

# THE HOUSING AUTHORITY OF THE CITY OF MERIDEN

## REQUEST FOR PROPOSALS 2024-MHA-01 FOR INDEPENDENT AUDIT SERVICES

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### I. BACKGROUND

The mission of the Housing Authority of the City of Meriden (HACM) is to be the foremost provider of quality, affordable housing in the Meriden region by developing, revitalizing and managing contemporary housing communities. HACM is a public body, both corporate and politic, governed by a five-member Board of Commissioners appointed to terms by the City of Meriden. HACM is funded through the Department of Housing and Urban Development (HUD). HACM currently provides low-income public housing and rental assistance through a variety of programs and funds via HUD and State of Connecticut housing program.

HACM requires a Certified Public Accounting firm to perform the audit of its financial statements.

#### **Public Housing Audit**

- Housing Authority of the City of Meriden..... 12/31/2023, 12/31/2024 and 12/31/2025.
- Further, the audit proposal must provide the option of extending the engagement period for each of these housing authorities for up to two additional fiscal years.

The public housing audit is to be performed in accordance with: Generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants; the standards for financial audits set forth in the U.S. General Accounting Office's Government Auditing Standards; the provisions of the Single Audit Act and the provisions of U.S. Office of Management and Budget (OMB) Circular A-133, Audits of State and Local Governments; and March 2013 OMB A-133 Audit Compliance Supplement, Government Accounting Standard Board (GASB) Model 34, Management Discussion and Analysis for State and Local Governments and the U.S. Department of Housing and Urban Development's Public and Indian Housing Compliance Supplement. The financial statements are to be prepared by the auditor in accordance with Generally Accepted Accounting Principles (GAAP). In addition, it is HACM's policy to require the accounting firm to have specific experience in auditing housing authorities of the approximate size and scope of the Housing Authority of the City of Meriden.

### II. NATURE OF SERVICES REQUIRED

#### 1. General

The housing authority are required by the Federal Single Audit Act, and its' Annual Contributions Contract with HUD, to have yearly independent audits. The audit is to be performed in accordance with the provisions contained in this request for proposal..

### II. NATURE OF SERVICES REQUIRED

#### 2. Scope of Work to be Performed

The auditor must express an opinion on the fair presentation of the financial statements in conformity with accounting principles generally accepted in the United States of America.

The auditor is to provide an "in-relation-to" report on the supporting schedules based on the auditing procedures applied during the audit of the general purpose financial statements and the combining and individual fund financial statements and schedules. The auditor is not required to audit the statistical section of the report.

The auditor must perform the final review of the audit report within HUD's Real Estate Assessment Center (REAC) staging database no later than the eighth month following fiscal year end for each housing authority.

The auditor must also consider the internal control structure as part of the planning and performing of each audit and report on the internal control structure. OMB Circular A-133 requires the auditor to test and report on internal control structure and compliance with applicable laws and regulations. The auditor's report on compliance should include an opinion on the authority's compliance with applicable laws and regulations of each of its major programs.

In accordance with HUD's Uniform Financial Reporting Standards (UFRS) published in the Federal Register on September 1, 1998, each audit requires attestation by auditors on hard copy and electronically submitted data as to its "fair presentation in relation to audited basic financial statements" in accordance with the audit provision of the American Institute of Certified Public Accountants (AICPA) Statement on Auditing Standards (SAS) No. 29, *Reporting on Information Accompanying the Basic Financial Statements in Auditor-Submitted Documents*, and agreed-upon procedures under AICPA Statement on Standards for Attestation Engagements (SSAE) No. 4, *Agreed-Upon Procedures Engagements*, whereby the auditor compares the electronically submitted data in HUDS' REAC staging database to the hard copy of the audit report and Financial Data Schedule (FDS).

For State of Connecticut funding the auditors will follow CHFA and DECD auditing requirements and reporting requirements. For the Housing Authority Audit and Mixed Finance Tax Credit audits where CHFA or DECD funding is involved certain CHFA auditing procedures and standards are required to be reported on. Additional specific CHFA reporting requirements are to be used for the Housing Authority audit where State funded programs are involved. Those programs are described under Section III Public Housing Audit.

