surety or sureties, as may be required, for the faithful performance and proper fulfillment of such contract; or in the event of the withdrawal of said bid within the period specified, or the failure to enter into such contract and give such bond within the time specified, if the Principal shall pay the LHA the difference between the amount specified in said bid and the amount for which the LHA may procure the required work or supplies or both, if the latter amount be in excess of the former, then the above obligation shall be void and of no effect, otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bounded parties have executed this instrument under their several seals this day of , 20 , the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

In presence of

Name __________________________ (seal)

Address __________________________

Name __________________________ (seal)

Address __________________________

ATTEST:

Name __________________________ (seal)

Address __________________________

By __________________________ AFFIX CORPORATE SEAL
ATTEST


Corporate Surety (seal)

Address

By AFFIX CORPORATE SEAL

(Power-of-attorney for person signing/or surety company must be attached to bond).

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, __________________________ certify that I am the Secretary of the corporation named as Principal in the within bond; that __________________________, who signed the said bond on behalf of the Principal was then __________________________ of said corporation; that I know his signature, and his signature thereto is genuine; and that said bond was duly signed, sealed, and attested to for and in behalf of said corporation by authority of its governing body.


CORPORATE SEAL

END OF DOCUMENT 00 0421
PAGE 2
AFFIDAVIT
(Prime Bidder)

State of ____________________________

County of __________________________

_____________________________ being first duly sworn, deposes and says:

That he is ____________________________

(a partner or officer of the firm of, etc.)

The party making the foregoing 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, with any bidder or person, to put in a sham bid or to remain 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 price to affiant of any other bidder, or to fix any overhead, profit or cost element to said bid price, or of that of any other bidder, or to secure any advantage against the Portland Housing Authority or any person interested in the proposed contract; and that all statements in said proposal or bid are true.

______________________________
(Signature of Bidder, if the bidder is an individual; Partner, if the bidder is a partnership Officer, if the bidder is a corporation.)

Subscribed and sworn to before me

this ____ day of ________________, 20____

My commission expires ________________ 20____
PORTLAND HOUSING AUTHORITY
CONTRACTOR'S CERTIFICATION REGARDING SECTION 3 REQUIREMENTS

Project Name: ___________________________ Date: ______________________

Location: ___________________________ Project Number ______________________

Name of Contractor: ______________________________________________________

Address: ____________________________________________________________________

Type of Business: ____ Corporation ____ Partnership ____ Sole Proprietorship ____ Joint Venture

Part 1: Have you hired any new employees that are local residents for this project? (Local is defined as a legal resident of Cumberland County.)

   A. Yes _____ (Continue to Part 2)

   B. No _____ (If No, sign form and return to LHA.)

Part 2: Are the new hires Eligible Section 3 residents?

   (Section 3 Resident Eligibility Definition: A “section 3 resident” is 1) a public housing resident; or 2) a low or very low income person residing in the metropolitan area or Non-metropolitan County in which the Section 3 covered assistance is expended.)

   A. Yes _____ (Employee must complete LHA Section 3 Eligibility Certification Form)

   B. No _____

________________________________________________________________________
Contractors Name

________________________________________________________________________
Signature

________________________________________________________________________
Printed Name & Title
SECTION 3 INCOME LIMITS

Individuals residing in Cumberland County, whose annual income as of the date of hire meets the income limits set forth below, qualify for Section 3 status.

A picture identification card and proof of current residency is required.

<table>
<thead>
<tr>
<th>Number in Household</th>
<th>Low Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 individual</td>
<td>$43,200</td>
</tr>
<tr>
<td>2 individuals</td>
<td>$49,400</td>
</tr>
<tr>
<td>3 individuals</td>
<td>$55,550</td>
</tr>
<tr>
<td>4 individuals</td>
<td>$61,700</td>
</tr>
<tr>
<td>5 individuals</td>
<td>$66,850</td>
</tr>
<tr>
<td>6 individuals</td>
<td>$71,600</td>
</tr>
<tr>
<td>7 individuals</td>
<td>$76,550</td>
</tr>
<tr>
<td>8 individuals</td>
<td>$81,450</td>
</tr>
</tbody>
</table>
Previous Participation Certification

