

Greater Metropolitan Area Housing Authority of Rock
Island County IL 010

Request for Proposal for Affordable Housing
Development Consultant

RFP

SUBMISSION DEADLINE

July 1, 2025 by 4:00 p.m. CST

An Equal Opportunity Employer
An Equal Housing Provider



Table of Contents

A. OBJECTIVE	3
B. CONTACTS AND QUESTIONS	4
C. SUBMISSION PROCESS	4
D. SCOPE OF SERVICES	6
Greater Metropolitan Area Housing Authority's Role	7
The Consultant's Role	8
E. DISCLOSURES	9
F. RIGHT TO REJECT PROPOSALS	9
G. COST LIABILITY	9
H. SCHEDULE	9
I. RESERVATION OF RIGHTS	10
J. SUBMISSION REQUIREMENTS	11
Exhibit A: Evaluation criteria scoresheet Consultant	14
EXHIBIT B: Properties under consideration for conversion under rad	16
Attachment 1: Experience worksheet	17
Attachment 2: non-collusion affidavit	18
Attachment 3: Proposals Submission Agreement	19
Attachment 4: Certifications and Representations of Offerors Form (HUD 5369-A)	
Attachment 5: Certification Regarding Lobbying Form (CD-511)	

Request for Proposal

Consultant Services

A. OBJECTIVE

Greater Metropolitan Area Housing Authority of Rock Island County, (“GMAHA”), Rock Island County, Illinois, is soliciting proposals from an experienced consultant to assist a multi-phased Rental Assistance Demonstration conversion of one of its oldest public housing assets. This includes 151 existing public housing residential units. It is the intent that the financial consultant will assist in HUD’s Rental Assistance Demonstration (RAD) program process from HUD approval to closing, as well as assist with applying for all additional funding resources.

HUD created RAD to enable public housing authorities to convert public housing units to long-term Section 8 project-based vouchers – either project based rental assistance administered by HUD or project-based vouchers administered by the GMAHA. One of the main objectives of RAD is to address the large back-log of capital needs that has accumulated over the years for the million units of public housing. This back-log is estimated by HUD to be over \$50 billion dollars.

Today, the Capital Fund Program provides the primary source of funding for public housing repairs and renovations. However, Capital Fund annual appropriations have consistently fallen below the amounts required to keep pace with basic capital needs. These chronic funding shortfalls have contributed to the loss of tens of thousands of public housing units in the past fifteen years, only a fraction of which have been redeveloped.

Under RAD, the GMAHA would essentially exchange operating and capital subsidies under the Public Housing program for long-term Section 8 project-based rental assistance contracts. Property-based Section 8 contracts would provide the GMAHA access to private financing to renovate public housing properties, consistent with other Federally-assisted housing programs. Private financing could take the form of loan proceeds (debt), equity, and/or grants, tax credits and essential function bonds.

The GMAHA is applying to HUD to convert approximately 151 units at AMP 1 of its remaining public housing portfolio under the RAD application. If approved by HUD, the GMAHA will work with the consultant to secure necessary funds and comply with documentation for HUD’s RAD conversion process.

See HUD’s website at <http://www.hud.gov/RAD> for more information about the RAD program.

In addition to public housing, the GMAHA manages the following voucher programs:

Housing Choice Vouchers	357	Vouchers
Veterans Administration Supportive Housing	15	Vouchers
Project Based Vouchers	271	Vouchers

B. CONTACTS AND QUESTIONS

This RFP is issued by the Greater Metropolitan Area Housing Authority of Rock Island County. All questions regarding this bid process must be addressed to the President & CEO via email AClark@gmaharic.org.

Questions regarding proposal content may be directed to Amy Clark, President & CEO Greater Metropolitan Area Housing Authority of Rock Island County, via email AClark@gmaharic.org.

Question deadline shall be due June 20, 2025 by 4:00 p.m.

C. SUBMISSION PROCESS

All Proposals are due and must be delivered to the Greater Metropolitan Area Housing Authority of Rock Island County on or before July 1, 2025 CST. Proposals submitted late or via oral, telephonic, telegraphic, electronic mail or facsimile **will not** be considered or accepted.

