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## **ADVERTISEMENT**

**The Cape May Housing Authority invites proposals for Auditing Services for the Fiscal Year Ending September 30, 2020. Proposals will be accepted by the Cape May Housing Authority from any company or firm meeting the proposal requirements.**

**Proposals must be received no later than 2:00p.m. on August 14, 2020 at the Cape May Housing Authority office, 639 Lafayette Street, Cape May, New Jersey 08204. At that time, all proposals will be opened and read aloud publicly. The Cape May Housing Authority reserves the right to reject any or all proposals or waive any informality in the proposals. No contract shall exist until an agreement is signed with no penalty.**

**Copies of the Requests for Proposals and its documents may be obtained commencing July 30, 2020 at 9:00 a.m. at the office of the Cape May Housing Authority, 639 Lafayette Street, Cape May, New Jersey 08204 from the undersigned.**

Carol Hackenberg, PHM  
Executive Director

# **Invitation for Proposals**

## **Request for Proposal For Professional Auditing Services**

The Cape May Housing Authority (“CMHA” or “the Authority”) is requesting proposals for professional Auditing services as follows:

For fiscal year ending September 30, 2020.

Copies of the Requests for Proposals and its documents may be obtained commencing July 30, 2020 at 9:00 a.m. at the office of the Cape May Housing Authority, 639 Lafayette Street, Cape May, New Jersey 08204.

The Cape May Housing Authority reserves the right to reject either one or all proposals or waive any informality in proposal(s).

All proposals shall be based upon in conformity with the specifications attached.

### **Instructions for Mailing/Delivery of Proposal**

All proposal documents shall be enclosed in an envelope, which shall be sealed and clearly labeled, “Auditing Services” – Not To Be Opened Until August 14, 2020 at 2:00p.m. Three copies will be sufficient.

The proposer shall be responsible for the placement of his/her firm’s name on the outside of the proposal envelope.

Requests for additional information should be directed to Carol Hackenberg, Executive Director, 639 Lafayette Street, Cape May, NJ 08204 or call at (609) 884-8703.

**REQUEST FOR PROPOSAL FORM  
PROFESSIONAL AUDITING SERVICES**

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I. We, \_\_\_\_\_,  
agree to perform the services requested in accordance with the  
attached Scope of Services for the following:

**FISCAL YEAR ENDING SEPTEMBER 30, 2020:**

BILLING RATE PER HOUR \_\_\_\_\_

ESTIMATED MAN DAYS \_\_\_\_\_

COST FOR PERFORMING SERVICES \_\_\_\_\_

II. **Name, address, and telephone number of three references that the Cape May Housing Authority may contact and explanation of relationship to reference (i.e. proposer performed similar type of work to be used as reference).**

1. \_\_\_\_\_  
\_\_\_\_\_ Relationship \_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_ Relationship \_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_ Relationship \_\_\_\_\_

III. **Other items attached to proposal:**  
*(Lead person should list required items).*

# Instructions to Proposers

## I. Proposal Contents

A. All proposals shall be submitted on the attached form and must be signed and sealed by an officer of the proposing company. CMHA may refuse to consider a proposal if it is not on the form furnished, if there is any alteration to the form, if the proposal fails to comply in any way with the proposal requirements, or if the proposer fails to submit a complete package.

B. A complete proposal package shall consist of the following and shall be submitted in the order listed below:

1. Proposal form signed by the proposer and a witness. The signed form must be sealed if the proposer is a corporation.

2. Affidavit of Non-Collusion signed by proposer and notarized. The signed form must be sealed if the proposer is a corporation.

3. Affidavit of Non-Default signed by proposer and notarized. The forms must be sealed if the proposer is a corporation.

4. Drug-Free Workplace Certification signed and notarized with Attachment "A" listing sites where proposer is presently working for CMHA.

5. Evidence that proposer meets minimum qualifications.

6. Resumes of principals of firm and resumes of individuals assigned to work on the contract.

7. Summary of proposed work plan.

8. Summary of experience of firm performing similar work.

9. List references.

10. Further explanation of proposal, if required.

11. Other documents required by the Request for Proposal and listed on the proposal form.

C. Quotations are to adhere exactly to the specifications herein described. However, once proposers comply with the requirement, they are free to submit whatever alternative or additional proposal they deem suitable; and CMHA is free to accept or reject such alternative proposal.