US Department of Housing and Urban Development
Office of Housing/Federal Housing Commissioner

US Department of Agriculture
Farmers Home Administration

Part I to be completed by Principals of Multifamily Projects (See instructions)

<table>
<thead>
<tr>
<th>Reason for submission:</th>
<th>For HUD HQ/FmHA use only</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Agency name and City where the application is filed</td>
<td>2. Project Name, Project Number, City and Zip Code</td>
</tr>
<tr>
<td>3. Loan or Contract amount $</td>
<td>4. Number of Units or Beds</td>
</tr>
<tr>
<td>5. Section of Act</td>
<td>6. Type of Project (check one)</td>
</tr>
<tr>
<td></td>
<td>Existing   Rehabilitation Proposed (New)</td>
</tr>
</tbody>
</table>

7. List all proposed Principals and attach organization chart for all organizations

<table>
<thead>
<tr>
<th>Name and address of Principals and Affiliates (Name: Last, First, Middle Initial) proposing to participate</th>
<th>8 Role of Each Principal in Project</th>
<th>9. SSN or IRS Employer Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Certifications: The principal(s) listed above hereby apply to HUD or USDA FmHA, as the case may be, for approval to participate as principal(s) in the role(s) and project listed above. The principal(s) each certify that all the statements made on this form are true, complete and correct to the best of their knowledge and belief and are made in good faith, including any Exhibits attached to this form. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. The principal(s) further certify that to the best of their knowledge and belief:

1. Schedule A contains a listing, for the last ten years, of every project assisted or insured by HUD, USDA FmHA and/or State and local government housing finance agencies in which the principal(s) have participated or are now participating.
2. For the period beginning 10 years prior to the date of this certification, and except as shown on the certification:
   a. No mortgage on a project listed has ever been in default, assigned to the Government or foreclosed, nor has it received mortgage relief from the mortgagee;
   b. The principals have no defaults or noncompliance under any Conventional Contract or Turnkey Contract of Sale in connection with a public housing project;
   c. There are no known unresolved findings as a result of HUD audits, management reviews or other Governmental investigations concerning the principals or their projects;
   d. There has been no suspension or termination of payments under any HUD assistance contract due to the principal’s fault or negligence;
   e. The principals have not been convicted of a felony and are not presently the subject of a complaint or indictment charging a felony. (A felony is defined as any offense punishable by imprisonment for a term exceeding one year, but does not include any offense classified as a misdemeanor under the laws of a State and punishable by imprisonment for two years or less);
   f. The principals have not been suspended, debarred or otherwise restricted by any Department or Agency of the Federal Government or of a State Government from doing business with such Department or Agency;
   g. The principals have not defaulted on an obligation covered by a surety or performance bond and have not been the subject of a claim under an employee fidelity bond;
3. All the names of the principals who propose to participate in this project are listed above.
4. None of the principals is a HUD/FmHA employee or a member of a HUD/FmHA employee's immediate household as defined in Standards of Ethical Conduct for Employees of the Executive Branch in 5 C.F.R. Part 2635 (57 FR 35060) and HUD's Standard of Conduct in 24 C.F.R. Part 2 and USDA's Standard of Conduct in 7 C.F.R. Part 2 Subpart B.
5. None of the principals is a participant in an assisted or insured project as of this date on which construction has stopped for a period in excess of 20 days or which has been substantially completed for more than 90 days and documents for closing, including final cost certification, have not been filed with HUD or FmHA.
6. None of the principals have been found by HUD or FmHA to be in noncompliance with any applicable fair housing and civil rights requirements in 24 CFR 5.105(a). (If any principals or affiliates have been found to be in noncompliance with any requirements, attach a signed statement explaining the relevant facts, circumstances, and resolution, if any).
7. None of the principals is a Member of Congress or a Resident Commissioner not otherwise prohibited or limited by law from contracting with the Government of the United States of America.
8. Statements above (if any) to which the principal(s) cannot certify have been deleted by striking through the words with a pen, and the relevant principal(s) have initialed each deletion (if any) and have attached a true and accurate signed statement (if applicable) to explain the facts and circumstances.