Each Bidder must submit one (1) original Proposal and three (3) additional Proposal copies and four (4) copies of the Proposal Fee in a separate sealed envelope contained within the bidders sealed proposal. Proposal submitted must be clearly marked: **RFP – Affordable Housing Development Consultant and then list Bidders name and address.**

Proposals must be addressed and delivered to:

Greater Metropolitan Area Housing Authority of Rock Island County
621 17th Avenue
East Moline, Illinois 61244

ATTN: Amy Clark

All Proposals received on or before the Due Date will be publicly opened and recorded immediately. No immediate decisions are rendered.

Hand delivered Proposals will be date/time stamped/signed by the CEO or by her designee at the address above in order to be considered. Normal business hours are 8:00 a.m. to 4:00 p.m. Monday through Friday.

The GMAHA will not be liable to any Bidder for any unforeseen circumstances, delivery or postal delays. Postmarking on the Due Date will not substitute for receipt of the Proposal. Each Bidder is responsible for submission of their Proposal.

Additional time will not be granted to a single Bidder; however, additional time may be granted to all Bidders when the GMAHA determines that circumstances warrant it.

To be considered, each firm must submit a response to this RFP using the format provided herein. No other distribution of proposals is to be made by the submitter.

The proposal must be signed in ink by an official authorized to bind the submitter to its provisions. Each proposal must remain valid for at least ninety days from the due date of this RFP.

Proposals should not include any plastic covers, binders, or other non-recyclable materials. The GMAHA will rate and rank all proposals received by the deadline according to evaluation criteria established herein. Responders may be asked to participate in a telephone or personal interview if they are among the top-rated responses.

The GMAHA reserves the right to reject any and all submissions, to waive informalities and minor irregularities in submissions deemed to be in its best interests.

D. SCOPE OF SERVICES

This RFP is intended to serve one purposes: 1) to procure a consultant to assist the GMAHA with HUD's RAD conversion process and to apply for grant funding such as FHLB AHP funds, HOME, CDBG, or other funds. The GMAHA, or its non- profit affiliate, will serve as the developer. The GMAHA, under the advisement of the consultant, shall select the other key members of the team which may include architectural, legal, construction, management and financial services.

The GMAHA's vision is to create an attractive multifaceted neighborhood community development plan, strategically combining Project Based Section 8, multi-family, single-family, commercial development and mixed-income housing.

Respondents shall certify their ability to start work immediately and should be prepared to present GMAHA with a staffing plan that addresses the needs of the project.

This list is not necessarily all-inclusive:

- Engage the selected consultant in the overall development process including decisions impacting the development and management of the project
- Interface with HUD
- Interface with City of East Moline and obtain approvals as needed (building, zoning etc.)
- Public relations between the development and the community
- Provide some guarantees to be negotiated with the various lender and syndicators
- Assist in applying for local/state/federal funding to help support the development financing
- Provide up to \$100,000 in pre-development funds for market study, appraisals, and other pre-development activities
- Provide properties for re-development
- Maintain Co-ownership control of all properties (through either the GMAHA or its non-profit affiliate)
- Establish a financial structure that allows it to participate in a stream of income from the development, including the developer's fee cash flow and incentive management fees
- Provide historical operating costs to develop detailed operating budgets showing at least 15-year projections
- Assist with Section 3 and Davis-Bacon compliance
- Coordinate community and supportive services
- Participate in the overall development process including making decisions impacting the development and management of the projects.
- Coordinate and contract design, construction and quality control of the development.
- Comply with Section 504 of the Rehabilitation Act, as amended, and the rules and regulations there under, with regard to provision of accessible housing.
- Secure project-based vouchers
- Work with consultant to apply for Tax Credits and bond financing if appropriate, and all other necessary financing sources
- Leasing and managing waitlists

THE CONSULTANT'S ROLE

This list is not necessarily all-inclusive:

- Ensure RAD HUD approval process is completed through closing on finances
- Financial modeling and projections for all activities, including: demo/disposition, new construction of multifamily units and rehabilitation for existing units.
- Prepare gap financing applications including Federal Home Loan Bank, HOME, CDBG and other applications as determined necessary by the GMAHA
- Prepare financing application and develop financial strategies for Section 42 tax credits, historic tax credits, new market tax credits, debt and investments, including assistance with essential function bonds.
- Support GMAHA as needed to complete all regulatory compliance requirements of development
- Assist with developing a supportive housing program if the GMAHA applies for LIHTC under the Permanent Supportive Housing Category
- Investor and lender engagement

Each respondent must have the following:

- a) Experience in maximizing the use of various financing vehicles;
- b) Experience in development construction and affordable housing operations;
- c) Expertise in housing developments that incorporates tax credit and affordable housing financing;
- d) Expertise in regulatory compliance issues;
- e) Experience with developing supportive services for affordable housing

The Consultant Contract shall be one (1) year with up to four (4) additional negotiated one-year extension options. Failure to reach agreed terms for either extension period may result in contract termination.

E. DISCLOSURES

Under the Freedom of Information Act (Public Act 442), the GMAHA is obligated to permit review of its files, if requested by others. All information in a submitter's proposal is subject to disclosure under this provision. This act also provides for a complete disclosure of contracts and attachments thereto.

F. RIGHT TO REJECT PROPOSALS

The GMAHA reserves the right to award the total proposal, to reject any and all proposals in whole or in part, and to waive any informality or technical defects if, in the GMAHA's sole judgment, the best interests of the GMAHA will be so served.

G. COST LIABILITY

The GMAHA assumes no responsibility or liability for costs incurred by the consultant prior to the execution of a Professional Services Agreement. The liability of the GMAHA is limited to the terms and conditions outlined in the Agreement.

H. SCHEDULE

The proposals submitted should define an appropriate schedule in accordance with the requirements of the Proposed Work Plan in Section III.

The following is the solicitation schedule for this procurement.

Activity/Event	Anticipated Date
Last Day for Questions	June 20, 2025
Proposal Due Date and Bid Opening	July 1, 2025
Interview Consultants (as needed)	July 7 – 11, 2025

Proposals submitted shall define an appropriate project schedule in accordance with the requirements of the proposed work plan. The final schedule will be negotiated based on the final scope of work and work plan agreed to by the GMAHA and the selected firm.

RESERVATION OF RIGHTS

1. The GMAHA reserves the right in its sole and absolute discretion to accept or reject any or all Proposals or alternative Proposals, in whole or in part, with or without cause.
2. The GMAHA reserves the right to waive or not waive informalities or irregularities in bids or bidding procedures, and to accept or further negotiate cost, terms, or conditions of any bid determined by the GMAHA to be in the best interests of the GMAHA even though not the lowest bid.
3. The GMAHA reserves the right to request additional information from any or all Bidders.
4. The GMAHA reserves the right not to consider any Proposal which it determines to be unresponsive and deficient in any of the information requested within the RFP.
5. The GMAHA reserves the right to determine whether the scope of the project will be entirely as described in the RFP, a portion of the scope, or that a revised scope be implemented.
6. The GMAHA reserves the right to select one or more Bidders to perform services.
7. The GMAHA reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this Request for Proposals, unless clearly and specifically noted in the proposal submitted.
8. The GMAHA reserves the right to disqualify Proposals that fail to respond to any requirements outlined in the RFP, or for failure to enclose copies of the required documents outlined within the RFP.
9. A respondent's failure to provide accurate information in response to this RFP may disqualify the respondent from further participation in the selection process. Proposals may be corrected, modified or withdrawn, provided that the correction, modification or request for withdrawal is made by the respondent, in writing (e-mail accepted), and is received by GMAHA prior to the Proposals submission deadline. After such date and time, the respondent may not change any provision of their response in a manner detrimental to the interest of GMAHA and/or fair competition.