As a part of each audit contract, the auditor must agree to perform other accounting, auditing, consulting, comfort letter, or bond/debt/equity financing-related functions, or for any additional requirements not anticipated at the present. Fees will be negotiated at the time such services are requested. Billable rates will be based on those provided in the initial fee proposals for each authority.

### **3. Auditing Standards to be Followed**

To meet the requirements of this contract, the audit shall be performed in accordance with: Generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants; the standards for financial audits set forth in the U.S. General Accounting Office's Government Auditing Standards; the provisions of the Single Audit Act and the provisions of U.S. Office of Management and Budget (OMB) Circular A-133, Audits of State and Local Governments; and

## **II. NATURE OF SERVICES REQUIRED – (Cont'd)**

### **3. Auditing Standards to be Followed**

OMB A-133 Audit Compliance Supplement. Guidelines for Public Housing Authorities and Independent Auditors under Uniform Financial Reporting Standards for Public Housing Authorities. HUD Consolidated Audit Guide for Audits of HUD Programs and IRS Section 42

#### 4. Reports to be Issued

Following the completion of the audit of the fiscal year's financial statements, the Auditor shall issue:

- a. A report on the fair presentation of the financial statements, in conformity with generally accepted accounting principles.
- b. A report on the internal control structure based on the audit of the financial statements.
- c. A report on compliance with applicable laws and regulations. For Mixed Financed Tax Credit audits where CHFA is involved a Report on Compliance with Specific Program Requirements That Could Have a Direct and Material Effect on Each CHFA Program and a Report on Compliance with Specific Requirements Applicable to Fair Housing and Non-Discrimination are required.
- d. A report on supplementary schedule of federal financial assistance.
- e. A report on the internal control structure used in administering federal financial assistance programs.
- f. A report on compliance with laws and regulations related to major and non-major federal financial programs. This report shall include an opinion on compliance with specific requirements applicable to major federal financial assistance programs, a report on compliance with general requirements applicable to major federal financial assistance programs, and a report on compliance with laws and regulations applicable to non-major federal financial assistance program transactions tested.
- g. Attestation on Financial Data Schedule as to its "fair presentation in relation to audited basic financial statements" and auditor involvement in the electronic submission process under HUD's Uniform Financial Reporting Standards (UFRS) for Public Housing Authorities.
- h. HUD Section 8 Management Assessment Program (SEMAP) – HUD-52648 – SEMAP Certification in accordance with the SEMAP rules and related guidance, including the March 2000 OMB Circular A-133 compliance supplement.
- i. For state funded programs a report under additional information within the report the following is required; CHFA regulatory balance sheet, operating statements – administrative fund, analysis of retained earnings, operating statement – congregate grant, additional notes to the financial statements – statutory basis, schedule of adjusting journal entries
- j. After the examination, the Auditor shall submit to HACM, within 60 days of the audit report date, a management letter for the housing authority being audited, including a statement of audit findings, recommendations affecting the financial statements, internal control, accounting, accounting systems, legality of actions, program and financial performance, financial policies, and any other material matters. Prior to final submission of the final management letter, the auditor shall review a draft of the proposed letter with HACM's Executive Director. Additionally, all adjustments shall be provided to HACM management within the same time frame as the management letter.

In the required reports on internal controls, the auditor shall communicate any reportable conditions found during the audit. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which could adversely affect the organization's ability to

record, process, summarize, and report financial data consistent with the assertions of management in the financial statement.

The reports on compliance shall include all instances of non-compliance, irregularities, and illegal acts. Auditors shall be required to make an immediate, written report of all irregularities and illegal acts or indications of illegal acts of which they become aware to the following parties:

- (1) Executive Director
- (2) Board of Commissioners
- (3) U.S. Department of Housing and Urban Development (HUD)
- (4) State of Connecticut Department of Economic Community Development (DECD)
- (5) Connecticut Housing and Finance Agency (CHFA)

## **5. Special Considerations**

- a. HUD will function as the cognizant agency in accordance with the provisions of the Single Audit Act and U.S. Office of Management and Budget (OMB) Circular A-133, Audits of State and Local Governments.
- b. The schedule of expenditures of federal awards and related auditor's report, as well as the reports on the internal control structure and compliance and HUD Financial Data Schedule, are to be issued as part of the comprehensive annual financial report of each authority.
- c. All working papers and reports must be retained at the auditor's expense, for a minimum of three (3) years, unless the firm is notified in writing by HACM of the need to extend the retention period. The auditor will be required to make working papers available, upon request, to the following parties or their designees:

The Housing Authority of the City of Meriden (HACM)  
U.S. Department of Housing and Urban Development (HUD)  
State of Connecticut Department of Economic Community Development (DECD)  
Connecticut Housing and Finance Agency (CHFA)

- d. In addition, the firm shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing significance.