<table>
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<tr>
<th>Name of Principal</th>
<th>Signature of Principal</th>
<th>Certification Date(mm/dd/yyyy)</th>
<th>Area Code and Tel. No.</th>
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This form prepared by (print name)  Area Code and Tel. No.

Previous editions are obsolete

Page 1 of 2

ref Handbook 4065.1 Form HUD-2530 (2/2013)
Schedule A: List of Previous Projects and Section 8 Contracts. Below is a complete list of the principals’ previous participation projects and participation history in multifamily Housing programs of HUD/FmHA, State and local Housing Finance Agencies. Note: Read and follow the instruction sheet carefully. Make full disclosure. Add extra sheets if you need more space. Double check for accuracy. If no previous projects, write by your name, “No previous participation, First Experience”.

<table>
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<tr>
<th>1. Principals Name (Last, First)</th>
<th>2. List of previous projects (Project name, project ID and, Govt. agency involved)</th>
<th>3. List Principals’ Role(s) (indicate dates participated, and if fee or identity of interest participant)</th>
<th>4. Status of loan (current, defaulted, assigned, foreclosed)</th>
<th>5. Was the Project ever in default during your participation Yes No If yes, explain</th>
<th>6. Last MOR rating and Physical Inspect Score and date</th>
</tr>
</thead>
</table>

Part II- For HUD Internal Processing Only

Received and checked by me for accuracy and completeness; recommend approval or refer to Headquarters after checking appropriate box.

- Date (mm/dd/yyyy)
- Tel No. and area code
- Staff
- Processing and Control
- Supervisor
- Director of Housing/Director, Multifamily Division

- □ A. No adverse information; form HUD-2530 approval recommended
- □ B. Name match in system
- □ C. Disclosure or Certification problem
- □ D. Other (attach memorandum)

Approved
- □ Yes
- □ No

Date (mm/dd/yyyy)

Previous editions are obsolete

Page 2 of 2 ref Handbook 4065.1 Form HUD-2530 (2/2013)
Instructions for Completing the Previous Participation Certificate, form HUD-2530

Carefully read these instructions and the applicable regulations. A copy of those regulations published at 24 C.F.R. 200.210 to 200.245 can be obtained from the Multifamily Housing Representative at any HUD Office. It is printed neatly in ink when filling out this form. Mark answers in all blocks of the form. If the form is not filled completely, it will delay approval of your application.

Attach extra sheets as you need them. Be sure to indicate "Continued on Attachments" wherever appropriate. Sign each additional page that you attach if it refers to you or your record.

Carefully read the certification before you sign it.

Any questions regarding the form or how to complete it can be answered by your HUD Office Multifamily Housing Representative.

Purpose: This form provides HUD with a certified report of all previous participation in HUD multifamily housing projects by those parties making application. The information requested in this form is used by HUD to determine if you meet the standards established to ensure that all principal participants in HUD projects will honor their legal, financial and contractual obligations and are acceptable risks from the underwriting standpoint of an insurer, lender or government agency. HUD requires that you certify your record of previous participation in HUD/USDA/FmHA, State and Local Housing Finance Agency projects by completing and signing this form, before your project application or participation can be approved.

HUD approval of your certification is a necessary precondition for your participation in the project and in the capacity that you propose. If you do not file this certification, do not furnish the information requested accurately, or do not meet established standards, HUD will not approve your certification.

Note that approval of your certification does not obligate HUD to approve your project application, and it does not satisfy all other HUD program requirements relative to your qualifications.

Who Must Sign and File Form HUD-2530:

Form HUD-2530 must be completed and signed by all principals applying to participate in HUD multifamily housing projects, including those who have no previous participation. The form must be signed and filled by all principals and their affiliates who propose participating in the HUD project. Use a separate form for each role in the project unless there is an identity of interest.

Principals include all individuals, joint ventures, partnerships, corporations, trusts, non-profit organizations, any other public or private entity that will participate in the proposed project as a sponsor, owner, prime contractor, turnkey developer, managing agent, nursing home administrator or operator, package, or consultant. Architects and attorneys who have any interest in the project other than an arm's length fee arrangement for professional services are also considered principals by HUD.