10. The key personnel specified by the successful respondent will be considered essential to the work to be performed by the successful respondent. Prior to diverting any of the key personnel for any reason(s), the contractor shall notify GMAHA in writing, at least thirty (30) calendar days in advance, and shall submit justification (including proposed substitutions) in sufficient detail to permit evaluation of the impact on the contract. Changes in personnel may be grounds for contract termination.
11. GMAHA is not liable for any costs incurred by the respondents prior to issuance of a contract. The respondents shall wholly absorb all costs incurred in the preparation and presentation of the RFP and oral presentation.

J. SUBMISSION REQUIREMENTS

Responses that do not include all required information may be deemed unresponsive. Each respondent is required to submit a response providing information on the following items:

- 1) Letter of Interest: Respondent's submittals shall be accompanied by a Letter of Interest on the respondent's letterhead. The letter should state proposer understands the scope of services, the commitment to perform the services expeditiously, and a brief statement indicating why the respondent believes they are best qualified to perform the engagement. The letter shall be signed by an authorized signor.
- 2) Respondent's Qualifications: **The respondent shall submit the following information regarding its qualifications and should use the same number and title for each corresponding response (to simplify review):**
 - a) **Previous Housing Development Consulting Experience**
 - i) Please use Attachment I to respond to this item (one form per project). Provide information on up to five (5) residential rental development/revitalization projects in which the respondent has participated. Attempt to provide the most recent projects and the most pertinent to GMAHA's scope. Projects that required processing applications and securing HUD approvals for public housing authority and/or multifamily revitalization projects and/or submitting successful affordable housing development proposals through the Illinois Housing Development Authority would be most desired.

b) Organizational Structure and Profile of Principals and Key Staff

- i) Provide a description or chart of the organizational structure and staffing of the respondent's team.
- ii) Provide profiles of the principals and key staff that will be involved in the development effort, what roles they would serve for GMAHA, and their level of experience as developers and/or development consultants. Highlight their involvement in similar projects and activities
- iii) Especially their experience in processing HUD applications in securing approvals for public housing authority and/or multifamily revitalization projects and/or submitting successful affordable housing development proposals through (IHDA). Indicate their familiarity with state of Illinois and local (Rock Island County) rules and regulations for all aspects of development. Describe individual experience applying for and integrating different subsidies such as LIHTC, tax-exempt bonds, FHA loans, etc. Identify any experience working for or with public housing authorities.
- iv) Certify that all key staff will be available to start immediately or describe existing time commitments which would impair the respondent's ability to proceed expeditiously.

c) LIHTC Application Score CO-DEVELOPER ONLY: Indicate the score the respondent will get on (IHDA)'s QAP for each component of section D: The (IHDA) QAP is located at: <https://www.ihda.org/developers/qap/>

d) RAD Experience CONSULTANT ONLY

- i) Describe how the respondent has already increased knowledge about the RAD program.

e) Supportive Services

- i) Describe respondent's experience providing or contracting for support services for tenants. Describe respondent's success in applying for LIHTC under the Permanent Supportive Housing category.

f) Fee Structure CONSULTANT: The respondent's expectation of fees and timing of fees. Final fees will be negotiated subject to the best interest of the GMAHA. **THIS SECTION MUST BE INCLUDED IN A SEPARATE SEALED ENVELOPE IN THE RFP RESPONSE**

- 3) **Litigation:** Indicate whether the respondent or any respondent team member ever sued or been sued by a HUD or a public housing agency, and if so, describe the circumstances and outcome. **(Mandatory)**
- 4) **Previous Default:** Include a statement disclosing and describing any instance of non-compliance or default in any public housing transaction, including mixed finance or HOPE VI transaction, by the proposer, its affiliates or assigns. **(Mandatory)**
- 5) **References:** Provide three (3) references including the entity's name and mailing address along with the contact person's name, e-mail address and telephone number for the most comparable projects - preferably a HUD public housing authority and/or multifamily revitalization projects. Provide at least one tax credit investor and one housing finance agency. **(Mandatory)**
- 6) **Attachments and Certifications:** All three (3) attachments and all three (3) certifications must be completed as indicated and included with the response. Note that HUD forms may be obtained on-line. **(Mandatory)**