D. Proposals must be submitted either typewritten, in ink, indelible pencil or ball-point pen. Erasures and/or corrections must be initialed by a responsible official.

E. Proposer must submit two copies of the proposal to the CMHA.

## II. Opening of Proposals

A. Proposals received prior to the proposal opening date will be kept unopened until the specified proposal opening date. No responsibility will be attached to any officer or employee of the CMHA for the premature opening of a proposal not properly addressed and/or identified.

B. The envelope in which the proposals are mailed must be securely sealed and marked with the name of the services to be provided and addressed to the Cape May Housing Authority, 639 Lafayette Street, Cape May NJ 08204. Proposals will be received until the date and time set forth in the invitation for Proposals (Page 2 of this package) at which time they will be publicly opened and read aloud.

## III. Interpretations

A. No oral interpretation or representation will be made to any proposal as to these instructions and specifications. Failure to do so will be at his/her risk. No warranty is made or implied as to the information contained in the Proposal Specifications.

B. Any request for an interpretation of specifications shall be directed in writing to the person named in the Invitation for Proposals (Page 2 of this package).

C. No inquiry received within five (5) days of the date fixed for opening of proposals will be given consideration.

D. Any information given to a prospective proposer concerning this request for proposals will be furnished to all prospective proposers as an amendment to the request for submitting a proposal, or if lack of such information would result in a competitive disadvantage to uninformed proposers. All such addenda shall become part of these proposal documents. Failure of the Authority to send, or any proposer to receive, any such interpretation shall not relieve any proposer from an obligation under his/her proposal as submitted. It shall be the proposer's responsibility to make inquiry as to addenda issued.

## IV. Audits

A. The successful proposer binds himself/herself to permit the CMHA and HUD to examine and/or audit at any time the records pertaining to the services provided.

## V. Time for Review

A. The proposer agrees that the Authority shall be permitted a maximum of sixty (60) days from the date of opening of proposals for issuing a "Notice of Acceptance" and beginning contract negotiations with a proposer. This term may be extended:

1. By mutual agreement of the parties in writing; or
2. Automatically, if approval has not been received from HUD and if such approval is required.

## VI. Rejection

A. The Authority reserves the right to reject any and all proposals and to waive any informality in proposals received whenever such rejection or waiver is in the interest of the Authority.

B. CMHA reserves the right to limit its Notice to Proceed to certain tasks or portions thereof, subject to available funding.

## VII. Withdrawal of Proposals

A. Any withdrawal of proposal by telegram or by mail is authorized provided it is received prior to the time of the scheduled proposal opening. A proposal may also be withdrawn in person by the proposer or authorized representative, provided the representative's identity is made known and the representative signs a receipt for the proposal, but only if the withdrawal is made before the exact time set for opening of proposals.

B. The only acceptable evidence to establish the date of receipt of withdrawal sent either by registered or certified mail is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If neither postmark shows a legible date, the withdrawal shall be considered to have been mailed late.

C. Negligence on the part of the proposer in preparing his/her proposal confers no right of withdrawal or modification of his/her proposal after such proposal has been opened.

## VIII. Mathematical Error

A. In case of mathematical error in extension of prices in the proposal, the unit price shall govern.



## IX. Selection Process

A. In selecting a contractor, the CMHA will consider the proposal price, the ability of the contractor to perform the Scope of Services (information in the proposal package), comments from references, and other information deemed relevant. The ability to perform will be measured by the ability of the contractor as demonstrated by financial stability and performance of similar contracts.

B. A Review Committee will be established to review and evaluate all proposals and to rate all proposers. The Review Committee will conduct a preliminary evaluation of all proposals and may contact references listed in the proposal. The Review Committee may recommend rejection of all proposals or may continue its review. Thereafter, the Review Committee may meet with proposers to obtain additional information or clarification. Thereafter, the Review Committee may negotiate the exact Scope of Services (which may include charges in the RFP and negotiation of price if deemed in the best interest of the CMHA) with the highest proposer, if a satisfactory proposed contract cannot be negotiated with the highest proposer, the negotiations will be terminated. The CMHA may then enter into negotiations with another qualified proposer, or the CMHA may re-advertise.