In the case of partnerships, all general partners regardless of their percentage interest and limited partners having a 25 percent or more interest in the partnership are considered principals. In the case of public or private corporations or governmental entities, principals include the president, vice president, secretary, treasurer and all other executive officers who are directly responsible to the board of directors, or any equivalent governing body, as well as all directors and each stockholder having a 10 percent or more interest in the corporation.

Affiliates are defined as any person or business concern that directly or indirectly controls the policy of a principal or has the power to do so. A holding or parent corporation would be an example of an affiliate if one of its subsidiaries is a principal.

Exception for Corporations – All principals and affiliates must personally sign the certificate except in the following situation. When a corporation is a principal, all of its officers, directors, trustees and stockholders with 10 percent or more of the common (voting) stock need not sign personally if they all have the same record to report. The officer who is authorized to sign for the corporation or agency will list the names and title of those who elect not to sign. However, any person who has a record of participation in HUD projects that is separate from that of his or her organization must report that activity on this form and sign his or her name. The objective is full disclosure.

Exemptions – The names of the following parties do not need to be listed on form HUD-2530:

- Public Housing Authorities, tenants, owners of less than five condominium or cooperative units and all others whose interests were acquired by inheritance or court order.

Where and When Form HUD-2530 Must Be Filed:

The original of this form must be submitted to the HUD Office where your project application will be processed at the same time you file your initial project application. This form must be filed with applications for projects, or when otherwise required in the situations listed below:

- Projects to be financed with mortgages insured under the National Housing Act (FHA)
- Projects to be financed according to Section 202 of the Housing Act of 1959 (Elderly and Handicapped)
- Projects in which 20 percent or more of the units are to receive a subsidy as described in 24 C.F.R. 200.213.
- Purchase of a project subject to a mortgage insured or held by the Secretary of HUD.
- Purchase of a Secretary-owned project.
- Proposed substitution or addition of a principal or principal participation in a different capacity from that previously approved for the same project.
- Proposed acquisition by an existing limited partner of an additional interest in a project resulting in a total interest of 25 percent or more or proposed acquisition by a corporate stockholder of an additional interest in a project resulting in a total interest of 10 percent or more.
- Projects with U.S.D.A., Farmers Home Administration, or with state or local government housing finance agencies that include rental assistance under Section 8 of the Housing Act of 1937. For projects of this type, form HUD-2530 should be filed with the appropriate applications directly to those agencies.

Review of Adverse Determination:

If approval of your participation in a HUD project is denied, withheld, or conditionally granted on the basis of your record of previous participation, you will be notified by the HUD Office. You may request reconsideration by the HUD Review Committee. Alternatively, you may request a hearing before a Hearing Officer. Either request must be made in writing within 30 days from your receipt of the notice of determination.

If you do request reconsideration by the Review Committee and the reconsideration results in an adverse determination, you may then request a hearing before a Hearing Officer. The Hearing Officer will then issue a report to the Review Committee. You will be notified of the final ruling by certified mail.

Specific Line Instructions:

Reason for subdividing this Certification: e.g., refinancing, change in ownership, change in management agent, transfer of physical assets, etc.

Block 1: Fill in the name of the agency to which you are applying. For example, HUD Office, Farmers Home Administration District office, or the name of a State or local housing finance agency. Below that, fill in the name of the city where the office is located.

Block 2: Fill in the name of the project, such as "Greenwood Apartments." If the name has not yet been selected, write "Name unknown." Below that, enter the HUD contract or project identification number, the Farmers Home Administrator number, or the State or local housing finance agency project or contract number. Include all project or contract identification numbers that are relevant to the project. Also enter the name of the city in which the project is located, and the ZIP Code.

Block 3: Fill in the dollar amount requested in the proposed mortgage, or the annual amount of rental assistance if any, as applicable.

Block 4: Fill in the number of apartment units proposed, such as 40 units. For hospital projects or nursing homes, fill in the number of beds proposed, such as "100 beds."

Block 5: Fill in the section of the Housing Act under which the application is filed.