## **6. Manner of Payment**

Audit fees will be paid out as follows;

- 50% will be paid at the completion of the audit fieldwork
- The remaining 50% will be paid upon the completion of the HUD REAC FDS Audited Submission or HUD REAC FASSUB Submission along with a hard and electronic copy of the final audit report.

## **III. DESCRIPTION OF HOUSING AUTHORITY**

### **1. Background Information**

HACM provides a variety of housing opportunities for low to moderate-income families within the City of Meriden, Connecticut.

The Authority operates and manages several different programs and presents financial statements from an enterprise fund perspective. Each fund is a separate accounting entity with a self-balancing set of accounts.

HACM has a yearly payroll of approximately \$600K covering 9 employees. The Authority has a Development Corporation, Maynard Road Corporation, which has a yearly payroll of approximately \$289K and 5 employees.

HACM's Central Office is located at 22 Church Street, Meriden, Connecticut 06451. A list of site management offices can be provided upon request.

More detailed information on HACM's finances can be found in the last year's audit report. A copy of this document may be viewed on the HACM website at or by contacting the Finance Department at (203) 235-0157 x7117.

**2. Fund Structure**

The Authority's funds or programs are as follows:

- Low Income Public Housing – Three (3) AMPS, 2 active and 219 regular AMP units
- Capital Fund Program – Three (3) active grants
- Housing Choice Voucher Program – 865 units
- State Programs – 11 funds
  - State of Ct Moderate Rental Program – 220 standing units with 145 leased
  - Revolving Fund
  - Nine (9) smaller funds for state grants and debt obligations for predevelopment costs
- Resident Opportunities and Self Sufficiency Program – One (1) grant
- Family Self Sufficiency (PH and S8) – Two (2) grants
- Component Unit: Maynard Road Corporation – 501 C(3) Development Corporation. Handles all development activities for HACM and has three (3) active developments for the 2017 audit. Two (2) rental units as well.
- Central Office Cost Center – \$853k in estimated Fees
- Business Activities – 15 Units owned and various predevelopment loans in relation to the Bristol

**3. Pension Plan**

State of Connecticut Municipal Employees Retirement System (CTMERS), a defined benefit plan.

**IV. AUDIT FIRM'S TIME REQUIREMENTS (FOR HOUSING AUTHORITY)**

Initiation of Services.....	Later of 60 days from contract start date or fiscal year end + 60 days
Draft Financial Statements.....	FYE + 180 days
Final Audit Report and Management Letters (20 copies).....	FYE + 240 days
Audit Report Entered into HUD's REAC Staging Database:.....	FYE + 250 days
HUD REAC FDS Attestation Complete...	FYE + 260 days

## **V. ASSISTANCE TO BE PROVIDED TO THE AUDITOR AND REPORT PREPARATION**

### **1. Finance Department**

The HACM Finance Department staff and responsible management personnel will be available during the audit to assist the Auditor by providing information, documentation, and explanations.

### **2. Statement and Schedule Preparation**

Staff of HACM will prepare the following statements and schedules for the Auditor:

Final trial balances of all funds with appropriate reconciliations of control accounts to detail records

Preliminary Financial Data Schedule (FDS) (FASSUB)

Financial Statement drafts including footnotes and supplemental schedules

Management Discussion and Analysis

HACM staff will prepare or assist in the preparation of any other requested schedules as may be reasonably requested by the audit staff, to facilitate and expedite timely completion of field work.

### **3. Report Preparation**

Auditor's reports preparation and typing shall be the responsibility of the Auditor. Printing of the Auditor's reports shall be the responsibility of the Auditor. Specified copies are required plus a PDF version of all reports.

## **VI. PROPOSAL REQUIREMENTS**

### **1. Technical Proposal**

One combined proposal for auditing HACM shall be submitted in an original and three (3) copies. The selection of the best proposal will be made by HACM. Once the award has been made, an audit contract will be executed.

