

**REQUEST FOR PROPOSAL
FOR GENERAL LEGAL COUNSEL SERVICES for the
HOUSING AUTHORITY OF THE BOROUGH OF GLASSBORO
RFP 16-003**

Sealed proposals for Legal Services will be received by the Housing Authority of Gloucester County, the Administrator for the Housing Authority of Glassboro, c/o 100 Pop Moylan Blvd., Deptford, New Jersey, 08096, until **September 15, 2016 at 2:00 PM.**

Said proposals must conform to the specifications outlined in the Request for Proposal (RFP). The Authority reserves the right to reject any and all offers and to waive non-material deficiencies.

Negotiations may be conducted with bidders who submit proposals that have a reasonable offer. is soliciting proposals through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq. The Housing Authority of the Borough of Glassboro reserves the right to waive informalities in proposals and/or reject all proposals.

The Proposal selected shall comply with all applicable federal, state and local statutes, rules and regulations. Proposal chosen will be required to comply with P.L. 1975 c.127 (affirmative action requirements), N.J.S.A. 52:32-44 (Business Registration), N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (Contract compliance and Equal Employment Opportunities)

The Authority reserves the right to reject any and all proposals received by reason of this request, or to negotiate separately in any manner necessary to serve the best interests of the Authority.

A complete set of specifications may be obtained by contacting:

**Kimberly Gober, Executive Director
Housing Authority of the Borough of Glassboro
c/o 100 Pop Moylan Blvd
Deptford, New Jersey 08096
(856) 845-4959 x 218**

**Late offers will be rejected
PLEASE CLEARLY MARK ALL PACKETS : "RFP PROPOSAL"**

The Housing Authority of the Borough of Glassboro is a fair housing provider. We do not make any preference, limitation or discrimination because of race, color, religion, sex, handicap, familial status, or national origin. The Housing Authority of the Borough of Glassboro is an equal opportunity employer and complies with all federal and state laws, regulations and executive orders regarding employment.



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GENERAL LEGAL SERVICES

RFP 16-003

**HOUSING AUTHORITY OF
THE BOROUGH OF GLASSBORO**

JANUARY 1, 2016 TO DECEMBER 31, 2016

SUBMISSION DEADLINE

**2:00 P.M.
SEPTEMBER 15 2016**

ADDRESS ALL PROPOSALS CLEARLY MARKED
"RFP PROPOSAL" ON THE FRONT OF THE ENVELOPE TO:

**KIMBERLY GOBER
EXECUTIVE DIRECTOR
HOUSING AUTHORITY OF THE BOROUGH OF GLASSBORO
C/O 100 POP MOYLAN BLVD.
DEPTFORD, NEW JERSEY 08096**

The Housing Authority of The Borough of Glassboro

REQUEST FOR PROPOSAL FOR **GENERAL LEGAL SERVICES 16-003**

GENERAL INFORMATION & MISCELLANEOUS

NAME OF ORGANIZATION AND ADDRESS

HOUSING AUTHORITY OF THE BOROUGH OF GLASSBORO
C/O 100 POP MOYLAN BLVD.
DEPTFORD, NEW JERSEY 08096

TELEPHONE

(856) 845-4959 X 218

CONTACT PERSON

KIMBERLY GOBER
Executive Director

SERVICES REQUESTED

The Housing Authority of the Borough of Glassboro is requesting proposals from qualified individuals and firms to provide general legal services to the Authority. Proposals will be evaluated in accordance with the criteria outlined below. One or more individuals/firms may be selected to provide services.

FREQUENCY OF LEGAL REPORTING

Attendance is required at designated Board Meetings and Special Meetings of the Board of Commissioners and upon request, reports to the Board of Commissioners and the Executive Director. Any legal reports as required by the Housing Authority of the Borough of Glassboro, any entities related to same and the Department of Housing and Urban Development concerning specific programs or projects.

DELIVERY OF REPORTS

Attendance at designated meetings of the Board of Commissioners, as well as Special Meetings and reports to the Board of Commissioners, as required from time to time by the Board and the Executive Director.