See Exhibit A for Evaluation Form

EXHIBIT A: EVALUATION CRITERIA SCORESHEET CONSULTANT

Respondent: _____ Evaluator: _____ Score: _____/100

Evaluation Criteria	Max Points/Score
1) Letter of Interest	Mandatory
<p>Response should include a Letter of Interest on the firm's letterhead:</p> <ul style="list-style-type: none"> Stating the proposer understands the scope of services and the commitment to perform expeditiously Stating why respondent believes they are best qualified to perform the engagement 	YES/NO
Comments:	
2a) Previous Experience	20 Points
<p>Response should include an "Attachment 1" for each development project presented (no more than 5)</p> <ul style="list-style-type: none"> High level of involvement Diversity of financial solutions Compliance with HUD, (IHDA), LIHTC requirements 	
Comments:	
2b) Organizational Structure, Profile of Principals and Key Staff	20 Points
<ul style="list-style-type: none"> Description of organizational structure or organizational chart Profiles of the principals and key staff, roles served, level of experience Involvement in similar projects and activities, particularly in securing approvals and funding for PHA's, multi-family, and/or (SHDA) Familiarity with regulations in Illinois and the City of East Moline Experience with LIHTC, Tax-Exempt Bonds, FHA Loans Any experience working with PHA's Certify that all key staff are available immediately 	
Comments:	
2f) RAD Experience CONSULTANT ONLY	20 Points
<ul style="list-style-type: none"> How has respondent already increased knowledge about the RAD program How will the respondent become an expert on RAD 	
Comments:	
2g) Supportive Services CONSULTANT ONLY	20 Points
<ul style="list-style-type: none"> Experience providing or contracting for support services Experience applying for LIHTC under the Permanent Supportive Housing Category 	
Comments:	

2h) Fee Structure	20 Points
<ul style="list-style-type: none"> CONSULTANT Expectation of fees and timing of those fees 	
3) Litigation	Mandatory
<ul style="list-style-type: none"> Has respondent or team member ever been sued by HUD or a public housing agency, if so describe 	YES/NO
Comments:	
4) Previous Default	Mandatory
<ul style="list-style-type: none"> Include statement disclosing and describing any instance of non-compliance or default in any public housing transaction, including mixed finance, HOPE VI 	YES/NO
Comments:	
5) Reference	Mandatory
<ul style="list-style-type: none"> Include statement disclosing and describing any instance of non-compliance or default in any public housing transaction, including mixed finance, HOPE VI 	YES/NO
Comments:	
6) Attachments and Certifications	Mandatory
<ul style="list-style-type: none"> 3 attachments and 3 certifications completed and included 	YES/NO
Comments:	

EXHIBIT B: PROPERTY UNDER CONSIDERATION FOR CONVERSION UNDER RAD

Property Name #1: Oak Grove (AMP 1) 151 Units

Property Location: Oak Grove	# of Bedrooms	# of Units
22nd Street & 7th Street	1	23
East Moline, IL.	2	18
65 Family Row House Units	3	18
Year Built: 1941 (Comp Mod 2009-11)	4	6
subtotals:		65
Property Location: Oak Grove Park	# of Bedrooms	# of Units
24th Street & 7th Avenue	1	6
East Moline, IL.	2	18
34 Family Row House Units	3	6
Year Built: 1952 (Comp Mod 2002-03)	4	4
subtotals:		34
Property Location: Joseph Fulton Homes	# of Bedrooms	# of Units
13th Street & 5th Avenue	1	4
East Moline, IL.	2	6
16 Family Row House Units	3	4
Year Built: 1953 (Comp Mod 2001)	4	2
subtotals:		16
Property Location: Joseph Fulton Homes II	# of Bedrooms	# of Units
7th Avenue & 20th Street	1	2
East Moline, IL.	2	6
18 Family Row House Units	3	7
Year Built: 1961 (Comp Mod 1998)	4	2
	5	1
subtotals:		18
Property Location: Oak Grove Manor	# of Bedrooms	# of Units
19th Street & 7th Avenue	1	16
East Moline, IL.	2	2
18 Family Row House Units	3	0
Year Built: 1961 (Comp Mod 1999)	4	0
subtotals:		18