The purpose of the technical proposal is to demonstrate the qualifications, competence, and capacity of the firms seeking to undertake an independent audit of HACM in conformity with the requirements of this request for proposal. As such, the substance of proposals will carry more weight than their form or manner of presentation. The technical proposal should demonstrate the qualifications of the firm and of the staff to be assigned to this engagement. It should also specify an audit approach that will meet the request for proposal requirements.

The technical proposal should address all the points outlined in the request for proposal (excluding any cost information which should only be included in the sealed dollar cost quote). The proposal shall be prepared simply and economically, providing a straight forward, concise description of the proposer's capabilities to satisfy the requirements of the request for proposals. While additional data may be presented, the following subjects, items a through d must be included. They represent the criteria against which the proposal will be evaluated.

a. Firm Qualifications and Experience

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 the number and nature of the professional staff to be employed in this engagement on a full-time basis and the number and nature of the staff to be so employed on a part-time basis.

If the proposer is a joint venture or consortium, the qualifications of each firm comprising the joint venture or consortium should be separately identified and the firm that is to serve as the principal auditor should be noted, if applicable. A complete contract between the joint venture or consortium should be provided in the proposal package for review.

The firm is also required to submit a copy of the report on its most recent external quality control review, with a statement whether that quality control review included a review of the housing authority engagements.

The firm shall also provide information on the results of any federal or state desk reviews or field reviews of its audits during the past three (3) years. In addition, the firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three (3) years with state regulatory bodies or professional organization.

b. Partner, Supervisory, and Staff Qualifications and Experience

The firm should identify the principal supervisory and management staff, including engagement partners, managers, other supervisors, and specialists, who would be assigned to the engagement and indicate whether each such person is licensed to practice as a certified public accountant in Connecticut. The firm also should provide information on the government auditing experience of each person, including information on relevant continuing professional education, and membership in organizations relevant to the performance of this audit.

The firm also should indicate how the quality of staff over the term of the agreement will be assured.

Engagement partners, managers, other supervisory staff, and specialists may be changed if those personnel leave the firm, are promoted, or are assigned to another office. These personnel may also be changed for other reasons with the express prior written permission of HACM. However, in either case, HACM retains the right to approve or reject replacements.

Consultants and firm specialists mentioned in response to this request for proposals can only be changed with the express prior written permission of HACM, which retains the right to approve or reject replacements.

c. Engagements with Government Entities

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 years that are like the engagement described in this request for proposal. These engagements should be ranked based on total staff hours. Indicate the scope of work, date, engagement partners, total hours, and the name and telephone number of the principal client contact.

d. Schedule for Performance

Include in the response the estimated amount of time your firm would need to complete the performance of this engagement if different from the schedule outlined above. Indicate whether the Time

Requirements schedule in Section IV will be met for the audit. If the Time Requirements cannot be met, indicate when they can be met.

**2. Sealed Dollar Cost Quote.**

a. Total All-Inclusive Maximum Price

The sealed dollar cost quote should contain all pricing information relative to performing the audit engagement as described in this request for proposal. The total all-inclusive maximum price must be presented for authority's audit. This price shall reflect all direct and indirect costs including all out-of-pocket expenses.

HACM will not be responsible for expenses incurred in preparing and submitting the technical proposal or the sealed dollar cost quote. Such costs should not be included in the proposal.

The sealed dollar cost quote must include the following information for each of the five housing authorities:

- (1) Name of the lead audit firm.
- (2) Section bidding on with each specified entity listed.
- (3) Total all-inclusive maximum price for each of the three basic years and the two option years for the named housing authority.

b. The sealed dollar cost quote must include the hourly rates by Partner, Senior, Junior, Supervisory, and Staff-level employees who will participate in the audit work, multiplied by the number of such employees, multiplied by the hours of work anticipated for each. Include a schedule of professional fees and expenses that supports the total all-inclusive maximum price for each of the basic and option years of the audit of each section and entity.

c. The sealed dollar cost quote must include rates for additional professional services if it should become necessary for HACM to request the audit firm to render any additional services to supplement the services requested in this request for proposal, the additional work shall be performed only if set forth in a modification to the contract between HACM and the firm. Any such additional work agreed to between HACM and the firm shall be performed at an hourly rate set forth in the schedule of fees and expenses specified Item b., above.