Block 7: Definitions of all those who are considered principals and affiliates are given above in the section titled "Who Must Sign and File."

Block 8: Beside the name of each principal, fill in the appropriate role. The following are examples of possible roles that the principals may assume:

Owner/Mortgagor, Managing Agent, Sponsor, Developer, General Contractor, Package, Consultant, Nursing Home Administrator. etc.

Block 9: Fill in the Social Security Number or IRS employer number of every principal listed, including affiliates.

Instructions for Completing Schedule A:

Be sure that Schedule A is filled-in completely, accurately and the certification is properly dated and signed, because it will serve as a legal record of your previous experience. All Multifamily Housing projects involving HUD/FmHA, State and Local Housing Finance Agencies in which you have previously participated must be listed. Applicants are reminded that previous participation pertains to the individual principal within an entity as well as the entity itself. A newly formed company may not have previous participation, but the principals within the company may have had extensive participation and disclosure of that activity is required.

Column 2. All previous projects must be listed or your certification cannot be processed. Include the name of all projects, project number, city where it is located and the governmental agency (HUD, USDA/FmHA or state or local housing finance agency) that was involved.

Column 3. List the role(s) as a principal, dates participated and if fee or identity of interest (10% or more) with owners.
Column 4. Indicate the current status of the loan. Except for current loan, the date associated with the status is required. Loans under a workout arrangement are considered assigned. For all noncurrent loans, an explanation of the status is required.

Column 5. Explain any project defaults during your participation.

Column 6. Provide the latest Management Review (MOR) rating and Physical Inspection score.

Certification: After you have completed all other parts of form HUD-2530, including schedule A, read the Certification carefully. In the box below the statement of the certification, fill in the names of all principals and affiliates as listed in block 7. Each principal should sign the certification with the exception in some cases of individuals associated with a corporation (see "Exception for Corporations" in the section of the instructions titled "Who Must Sign and File Form HUD-2530"). Principal who is signing on behalf of the entity should attach signature authority document. Each principal who signs the form should fill in the date of the signature and a telephone number. By providing a telephone number, HUD can reach you in the event of any questions.

If you cannot certify and sign the certification as it is printed because some statements do not correctly describe your record, use a pen to strike through those parts that differ with your record, and then sign and certify. Attach a signed statement of explanation of the items you have struck out on the certification. Item 2e relates to felony convictions within the past 10 years. If you are convicted of a felony within the past 10 years, strike out 2e and attach statement of explanation. A felony conviction will not necessarily cause your participation to be disapproved unless there is a criminal record or other evidence that your previous conduct or method of doing business has been such that your participation in the project would make it an unacceptable risk from the underwriting standpoint of an insurer, lender or governmental agency.

The Department of Housing and Urban Development (HUD) is authorized to collect this information by law (42 U.S.C. 3535(d) and 24 C.F.R. 200.217) and by regulation at 24 CFR 200.210. This information is needed so that principals applying to participate in multifamily programs can become HUD-approved participants. The information you provide will enable HUD to evaluate your record with respect to established standards of performance, responsibility and eligibility. Without prior approval, a principal may not participate in a proposed or existing multifamily project. HUD uses this information to evaluate whether or not principals pose an unsatisfactory underwriting risk. The information is used to evaluate the potential principals and approve only individuals and organizations that will honor their legal, financial and contractual obligations.

Privacy Act Statement: The Housing and Community Development Act of 1987, 42 U.S.C. 3543 requires persons applying for a Federally-insured or guaranteed loan to furnish his/her Social Security Number (SSN). HUD must have your SSN for identification of your records. HUD may use your SSN for automated processing of your records and to make requests for information about you and your previous records with other public agencies and private sector sources. HUD may disclose certain information to Federal, State and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. It will not be otherwise disclosed or released outside of HUD, except as required and permitted by law. You must provide all of the information requested in this application, including your SSN.

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

A response is mandatory. Failure to provide any of the information will result in your disapproval of participation in this HUD program.
The undersigned offers the following information as evidence of his/her qualifications to perform the work as specified in the Summary.

List five (5) references your company is currently servicing or has serviced.

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<th>Contact Person</th>
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