C. CMHA's Review Committee will make a recommendation to the CMHA's Board of Commissioners concerning award of a contract. The CMHA's Board of Commissioners may vote to authorize the CMHA's Executive Director to negotiate and conclude a contract with a proposer, subject to certain conditions. If a proposer is recommended for an award, the proposer will be asked to produce the documents listed below; and negotiations will continue.

1. Two copies of the proposed agreement signed and sealed by the proposer.
2. Two copies of the cover page of the specifications, signed by the proposer.
3. An original and a copy of the required insurance.
4. Other documents discussed during contract negotiations.

D. The CMHA's funding source must be approved before the Executive Director has the power to sign a contract.

E. Proposer acknowledges and agrees that no contract shall exist until signed by both parties. Additionally, until a recommendation of award has been officially made, any bidder will be deemed to have waived any and all rights to obtain a contract with the CMHA or seek damages against the CMHA.

**PROPOSER EVALUATION  
RATING FACTORS  
INDEPENDENT AUDITING PROCESS**

All proposals received by the specified date shall be subject to an evaluation. Although the following criteria will be utilized in making the selection, no one single or multiple set of criteria used will be the determining factor in the selection of a proposer with whom the Cape May Housing Authority may commence negotiation of an agreement or in the final selection of an auditing firm.

The final contract award will be made upon basis of which of the submitted proposals best respond to the criteria listed below.

**CRITERIA**

1. Overall audit approach and methodology (15 points).
2. Demonstrated experience and competence in the audit of government agencies (15 points).
3. Proposer's professional experience with the "Single Audit Act" or in audits of the United States Department of Housing and Urban Development (HUD) or similar Governmental audits (25 points).
4. Capability and capacity to accomplish work within the required time period (10 points).
5. Specialized experience of key personnel in Housing Authority Programs (15 points).
6. Firm's Equal Opportunity Policy. Each proposer must ensure that all employees and applicants for employment are not discriminated against because of race, color, religion, sex, or national origin (10 points).
7. Audit Fee (10 points).

**Affidavit of Non-Collusion**

**(Prime Proposer)**

State of                    }  
                                  }  
County of                }

ss.

\_\_\_\_\_, being duly sworn according to law, deposes and says:

1. That he/she is \_\_\_\_\_, (a partner/officer of the firm foregoing proposal; that such proposal is genuine and not collusive or sham; that said proposer has not colluded, conspired, convened, or agreed – directly or indirectly – with any proposer or person, to put in a sham proposal or to refrain from proposing, and has not, in any manner – directly or indirectly – sought by agreement or collusion, or communication or conference, with any person, to fix the proposal price of affiant or of any other proposer, or to fix any overhead, profit or cost element of said proposal price, or of that of any other proposer, or to secure any advantage against the Cape May Housing Authority, or any person interested in the proposed contract; and that all statements in said proposal are true.

2. The proposer further certifies that he/she has not been convicted or found liable for any act prohibited by state or federal law involving conspiracy or collusion with respect to proposing or bidding on any public contract within the last three years. Such act or conviction does not automatically disqualify a proposer, but may be grounds for administrative suspension or grounds for consideration by CMHA as to whether or not CMHA should decline to award a contract to such a proposer on the basis of a lack of responsibility. If proposer has been convicted of any act prohibited by state or federal law involving collusion with respect to proposing or bidding on any public contract within the past three years, proposer should attach an explanation of the circumstances of that conviction:

\_\_\_\_\_  
**Firm Name**

BY: \_\_\_\_\_

\_\_\_\_\_  
**Signature of proposer if the proposer is an individual**

Sworn to and subscribed  
Before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2020

\_\_\_\_\_  
**Signature of partner if the proposer is a partnership**

\_\_\_\_\_  
**Notary Public**

\_\_\_\_\_  
**Signature of partner if the proposer is a partnership**

**(SEAL)**

## **SCOPE OF SERVICES**

### **1. INTRODUCTION**

#### **GENERAL INFORMATION**

The Cape May Housing Authority (CMHA) is requesting proposals from qualified firms of Certified Public Accountants to audit financial statements for the Fiscal Year Ending **September 30, 2020**. This audit is to be performed in accordance with Generally Accepted Accounting Principles, the standards set forth for the Financial Audits in the U.S. General Accounting Office (GAO), "Government Auditing Standards" (1998), the provisions of the federal Single Audit Act Amendments of 1996, (P.L. 104-156, July 5, 1996) and U.S. Office of Management and Budget (OMB) **Circular A-133**, "Audits of States, Local Governments, and Non-Profit Organizations" as issued June 1997" and must fulfill requirements of the latest applicable HUD Audit Guide.