**THERE SHALL BE NO DOLLAR UNITS OR TOTAL COST INCLUDED IN THE TECHNICAL PROPOSAL DOCUMENT**

**3. Additional Information**

- a. The firm should provide an affirmative statement that it is independent of HACM, as defined by generally accepted auditing standards and the U.S. General Accounting Office's Government Auditing Standards.
- b. A copy of the firm's license, showing that the firm is licensed to practice in the State of Connecticut, must be included with the proposal documents.

**4. Deadline for Submitting the Proposal**

- a. Your complete proposal package must be received at the Central Office of the HACM, no later than 3:00 PM on Thursday, September 12, 2024. After this deadline, no other proposals or



modifications to previously submitted proposals will be accepted. All packages should be emailed to

- b. A complete proposal package consists of a technical proposal and a sealed dollar cost quote and the additional information required in number 3 above. Please ensure that these items are clearly identified with the name of your firm and with the contents of the envelopes.

## **VII. EVALUATION PROCEDURES**

### **1. Audit Selection Committee**

Proposals submitted will be evaluated by an Audit Selection Committee created by HACM.

### **2. Review of Proposals**

The Audit Selection Committee will use a point formula during the review process to score proposals.

HACM reserves the rights to retain all proposals submitted and use any idea in a proposal regardless of whether that proposal is selected.

### **3. Evaluation Criteria**

Proposals will be evaluated using all information requested in this request for proposal. The evaluation criteria are listed below in descending order of importance:

- a. Schedule of performance (25 points)
- b. Firm's qualification and experience (20 points)
- c. Partner, Supervisory and Staff qualifications and experience (20 points)
- d. Similar engagements with other government entities (20 points)
- e. Cost (15 points)

### **4. Oral Presentations**

During the evaluation process, the Audit Selection Committee may, at its discretion, request any one or more firms to make oral presentations. Such presentations will provide firms with an opportunity to answer any questions the Audit Selection Committee may have on a firm's proposal. Not all firms may be asked to make such oral presentations.

### **5. Final Selection**

The firm selected by the Audit Selection Committee will be recommended to the Board of Commissioners for final approval.

END OF REQUEST FOR PROPOSAL

REQUEST FOR PROPOSALS 2024-MHA-01  
Independent Audit Services

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<b>FORM OF PROPOSAL (Attachment A)</b>
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(This Form must be fully completed and placed under Tab No. 1 of the "hard copy" tabbed proposal submittal.)

**Instructions:** Unless otherwise specifically required, the items listed below must be completed and included in the proposal submittal. Please complete this form by marking an "X," where provided, to verify that the referenced completed form or information has been included within the "hard copy" proposal submittal submitted by the proposer. Also, complete the Section 3 Statement and the Proposer's Statement as noted below:

X=ITEM INCLUDED	SUBMITTAL ITEMS <i>(Three copies of each proposal, including one with original signatures)</i>
_____	Tab 1 Form of Proposal (Attachment A)
_____	Tab 2 Form HUD-5369-C (Attachment B)
_____	Tab 3 Non-Collusive Affidavit (Attachment C)
_____	Tab 4 Technical Proposal per Section VI.1.
_____	Tab 5 Sealed Dollar Cost Quote per Section VI.2.

**SECTION 3 STATEMENT**

Are you claiming a Section 3 business preference? YES\_\_\_ or NO\_\_\_. If "YES," which priority are you claiming? \_\_\_\_\_.

**PROPOSER'S STATEMENT**

The undersigned proposer hereby states that by completing and submitting this Form and all other documents within this proposal submittal, he/she is verifying that all information provided herein is, to the best of his/her knowledge, true and accurate, and that if the HA discovers that any information entered herein to be false, such shall entitle the HA to not consider or make award or to cancel any award with the undersigned party. Further, by completing and submitting the proposal submittal, and by entering and submitting the costs where provided, the undersigned proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFP as issued by the HA. Pursuant to all RFP Documents, this Form of Proposal, and all attachments, and pursuant to all completed Documents submitted, including these forms and all attachments, the undersigned proposes to supply the HA with the services described herein for the fee(s) entered.

\_\_\_\_\_  
Signature    Date    Printed Name    Company

# Instructions to Offerors Non-Construction

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



- 03291 -

## 1. Preparation of Offers

(a) Offerors are expected to examine the statement of work, the proposed contract terms and conditions, and all instructions. Failure to do so will be at the offeror's risk.