PERIOD OF CONTRACT

One Year (January 1, 2016 to December 31st, 2016)

METHOD OF PAYMENT

Payment made subsequent to the detailed listing of invoices/vouchers for payment on the bill list of the Authority, itemized by project, with certification that the billing is for work completed, as specified, and delivered to the GHA and as may otherwise be convenient to the Housing Authority of the Borough of Glassboro Billings must be received no later than Tuesday of the week before the Board meeting in order to be listed for Payment

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The Housing Authority of the Borough of Glassboro requests proposals for the retention of legal services for a period of twelve months, commencing January 1, 2016

1. CRITERIA

Education and Experience: Attorneys assigned to this engagement must have a Juris Doctorate and minimum of five (5) years experience in the practice of law with a public agency and/or law firm. Successful Candidate must be licensed to practice law in the State of New Jersey. Attorneys submitting proposals to the RFP must not be debarred, suspended or otherwise prohibited from professional practice by any Federal, State or Local Agency.

2. SCOPE OF RESPONSIBILITY

Provide legal advice and services to the Board of Commissioners and Management of the Housing Authority of the Borough of Glassboro.

- Serve as legal counsel for the Housing Authority of the Borough of Glassboro in Court proceedings and litigation
- Preparation/review of legal documents such as contracts, leases, petitions, depositions, answers, and motions
- Advise management staff on matters pertaining to legal rights, obligations and other phases of law as it pertains to the Housing Authority of the Borough of Glassboro
- Conduct tenant grievance hearings and employee grievance conferences, when appropriate
- Represent the Agency at fact finding conferences concerning EEO and fair housing complaints
- Compile evidence in cases to formulate defense or to initiate legal actions
- Review procurement contracts, bid proposals and professional service agreements for compliance with standard operating procedures and local, State and Federal law
- Research, analyze, develop and/or provide options toward the development of agency-wide policies and procedures to insure compliance with applicable laws and regulations
- Interfacing with HUD legal counsel in order to comply with changing regulations on law, low rent housing programs and for approval of contracts
- Review constitution, legislation decisions and other legal documents for compliance with applicable laws and regulations and to provide legal advice
- Serve as legal counsel to and advise the Board of Commissioners
- Counsel is required to meet with the management of GHA monthly in preparation for the Board meetings
- Counsel is responsible for preparation of resolutions and other documents for consideration by the Board.

4. KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of legal practices and procedures affecting the Housing Authority and its programs
- Ability to analyze and interpret laws, regulations and legal documents
- Ability to communicate orally and in writing
- Knowledge of Federal, State, Administrative and Municipal court proceedings
- Maintain effective working relations with employees and general public
- General background and practice in real estate law, including construction lending and permanent lending and tax free bond lending for multi-family housing facilities
- Development and operation of housing under the IRS tax credit program
- landlord/tenant law including collections

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- Issues involving Fair Housing laws, Equal Employment Opportunity, and civil rights
- Laws regarding labor/management relationships and negotiation of labor contracts
- Procurement, contracting, and contract administration of goods and services (including construction contracts) under Federal, State, and local regulations
- administrative law
- Federal and State housing statutes and regulations; New Jersey Municipal Zoning and Planning law and regulations; COAH regulations and insurance procurement, contracts, and claims.
- General litigation experience in New Jersey Superior Court, Federal Practice and some degree of Appellate practice is required.

NOTE: THIS JOB DESCRIPTION IS NOT INTENDED AND SHOULD NOT BE CONSTRUED TO BE AN EXHAUSTIVE LIST OF ALL RESPONSIBILITIES, SKILLS, EFFORTS AND/OR WORKING CONDITIONS ASSOCIATED WITH THIS EMPLOYMENT.

5. TECHNICAL PROPOSAL

Proposers should submit a technical proposal, which contains the following:

- The name of the proposer, the principal place of business and, if different, the place where the legal services will be provided
- The age of the proposer's firm and the average number of employees over the past three years
- The qualifications, experience, and training of all persons who would be assigned to provide legal services along with their names and titles
- A listing of other engagements where legal services of the types listed under **LEGAL SERVICES REQUIRED and KNOWLEDGE, SKILLS, AND ABILITY** were provided in the past ten years. This should include other housing development and housing management organizations
- A plan for providing the legal services described above with a moderate amount of detail
- Proof of professional liability insurance
- Proof of professional license from the State of New Jersey for all professionals assigned to the engagement
- Statement that the firm has Workers' Compensation and Employer's Liability Insurance in accordance with New Jersey law
- Statement that neither the firm nor individuals assigned to this engagement are disbarred, suspended, or otherwise prohibited from professional practice by any federal, state, or local agency
- A statement listing any municipalities where proposer would have a conflict representing
GHA

