

PROJECT/CONTRACT ELIGIBILITY AFFIDAVIT¹

AUTHORIZED REPRESENTATIVE

I HEREBY AFFIRM THAT I am the _____ and the duly authorized representative of _____ and that I possess the legal authority to make this Affidavit on behalf of myself and the organization for which I am acting.

CERTIFICATION OF ORGANIZATIONAL REGISTRATION AND TAX PAYMENT

I FURTHER AFFIRM THAT the organization named above is a _____ corporation, unincorporated association or partnership duly registered in accordance with the laws of the District of Columbia and is in good standing. The name and address of its resident agent is:

I FURTHER AFFIRM THAT, except as validly contested, the organization and any related entities, has paid, or will have paid all real property, income, and withholding taxes due to the District of Columbia prior to execution of any funding agreement awarded by the District of Columbia.

AFFIRMATION REGARDING BRIBERY CONVICTIONS

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that within the past five years, I have not been indicted, convicted of, or have had probation before judgment imposed, or have pleaded nolo contendere to a charge of bribery, attempted bribery, or conspiracy to bribe in violation of any District of Columbia or federal law.

AFFIRMATION REGARDING OTHER CONVICTIONS

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that within the past five years, I have not been indicted or convicted of a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; fraud, embezzlement, theft, forgery, falsification or destruction of records; receiving stolen property; or admitted in writing or under oath, during the course of an official investigation or other proceeding, acts or omissions that would constitute grounds for conviction or liability under any law or statute described above.

AFFIRMATION REGARDING CIVIL LIABILITY

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that within the past five years, neither I nor the above organization has been found civilly liable for commission of fraud or a criminal offense incident to obtaining, attempting to obtain or performing a public or

¹ Project/Contract Eligibility Affidavit is also known as the Contract Affidavit.

private contract; violation of federal or state antitrust statutes; commission of embezzlement, theft, forgery, falsification or destruction of records; making false statements; or receiving stolen property.

AFFIRMATION REGARDING CURRENT CRIMINAL OR CIVIL LIABILITY

I FURTHER AFFIRM, to the best of my knowledge, information, and belief that I am not currently indicted or otherwise criminally or civilly charged by a governmental entity with commission of any of the offenses enumerated in the three preceding paragraphs of this Affidavit.

AFFIRMATION REGARDING DEBARMENT

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that within the past five years, I have not been debarred, proposed for debarment, suspended, declared ineligible, excluded from or determined ineligible (including being issued a limited denial of participation) by any public entity.

AFFIRMATION REGARDING DEBARMENT OF RELATED ENTITIES

I FURTHER AFFIRM THAT (a) the organization was not established, and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment; and (b) the organization is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred organization.

SUBCONTRACT AFFIRMATION

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, has knowingly entered into a contract with a public body under which a person debarred or suspended will provide, directly or indirectly, supplies, services, architectural services, construction-related services, leases of real property, or construction.

AFFIRMATION REGARDING PAST PROJECT PERFORMANCE

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that within the past five years, neither I, nor the above organization and its related entities have while acting as a sponsor, developer, guarantor, or owner of a project development team been removed as a general partner or managing member, as applicable; had chronic past due accounts; had substantial liens, judgments, foreclosures, or bankruptcies; had unresolved defaults; issued chronic housing code violations; received excessive tenant complaints; failed to receive IRS Form 8609 for a completed project; or failed to correct a report of *Low-Income Housing Credit Agencies Report of Noncompliance or Building Disposition* (Form 8823).

AFFIRMATION REGARDING PAST DHCD PROJECT PERFORMANCE

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that I and the above organization and its related entities are in compliance with all existing and prior agreements with DHCD and/or the District of Columbia, including major health, safety and building codes. I and the above organization and its related entities have not consistently failed to provide information to DHCD about existing developments or other loan applications. Within the past three years, I and the above organization and its related entities have not had an award terminated by DHCD or received an unsatisfactory rating from DHCD or HUD, if applicable.

If the Affiant **cannot certify** that he/she nor the above organization has not been debarred, suspended, proposed for debarment, declared ineligible, excluded from, participation in a public contract; or **cannot certify** that he/she nor the above organization has not been indicted, convicted, or civilly charged by a governmental entity with an offense incident to obtaining, attempting to obtain, or performing a public or private contract, fraud, embezzlement, theft, forgery, falsification or destruction of records; or receiving stolen property; or **cannot certify** that within the past five years, he/she, nor the above organization has a history of removal from a project development team; substantial liens, defaults, judgments, foreclosures, and/or bankruptcies; he/she shall provide an explanation with this Affidavit. An explanation will not necessarily result in denial of participation in a Request for Proposal award. Failure to submit this Affidavit will disqualify the authorized representative and the above organization from a Request for Proposal award.

_____ Check here if an explanation is attached to this Affidavit.

ACKNOWLEDGMENT

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the District of Columbia Department of Housing and Community Development and may be distributed to units of (a) the District of Columbia government; (b) other states; and (c) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the District of Columbia, both criminal and civil, and that nothing in this Affidavit or any agreement resulting from the submission of this proposal shall be construed to supersede, amend, modify, or waive, on behalf of the District of Columbia, or any unit of the District of Columbia having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of the District of Columbia with respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above organization with respect to (a) this Affidavit, (b) the project proposal, (c) the funding award, (d) the funding contract, and (e) other Affidavits comprising part of the contract.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

WITNESS

Signature of Witness

Signature of Representative