(b) Each offeror shall furnish the information required by the solicitation. The offeror shall sign the offer and print or type its name on the cover sheet and each continuation sheet on which it makes an entry. Erasures or other changes must be initialed by the person signing the offer. Offers signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the HA.

(c) Offers for services other than those specified will not be considered.

## 2. Submission of Offers

(a) Offers and modifications thereof shall be submitted in sealed envelopes or packages (1) addressed to the office specified in the solicitation, and (2) showing the time specified for receipt, the solicitation number, and the name and address of the offeror.

(b) Telegraphic offers will not be considered unless authorized by the solicitation; however, offers may be modified by written or telegraphic notice.

(c) Facsimile offers, modifications or withdrawals will not be considered unless authorized by the solicitation.

## 3. Amendments to Solicitations

(a) If this solicitation is amended, then all terms and conditions which are not modified remain unchanged.

(b) Offerors shall acknowledge receipt of any amendments to this solicitation by

- (1) signing and returning the amendment;
- (2) identifying the amendment number and date in the space provided for this purpose on the form for submitting an offer,
- (3) letter or telegram, or
- (4) facsimile, if facsimile offers are authorized in the solicitation. The HA/HUD must receive the acknowledgment by the time specified for receipt of offers.

## 4. Explanation to Prospective Offerors

Any prospective offeror desiring an explanation or interpretation of the solicitation, statement of work, etc., must request it in writing soon enough to allow a reply to reach all prospective offerors before the submission of their offers. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective offeror concerning a solicitation will be furnished promptly to all other prospective offerors as an amendment of the solicitation, if that information is necessary in submitting offers or if the lack of it would be prejudicial to any other prospective offerors.

## 5. Responsibility of Prospective Contractor

(a) The HA shall award a contract only to a responsible prospective contractor who is able to perform successfully under the terms and conditions of the proposed contract. To be determined responsible, a prospective contractor must -

- (1) Have adequate financial resources to perform the contract, or the ability to obtain them;

- (2) Have a satisfactory performance record;
- (3) Have a satisfactory record of integrity and business ethics;
- (4) Have a satisfactory record of compliance with public policy (e.g., Equal Employment Opportunity); and
- (5) Not have been suspended, debarred, or otherwise determined to be ineligible for award of contracts by the Department of Housing and Urban Development or any other agency of the U.S. Government. Current lists of ineligible contractors are available for inspection at the HA/HUD.

(b) Before an offer is considered for award, the offeror may be requested by the HA to submit a statement or other documentation regarding any of the foregoing requirements. Failure by the offeror to provide such additional information may render the offeror ineligible for award.

## 6. Late Submissions, Modifications, and Withdrawal of Offers

(a) Any offer received at the place designated in the solicitation after the exact time specified for receipt will not be considered unless it is received before award is made and it -

- (1) Was sent by registered or certified mail not later than the fifth calendar day before the date specified for receipt of offers (e.g., an offer submitted in response to a solicitation requiring receipt of offers by the 20th of the month must have been mailed by the 15th);
- (2) Was sent by mail, or if authorized by the solicitation, was sent by telegram or via facsimile, and it is determined by the HA/ HUD that the late receipt was due solely to mishandling by the HA/ HUD after receipt at the HA;
- (3) Was sent by U.S. Postal Service Express Mail Next Day Service - Post Office to Addressee, not later than 5:00 p.m. at the place of mailing two working days prior to the date specified for receipt of proposals. The term "working days" excludes weekends and U.S. Federal holidays; or
- (4) Is the only offer received.

(b) Any modification of an offer, except a modification resulting from the HA's request for "best and final" offer (if this solicitation is a request for proposals), is subject to the same conditions as in subparagraphs (a)(1), (2), and (3) of this provision.

(c) A modification resulting from the HA's request for "best and final" offer received after the time and date specified in the request will not be considered unless received before award and the late receipt is due solely to mishandling by the HA after receipt at the HA.

(d) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent either by registered or certified mail is the U.S. or Canadian Postal Service postmark both on the envelope or wrapper and on the original receipt from the U.S. or Canadian Postal Service. Both postmarks must show a legible date or the offer, modification, or withdrawal shall be processed as if mailed late. "Postmark" means a printed, stamped, or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable without further action as having been supplied and affixed by employees of the U.S. or Canadian Postal Service on the date of mailing. Therefore, offerors should request the postal clerk to place a hand cancellation bull's-eye postmark on both the receipt and the envelope or wrapper.