#### **A. SCOPE OF SERVICE – GAAS**

**THE ANNUAL AUDIT SHALL BE IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING STANDARDS (GAAS), AS PROMULGATED BY THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTS (AICPA), GOVERNMENT AUDITING STANDARDS (GAS) AND THAT AUDIT STANDARDS HAVING BEEN ADOPTED AS RULED BY THE LOCAL FINANCE BOARD AND THE DIVISION OF LOCAL GOVERNMENT SERVICES DEPARTMENT OF COMMUNITY AFFAIRS, STATE OF NEW JERSEY.**

#### **THE INDEPENDENT AUDITOR IS REQUIRED TO PERFORM THE FOLLOWING STANDARDS:**

1. Plan and perform an Audit to obtain reasonable assurance the Financial Statements of the CMHA are free of material misstatement. These basic Financial Statements shall include, but not be limited to; a Balance Sheet and the related Statements of Revenues, Expenses/Expenditures and Changes in Retained Earnings/Fund Balance and Cash Flows for the year then ended.
2. Express an opinion on the financial statements taken as a whole.
3. Include examination on a test basis and evidence supporting the amounts and disclosures in the Financial Statements.

4. Include an assessment of the accounting principles used and significant estimates made by the governing body or its administration, and must further include such additional procedures as shall be required by any security/financing agreement, as well as an evaluation of the overall financial statement presentation.
5. Any supplementary information presented shall be subjected to the auditing procedures applied in the Audit of the financial statements and in opinion rendered in relation to the financial statements taken as a whole.
6. Prepare an Independent Auditor's Report on Financial Statements and on supplementary information and schedules.
7. Prepare a report on the internal control structure and a compliance report.
8. Prepare a report on supplementary information schedules of Federal and State financial assistance.

**The Auditor shall include the following financial reporting under GAAP** required under General Purpose Financial Statements (GPFS) and/or Component Unit Financial Statements (CUFS) as applicable:

1. Combined Balance Sheet – All fund types, Account Groups, and discretely presented component units
2. Combined statement of revenues, expenditures, and changes in fund balances – all governmental fund types and discretely presented component units;
3. Combined statement of revenues, expenditures, and changes in fund balances-budget and actual-general and special revenue fund types (and similar governmental fund types of the primary government for which Annual budgets have been legally adopted);
4. Combined statement of revenues, expenses, and changes in retained earnings (or equity)-all proprietary fund types and discretely presented component units;
5. Combined statement of cash flows-all proprietary fund types and discretely presented component units;
6. Notes to the financial statements; and
7. Required supplementary information.

The Auditor's reporting responsibility in audits of federal and state financial assistance is primarily driven by four levels of auditing standards and requirements that shall apply –

1. Generally Accepted Auditing Standards issued by the American Institute of Certified Public Accountants;
2. Government auditing standards issued by the United States General Accounting Office.
3. Single Audit Act and applicable Federal OMB Circulars;
4. Single Audit Policy for recipients of Federal Grants, State Grants and State Aid and applicable State of New Jersey OMB Circulars.

## **B. STATEMENTS**

The following financial statements are to be reported on by the auditor. The supplemental information is included along with the basic financial statements for purposes of additional analysis and the auditor is not required to report separately thereon. The supplemental information should be subject to the auditing procedures applied in the audit of the basic financial statements taken, as a whole.

