



INSTRUCTIONS FOR AFFIDAVIT OF NON-DEFAULT

This form must be signed by all principals who will work on this contract. Principals may all use, sign, and file the same form or they may file separate forms.

Principals include all individuals, joint ventures, partnerships, corporations, trusts, nonprofit organizations or any other public or private entity that will participate in the contract as a prime contractor.

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 to be 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.

Exception for corporation - All principals must personally sign the certification. If, however, a public agency is a principal, all of its officers, directors, commissioners, trustees and stockholders with 10 or more of the common (voting) stock need not sign personally if they all have the same record of report. Only the officer who is authorized to sign for the corporation or agency must personally sign the certification. However, any person who has information to report which is substantially different from that of his or her organization must report that activity on this form and sign his or her name.

If you cannot certify and sign the certificate as it is printed because some statements do not correctly describe your record, then use a pen and strike through those parts that differ with your record, and sign that part you permitted to remain and which does describe you or your record.

Attach a signed explanation of the terms you have struck out on the certification and report the facts of your correct record. Item (e) above relates to felony convictions within the past 10 years. A felony conviction will not 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.



AFFIDAVIT
(Prime Proposer)

STATE OF: _____:

COUNTY OF: _____:

_____, being duly sworn according to law, deposes and says:

1. That he/she is _____ (a partner/officer of the firm of _____), the party making the foregoing Proposal or Proposals.
2. He/she further certifies as follows:
 - a) 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;
 - b) that for the period beginning 10 years prior to the date of this certification, and except as shown on the attachment, I have not experienced defaults or noncompliance under any contract for the U. S. Department of Housing and Urban Development, or any other governmental agency with which I have contracts;
 - c) to the best of my knowledge there are no unresolved findings raised as a result of HUD audits, management reviews or any other governmental investigations concerning me or work under any of my contracts;
 - d) 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;
 - a) I have not been convicted of a felony and am not presently, to my knowledge, the subject of a complaint or indictment charging a felony. (A felony is any offense punishable by imprisonment for more than one year, but does not include any offense classified as a misdemeanor under the laws of a State and punishable by imprisonment of two years or less.);
 - b) I have not been suspended, debarred or otherwise restricted by any Department or Agency of the Federal government, any State government, the City of Charlotte, NC, or the Housing Authority of the City of Charlotte from doing business with such Department or Agency;



Charlotte Housing Authority

Building Community, People & Partnerships

- g) I have not defaulted on an obligation covered by a bond and have not been the subject of a claim under any fidelity bond;
- h) all the names of the parties known to me to be principals in this contract in which I propose to participate are included on resumes submitted with this proposal;
- i) to my knowledge I have not been found by HUD or the State of North Carolina to be in noncompliance with any applicable civil right laws;
- j) I am not a Member of Congress or a Resident Commissioner or otherwise prohibited or limited by law from contracting with the Housing Authority of the City of Charlotte;
- k) I am not an officer or employee or commissioner of the Housing Authority of the City of Charlotte who is prohibited or limited by law from contracting with HACC; and
- l) 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 help to qualify me as a responsible principal in this project.

By:

Signature of Individual if the Proposer is an Individual

Signature of Partner if the Proposer is a Partnership

Signature of Officer if the Proposer is a Corporation

Sworn to and Subscribed

Before me this _____ day

of , 20____.

Notary Public

(Title) Place Corporate Seal Here