6. ATTACHMENTS

- A.** A completed Certification for Contracts, Grants, Loans, and Cooperative Agreements
- B.** An Affirmative Action Statement
- C.** Non-Collusion Affidavit
- D.** Owner Disclosure Statement
- E.** A statement that the proposer will comply with the General Terms and Conditions required by HAGC

Affirmative Action

The Proposers must certify that it does not discriminate in the hiring or promotion of any minorities, as designated by the Equal Employment Opportunity Commission of the United States of America, or the Department of Civil Rights of the State of New Jersey; and that it does not discriminate against any

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person or persons on the basis of race, creed, age, color, sex, national origin, ancestry, marital status and affectional or sexual orientation or handicap.

Public Records

Proposals submitted under this RFP constitute a public document that will be made available to the public upon request. The Proposing Agent may request to deem certain sections of its Proposal non-disclosable, as permitted by N.J.A.C. 19:9-4.2(a)4 and the New Jersey Open Public Records Act (OPRA), N.J.S.A. 47:1A-1 et seq., which determination shall be in the sole discretion of the Authority's Attorney and designated OPRA custodian of records. Each page that the Agent believes to be non-disclosable because of the applicability of an OPRA exception or for another reason (such as Federal law) shall be specifically identified with a stamp or other notation indicating that the page is to be deemed confidential and not disclosed. The Proposing Agent shall also identify the specific OPRA exception or other law or regulation that it believes to exempt the designated information from public disclosure. OPRA exceptions are listed at N.J.S.A. 47: 1A-1.1 through N.J.S.A. 47: 1A-3.

Notwithstanding any such request or determination, the Authority cannot and does not provide any assurance that any information provided to the Authority will remain confidential. All Proposing Agents are deemed to have submitted their Proposals and all information within or relating to same, with the understanding that the New Jersey Government Records Council or a court of competent jurisdiction may direct that any or all such information be released to the public without restriction.

Division of Revenue Registration

Pursuant to the terms of N.J.S.A. 52:32-44, the successful Proposing Agent is required to provide to the Authority proof of valid business registration with the Division of Revenue in the Department of the Treasury, prior to entering into a contract with the Authority. No contract shall be entered into by the Authority unless the Agent first provides proof of valid business registration. In addition, the successful Proposing Agent is required to receive from any subcontractor and/or sub-consultant it uses for goods and services under this contract, proof of valid business registration with the Division of Revenue. No subcontract shall be entered into by any contractor with the Authority unless the subcontractor and/or sub-consultant first provide proof of valid business registration. Please include a copy of the Agent's Certificate of Registration with the proposal submission.

Affidavit of Moral Integrity

Together with the Proposal, the Agent must submit an Affidavit of Moral Integrity on the form attached hereto for review by the Authority.

Proposer shall include:

- Affirmative Action Information Sheet
- Mandatory Equal Employment Opportunity Language
- Non-collusive Affidavit
- Certification for Contracts
- Grants, Loans and Cooperative Agreements (anti-lobbying certification)
- Affidavit of Moral Integrity
- Owner Disclosure Statement

NOTE: An interview may be required

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7. COST PROPOSAL

Proposers should submit a cost proposal in regard to fees, which would include any retainer, the services to be provided for the retainer, hourly billing rates, and any reimbursements to be billed.

8. PROPOSAL EVALUATION

GHA will determine the most qualified proposer(s) based on the following evaluation factors. However, cost is important to GHA. GHA will attempt to negotiate an acceptable fee with the most qualified proposer(s). If negotiations do not produce a fee proposal in the best interest of HAGC, it will negotiate with the next most qualified proposer(s) and so forth until an agreement is reached with a proposer(s) that is in the best interest of GHA. GHA may determine to contract with more than one firm.