- Financial Statements
- Balance Sheet
- Statement Of Revenues & Expenses – Annual Contribution Contract Programs
- Statement Of Changes in Surplus Accounts – Annual Contribution Contract Programs
- Statement Of Changes in Financial Position – Annual Contribution Contract Programs
- Statement Of Revenues, Expenses, & Changes in Surplus Accounts – Other Program & Funds
- Notes To Financial Statements
- Supplementary Information
- Combining Balance Sheet – Public Housing Programs
- Combining Statement Of Revenues & Expenses-Public Housing Programs
- Combining Statements Of Changes in Surplus Accounts – Public Housing Programs
- Statement Of Receipts And Expenditures – Low Rent Housing Program – Annual Contribution Contract
- Computation Of Annual Contributions Earned & Changes in Project Account And Operation Reserves – Housing Assistance Payments Program Annual Contributions Contract
- Analysis Of General Funds Available For Reduction Of Annual Contributions
- Schedule Of Federal Financial Assistance
- Schedule Of State Financial Assistance

**C. TIME REQUIREMENTS**

**Proposals must be received NO LATER THAN:  
Friday, August 14, 2020  
2:00 PM**

**It is the desire of the Housing Authority to have the audit commence 45 days after the close of the Fiscal Year ending September 30, 2020.**

**D. DESCRIPTION OF THE ENTITY**

The Cape May Housing Authority was established in January 1964 to build, own, and operate public housing residences.

The primary goal of the Housing Authority is to provide, “safe, sanitary, and decent housing” in a suitable living environment for low-income residents. The Authority’s programs are administered at the local level in accordance with state law and the Rules and Regulations of the Department of Housing and Urban Development.

**2. PROGRAMS TO BE AUDITED**

**PUBLIC HOUSING UNITS**

- #62-001 Broad Street – 30 units
- #62-002 Lafayette Court – 27 units
- #62-003 Osborne Court – 28 units

**CAPITAL FUND PROGRAMS**

The Authority has on-going modernization grants for various sites that require review by the Auditing firm and final audit of closed grants.

**EXIT REVIEW**

An Exit Meeting with representatives from the Housing Authority and the Auditing firm is required upon completion of the Annual Audit.

The Auditing firm will advise the Authority of any area(s) of concern and provide an Initial Report on the status of the Audit.

The Authority will have the opportunity to respond and/or provide additional information, if necessary prior to the submission of the Final Report.

**BOARD OF COMMISSIONERS MEETING**

The Auditing firm must present its Final Audit Report to the Board of Commissioners at the regularly scheduled meeting held in January.

## **FINAL MEETING**

**No later than January 31, 2020** the Auditing Firm will provide a written report to HUD, to the State of New Jersey, to the Department of Community Affairs/Department of Health & Human Services (Division of Senior Affairs), and to the Housing Authority.

In addition, the auditing firm will provide the necessary notice of public advertising as directed by the Local Government Services, State of New Jersey.

### **3. PROPOSAL REQUIREMENTS**

The following material must be received by Friday, August 14, 2020 for a proposal to be considered.

#### **A. GENERAL REQUIREMENTS**

The proposal should outline the proposer's overall audit approach, which will meet the requirements of this request including the qualifications of the firm and the particular staff to be assigned. The proposal should state the size of the firm, the size of the firm's governmental audit staff, the location of the office from which the work on this engagement is to be performed and the number and classification (including hours and hourly rates) of the professional staff, to be assigned. If the proposer is a joint venture, the qualifications of each firm comprising the joint venture should be separately identified and the firm that is to serve as the principal auditor should be noted, if applicable.

#### **B. INDEPENDENCE**

The firm should provide an affirmative statement that it is independent of the Cape May Housing Authority as defined by Generally Accepted Auditing Standards and the U.S. General Accounting Office's, Government Auditing Standards: (1998).

#### **C. PARTNER, SUPERVISORY, AND STAFF QUALIFICATIONS & EXPERIENCE**

Firm should identify the principal Supervisory and Management staff who will be assigned to the engagement and provide information on the government auditing experience of each person.

#### **D. SIMILAR ENGAGEMENTS**

For the firm's office that will be assigned responsibility for the audit, list the most significant engagements (maximum of 5) performed in the last five (5) years that are similar to the engagement described in this request. These engagements should be ranked on the basis of total staff hours. Indicate the scope of work, date, engagement partner, total hours, and the name and telephone number of the principal client contact.