ATTACHMENT 1: EXPERIENCE WORKSHEET

Project Location (City/State)	Project Name	Owner	Project Size
Development Type (high rise, townhomes)	Income Levels Served	Ownership Type	Project Cost

Subcomponents of Project	Involved? (Yes, No, N/A)	Role
Establish Development Team (architect, legal etc.)		
Legal Structure		
Partnerships		
Market Study		
Site Analysis		
Environmental Review		
Operating Pro Forma		
Secure Financing (include all sources below)		
1:		
2:		
3:		
4:		
5:		
Site Plan Approval		
Guarantees		
Scope of Construction Work		
Construction Oversight		
Section 3		
Davis-Bacon		
Relocation		
Marketing and Lease Up		
Property Management		

ATTACHMENT 2: NON-COLLUSION AFFIDAVIT

I, _____, as the _____ of
(Name) (Owner, Partner, Officer, Representative, or Agent)

_____, the respondent that has submitted the (Name of
Organization)

attached proposal. I am fully informed respecting the preparation and contents of the attached bid and all pertinent circumstances respecting such bid. Such proposal is genuine and is not a collusive or sham proposal.

Neither the said respondent nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affidavit, has in any way colluded, conspired, connived, or agreed, directly or indirectly, with any other respondent, firm or person to submit a collusive or sham proposal in connection with the contract for which the attached bid has been submitted or to refrain from bidding in connection with such contract, or has in any manner, directly or indirectly, sought by other respondent, firm or person to fix the price or prices in the attached bid or any other respondent, or to fix any overhead, profit or cost element of the proposal price of the other respondent, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the owner or any person interested in the proposed contract.

The price or prices quoted in the attached proposal are fair and proper, and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the respondent or any of its agents, representatives, owners, employees, or parties in interest, including this affidavit.

Signed: _____ Title: _____

Subscribed and sworn to before me this _____ day of _____, 2025

ATTACHMENT 3: PROPOSALS SUBMISSION AGREEMENT

By signing below the representative of the firm hereby certifies that:

I/we have examined the Scope of Service and basic requirements and hereby agree to offer the services as stipulated and set forth herein.

I/we agree that this submission may not be withdrawn for a period of ninety (90) calendar days after the scheduled submission deadline.

The submission is genuine and is not made in the interest of or on behalf of any undisclosed person, firm or corporation, and is not submitted in conformity with any agreement or rules of any group, association or corporation.

I/we have not solicited or induced any person, firm or corporation to refrain from submitting. I/we will not discriminate against any employee or applicant for employment because of race, creed, color or national origin in connection with the performance of work.

I/we have carefully prepared this submission, and the required information is accurate. The information submitted does not contain falsified records.

Respectfully submitted by:

Firm

Address

Phone

Fax

Webpage

PRIMARY CONTACT

Name

Title

Phone

E-Mail

Signature

Date

**U.S. Department of Housing
and Urban Development**
Office of Public and Indian Housing

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

Representations, Certifications, and Other Statements of Bidders

Public and Indian Housing Programs

Table of Contents

Clause	Page
1. Certificate of Independent Price Determination	1
2. Contingent Fee Representation and Agreement	1
3. Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions	1
4. Organizational Conflicts of Interest Certification	2
5. Bidder's Certification of Eligibility	2
6. Minimum Bid Acceptance Period	2
7. Small, Minority, Women-Owned Business Concern Representation	2
8. Indian-Owned Economic Enterprise and Indian Organization Representation	2
9. Certification of Eligibility Under the Davis-Bacon Act	3
10. Certification of Nonsegregated Facilities	3
11. Clean Air and Water Certification	3
12. Previous Participation Certificate	3
13. Bidder's Signature	3

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 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 | [] 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)

(Title)

(Company Name)

(Company Address)

CERTIFICATION REGARDING LOBBYING

Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 28, "New Restrictions on Lobbying." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant, or cooperative agreement.

LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000 or a loan or loan guarantee over \$150,000 as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than 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 in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

In any 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 in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification.

NAME OF APPLICANT

AWARD NUMBER AND/OR PROJECT NAME

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE

DATE