<u>EVALUATION FACTORS</u>	<u>SCORE</u>
Points awarded will be based on the information contained in the technical proposal and information gathered during interview if they are conducted	
A. <u>Technical Proposal contains all required information</u> 0 to 10 points	
B. <u>Relevancy and Quantity of Qualifications, Experience, and Training of Personnel to be assigned</u> Maximum 25 points	
C. <u>Relevancy and Quantity of Engagements performed</u> Maximum 25 points	
D. <u>Plan for performing engagement is realistic, thorough, and demonstrates knowledge of requirements</u> Maximum 20 points	
E. <u>Cost Proposal Most Advantageous to HAGC</u> Maximum 20 points	
TOTALS	

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AFFIRMATIVE ACTION INFORMATION SHEET

IN ACCORDANCE WITH THE TERMS OF THE ATTACHED AGREEMENT PROPOSERS ARE REQUIRED SUBMITTING ONE OF THE FOLLOWING FORMS RELATING TO COMPLIANCE WITH AFFIRMATIVE ACTION REGULATIONS. PLEASE COMPLETE AND RETURN THIS FORM WITH THE PROPOSAL.

1. The proposer has submitted a Federal Affirmative Action Plan Approval which consists of a valid letter from the Office of Federal Contract Compliance Programs (Good for one year of the date of letter).

YES _____ NO _____

If yes, a photo copy of the Letter of Approval is to be submitted with the bid.
(OR)

2. The proposer has submitted a Certificate of Employee Information Report pursuant to (NJAC 17.27-1.1) and The State Treasurer has approved said report.

YES _____ NO _____

If yes, a photo copy of the Certificate is to be submitted with the bid.
(Expiration Date on Certificate)

Certificate of Approval Number _____
(OR)

3. If Proposer has already submitted Form AA-302 to the States' Affirmative Action Office, please return a copy of it with the proposal.

If you are the successful proposer and have none of the above, please contact the Purchasing Department at **(856) 845-4959 ext. 218** within five (5) days of notification of award for an Affirmative Action Employee Information Report (AA-302). This form (AA-302) must be forwarded to the States' Affirmative Action Office.

The signature below certifies that one of the above forms of Affirmative Action evidence has been submitted, and all information contained above is correct to the best of my knowledge.

Signed _____ **Date Signed** _____

Print Name and Title

Proposers Company Name

Address _____

Telephone Number _____ **Fax Number** _____

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AFFIRMATIVE ACTION STATEMENT

The undersigned confirms that the Contractor agrees that in the hiring of any employees, laborers, workmen and mechanics for the performance of work under this bid that said contractor or any person on his behalf shall not be reason of race, creed, color or national origin or ancestry, discriminate against any employee in hiring who is qualified and available to perform the work to which the employment relates. The contractor shall not discriminate against any individual because of marital status or sex/age and shall comply with all statutes relating to contract on behalf of the Housing Authority of the Borough of Glassboro.

SIGNATURE

TITLE

DATE:



THE HOUSING AUTHORITY
BOROUGH OF GLASSBORO

The Housing Authority of The Borough of Glassboro

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MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

- A. The Contractor or Subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.
- B. The Contractor or Subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity, or expression, disability, nationality or sex.
- C. The Contractor or Subcontractor, where applicable will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding a notice to be provided by the agency contracting officer advising the labor union or worker's representative of the Contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- D. The Contractor or Subcontractor where applicable agrees to comply with any regulations promulgated by the Treasurer pursuant to **N.J.S.A. 10:5-31 et seq.** as amended and supplemented from time to time and the Americans with Disabilities Act.
- E. The Contractor or Subcontractor agrees to make good faith efforts to employee minority and women workers consistent with the applicable county employment goals established in accordance with **N.J.A.C. 17:27-5.2** or a binding determination of the applicable county employment goals determined by the Division, pursuant to **N.J.A.C. 17:27-5.2** .
- F. The Contractor or Subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity, or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.
- G. The Contractor or Subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personal testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

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- H. In conforming with the applicable employment goals, the Contractor or Subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity, or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.
- I. The Contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:
- Letter of Federal Affirmative Action Plan Approval
 - Certificate of Employee Information Report
 - Employee Information Report form AA302

The Contractor and its Subcontractors shall furnish such reports or other documents to the Division of Contract Compliances & EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and Public Agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27**

The parties to this contract do hereby agree that the provision of **N.J.S.A. 10:5-31 et seq.** dealing with discrimination in employment on Public Contracts, and the rules and regulations promulgated pursuant thereto, are hereby made a part of this contract and are binding upon them.