## **E. SEALED DOLLAR COST BID**

The dollar cost should contain pricing information relative to performing the audit engagement as described in this request for proposal. The price is to contain all direct and indirect costs including out-of-pocket expenses.

## **F. OTHER REQUIREMENTS**

- The audit performed shall be sufficient in scope to enable the Audit Firm to express an opinion in the audit report on the financial statements of the public agency.
- The books of account and financial records to be audited are maintained and are located at the Cape May Housing Authority office located at 639 Lafayette Street, Cape May, NJ. These books and records will be made available to the Contractor by the Executive Director of the Public Housing Agency at the Contractor's request for the Contractor's use at the Public Housing Agency's office during the period covered by the Audit.
- The Contractor must be a Certified Public Accountant.
- The Contractor must not have provided accounting or bookkeeping services to the Public Housing Authority during the period covered by the Audit.
- For a period of four (4) years from the date of the Audit Report, the Contractor shall make its work-papers, records, and other evidence of audit, including information and data prepared or assembled by the Contractor, available to the Cape May Housing Authority. The Cape May Housing Authority shall be entitled to reproduce any or all of such documents at their expense for which provision shall be made at the time the need for reproduction arise.
- Except for the disclosure to the Government, and the Cape May Housing Authority, the Audit Report and the work-papers, records and other evidence of audit, including information and data prepared or assembled by the Contractor and shall not be made available or otherwise disclosed to any person without the prior written approval of the Cape May Housing Authority.
- Regarding fees: The lump sum fees stated on the bid document shall be payable after submission of copies of the Reports. The Public Housing Agency may pay up to 50% of the fee upon submission of the Audit Report and copies thereof, and the bill from the Contractor without the Government's authorization.

## **Cape May Housing Authority General Conditions**

1. **Organization:**

Contractor must be organized under the laws of the State of New Jersey or licensed to do business in the state. The CMHA may request a copy of documentation evidencing such organization or license prior to the execution of a contract.

2. **Cancellation by Contractor:**

Contractor must be given a ninety-day (90-day) written notice prior to cancellation of the contract.

3. **Board Approval:**

Any contract is subject to cancellation and rejection by the members of the Cape May Housing Authority Board of Commissioners without liability. Therefore, at their next regularly scheduled, properly convened meeting following the date hereof, notwithstanding any contrary statements or representations of any member, officer, or employee of the Cape May Housing Authority, the Board of Commissioners has the power or authority to waive or limit the effect of this paragraph nor the control of the members of the Cape May Housing Authority over the approval of any contract. In the event that the members of the CMHA Board of Commissioners cancel or reject this contract at their aforesaid meeting, the contract shall be null and void and of no effect as to the Cape May Housing Authority; and there shall be no liability on the part of the Cape May Housing Authority hereunder.

4. **Changes:**

A. No changes, additions, or deletions shall be made to the contract without prior written consent of the CMHA. All amendments must be signed by both parties.

B. Any changes in the Scope of Services agreed to by the parties shall not invalidate the contract, nor shall it release the contractor from any guaranty given by him pursuant to the contract, or release the contractor from any other obligations of the contract. All such work shall be executed under the conditions of the contract for an amount agreed to by the CMHA and the Contractor.

**AFFIDAVIT OF NON-DEFAULT**

AFFIDAVIT  
(PRIME PROPOSER)

STATE OF \_\_\_\_\_ :

COUNTY OF \_\_\_\_\_ : SS.

\_\_\_\_\_, being duly sworn according to law, deposes and says;  
1 that he/she is \_\_\_\_\_ (a partner/officer of the firm of \_\_\_\_\_ et.), the party making the foregoing Proposal or Proposals.

2. He/she further certifies as follows:

(1) that all the statements made by me are true, complete and correct to the best of my knowledge and belief and are made in good faith.

(2) that for the period beginning (10) years ago the date of this certification, and except as shown by me on the attachment, I have not experienced defaults or non-compliance under any contract for the U.S. Department of Housing and Urban Developments, or any other governmental agency with which I have contracts.

(3) to the best of my knowledge there are no unresolved findings raised as a result of HUD work under any of my contracts.

(4) there has not been a suspension or termination of payments under any HUD contract in which I have had a legal or beneficial interest attributable to my fault or negligence.

(5) I have not been convicted of a felony and am not presently, to my knowledge, the subject of a complaint or any indictment charging a felony. (A felony is any offense that is punishable by imprisonment for more than one year, but does not include any offense classified as a misdemeanor under the laws of a state or punishable by imprisonment for two years or less).

(6) I have not been suspended, debarred, or otherwise restricted by any Department or Agency of the Federal Government of any State Government or of the City of Cape May or the Cape May Housing Authority or from doing business with such Department or Agency.

(7) I have not defaulted on an obligation covered by a bond and have not been the subject of a claim under any fidelity bond.

(8) all the names of the parties, known to be principals in this contract, in which I propose to participated are included on resumes submitted with this proposal.

(9) to my knowledge I have not been found by HUD or the state of New Jersey to be in non-compliance with any of the applicable civil rights laws.

(10) I am not a Member of Congress or a Resident Commissioner, nor otherwise prohibited or limited by law from contracting with the Government of the United States of America.

(11) I am not an officer, employee, or commissioner of the Cape May Housing Authority who is prohibited or limited by law from contracting with the Cape May Housing Authority.

(12) for the period of beginning (5) years prior to the date of this certification, and except as shown by me on the attachment, I have not been suspended, debarred, or otherwise disqualified by the U.S. Department of Housing and Urban Development, or any other governmental agency with which I have contracted, from doing business with any governmental agency.

(13) statements above (if any) to which I cannot certify have been deleted by striking through the words with a pen. I have initialed each deletion (if any) and have attached a true and accurate signed statement (if applicable) to explain the facts and circumstances which I think helps to qualify me as a responsible principal for participating in this project.

\_\_\_\_\_  
Firm's Name

\_\_\_\_\_  
By:

\_\_\_\_\_  
Signature of Proposer if the Proposer is an Individual

Sworn to and subscribed  
Before me this \_\_\_\_\_  
Day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Signature of Partner if the Proposer is a Partnership

\_\_\_\_\_  
Signature of Officer if the Proposer is a Corporation

\_\_\_\_\_  
Notary Public

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

## **Drug-Free Workplace Certification**

**Drug-Free Workplace Act of 1988  
41 U.S.C. 701, et seq.  
54 Fed. Reg. 4945, et seq.**

The \_\_\_\_\_ (name of contractor), hereafter “the contractor”) certifies that it will provide a drug-free workplace by:

A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Contractor’s work place and specifying the actions that will be taken against employees for violation of such prohibition;

B. Establishing a drug-free awareness program to inform employees about:

1. The dangers of drug abuse in the workplace;
2. The contractor’s policy of maintaining a drug-free workplace;
3. Any available drug counseling, rehabilitation, and employee assistance programs; and
4. The penalties that may be imposed upon employees for violations occurring in the workplace;

C. Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by Paragraph A;

D. Notifying the employee in the statement required by Paragraph A that, as a condition of employment under the contract, the employee will;

1. Abide by the terms of the statement; and
2. Notify the contractor of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;

E. Notify the Cape May Housing Authority (CMHA) within ten (10) days after receiving notice under Subparagraph D2 from an employee or otherwise receiving actual notice of such conviction;

F. Taking one of the following actions, within thirty (30) days of receiving notice under Subparagraph D2 with respect to any employee who is convicted:

1. Taking appropriate personnel action against such employee, up to and including termination; or

2. Requiring such employee to participate satisfactorily in a drug-abuse assistance or rehabilitation program approved for such purposes by federal, state, or local health, law enforcement, or other appropriate agency.

G. Making good-faith effort to continue to maintain a drug-free workplace through implementation of Paragraphs A, B, C, D, E, and F.

A listing of sites for performance of work done in connection with contracts between the contractor and the CMHA is annexed hereto as Exhibit "A".

Dated: \_\_\_\_\_, 2020

\_\_\_\_\_  
**Name of Contractor**

\_\_\_\_\_  
**Signature of president or appropriate party**

Sworn to and subscribed  
Before me this \_\_\_\_\_  
Day of \_\_\_\_\_, 2020

\_\_\_\_\_  
**Notary Public (SEAL)**

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**Attach Exhibit "A"**