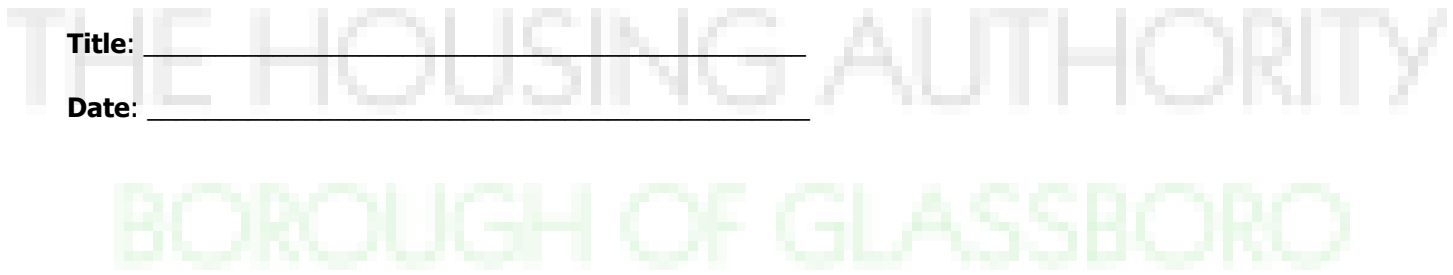
Submitted by:

Name: _____

By: _____

Title: _____

Date: _____



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NON - COLLUSION AFFIDAVIT

STATE OF NEW JERSEY:

COUNTY OF GLOUCESTER

I, _____ of the City of _____

and the State of New Jersey GLOUCESTER COUNTY, of full age, being duly sworn according to law on my oath depose and say that:

Signature: _____ of the firm of _____

the bidder making the Proposal for the above-named Project, and that I executed the said Proposal with full authority so to do; that said bidder has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above-named Project; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Housing Authority of Gloucester County relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said Project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by .

(N.J.S.A. 52:34-15).

Subscribed and sworn to
before me this _____ day of _____, 20 _____.

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CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of 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.

Executed this _____ day of _____, 20__.

By: _____

(Typed or Printed Name)

(Title, if any)

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AFFIDAVIT OF MORAL INTEGRITY

STATE OF NEW JERSEY
Ss:
COUNTY OF GLOUCESTER

I, _____ the _____ (Pres., Vice Pres., Owner/Partner) of _____ (Proposer), being first duly sworn, deposes and says:

1. That the _____ (Proposer) wishes its Proposal to be considered with respect to the Services outlined in this RFP as follows:
2. That the _____ (Proposer) wishes to demonstrate moral integrity in accordance with the Services to be rendered herein.
3. That in accordance with said Procedures as of the date of signing this Affidavit, neither the _____ Proposer, or any of its Principals, Owners, Officers, or Directors are involved in any Federal, State or other Governmental Investigation concerning criminal or quasi criminal violations, except as follows: **(If none, so state):**
4. Proposer further states that neither the Proposer, nor any of its Principals, Owners, Officers or Directors, has ever engaged in any violation of a Federal or State Criminal Statute; or ever been indicted, convicted, or entered a plea of guilty, non vult or nolo contendere to any violation of a Federal or State Criminal Statute; or ever engaged in violation of any nature regarding work on contracts performed by it, except as follows: **(If none, so state):**
5. That any depository, Proposer or other agency named (herein or later) is hereby authorized to supply the Authority with any information necessary to verify any statement made in this Proposer's Affidavit of Moral Integrity.
6. That as of the date of signing this Affidavit, outstanding liens filed against this Proposer are as follows: **(if none, so stated).**
7. That the undersigned, being authorized to act on behalf of _____ Proposer, certified that I am personally acquainted with the operations of said Proposer, have full knowledge of the factual basis comprising the contents of this Affidavit of Moral Integrity and that the same are true to my knowledge.
8. That if a corporation, the Proposer _____ (is, is not) incorporated in the State of New Jersey. If not a New Jersey Corporation the Proposer _____ (is, is not) authorized to do business in the State of New Jersey (attach Certificate of Authorization from New Jersey Secretary of State).
9. That this Affidavit of Moral Integrity is made to induce the Authority to accept a Proposer as a qualified provider of the Services and be permitted to submit a response to the RFP knowing that the said GHA relies upon the truth of the statements herein contained.

Sworn and Subscribed to Before Me This
_____ Day of _____ 20 _____

Signature

Notary Public Title
(Corporate Seal)