(e) The only acceptable evidence to establish the time of receipt at the HA is the time/date stamp of HA on the offer wrapper or other documentary evidence of receipt maintained by the HA.

(f) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent by Express Mail Next Day Service-Post Office to Addressee is the date entered by the post office receiving clerk on the "Express Mail Next Day Service-Post Office to Addressee" label and the postmark on both the envelope or wrapper and on the original receipt from the U.S. Postal Service. "Postmark" has the same meaning as defined in paragraph (c) of this provision, excluding postmarks of the Canadian Postal Service. Therefore, offerors should request the postal clerk to place a legible hand cancellation bull's eye postmark on both the receipt and the envelope or wrapper.

(g) Notwithstanding paragraph (a) of this provision, a late modification of an otherwise successful offer that makes its terms more favorable to the HA will be considered at any time it is received and may be accepted.

(h) If this solicitation is a request for proposals, proposals may be withdrawn by written notice, or if authorized by this solicitation, by telegram (including mailgram) or facsimile machine transmission received at any time before award. Proposals may be withdrawn in person by a offeror or its authorized representative if the identity of the person requesting withdrawal is established and the person signs a receipt for the offer before award. If this solicitation is an invitation for bids, bids may be withdrawn at any time prior to bid opening.

#### 7. Contract Award

(a) The HA will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the HA, cost or price and other factors, specified elsewhere in this solicitation, considered.

(b) The HA may

- (1) reject any or all offers if such action is in the HA's interest,
- (2) accept other than the lowest offer,
- (3) waive informalities and minor irregularities in offers received, and (4) award more than one contract for all or part of the requirements stated.

(c) If this solicitation is a request for proposals, the HA may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the offeror's best terms from a cost or price and technical standpoint.

(d) A written award or acceptance of offer mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer shall result in a binding contract without further action by either party. If this solicitation is a request for proposals, before the offer's specified expiration time, the HA may accept an offer, whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award. Negotiations conducted after receipt of an offer do not constitute a rejection or counteroffer by the HA.

(e) Neither financial data submitted with an offer, nor representations concerning facilities or financing, will form a part of the resulting contract.

#### 8. Service of Protest

Any protest against the award of a contract pursuant to this solicitation shall be served on the HA by obtaining written and dated acknowledgment of receipt from the HA at the address shown on the cover of this solicitation. The determination of the HA with regard to such protest or to proceed to award notwithstanding such protest shall be final unless appealed by the protestor.

#### 9. Offer Submission

Offers shall be submitted as follows and shall be enclosed in a sealed envelope and addressed to the office specified in the solicitation. The proposal shall show the hour and date specified in the solicitation for receipt, the solicitation number, and the name and address of the offeror, on the face of the envelope.

It is very important that the offer be properly identified on the face of the envelope as set forth above in order to insure that the date and time of receipt is stamped on the face of the offer envelope. Receiving procedures are: date and time stamp those envelopes identified as proposals and deliver them immediately to the appropriate contracting official, and only date stamp those envelopes which do not contain identification of the contents and deliver them to the appropriate procuring activity only through the routine mail delivery procedure.

[Describe bid or proposal preparation instructions here.]

# Certifications and Representations of Offerors Non-Construction Contract

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

OMB Approval No: 2577-0180 (exp. 7/30/96)

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This form includes clauses required by OMB's common rule on bidding/offering procedures, implemented by HUD in 24 CFR 85.36, and those requirements set forth in Executive Order 11625 for small, minority, women-owned businesses, and certifications for independent price determination, and conflict of interest. The form is required for nonconstruction contracts awarded by Housing Agencies (HAs). The form is used by bidders/offers to certify to the HA's Contracting Officer for contract compliance. If the form were not used, HAs would be unable to enforce their contracts. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

## 1. Contingent Fee Representation and Agreement

(a) The bidder/offeror represents and certifies as part of its bid/offer that, except for full-time bona fide employees working solely for the bidder/offeror, the bidder/offeror:

- (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.

(b) If the answer to either (a)(1) or (a) (2) above is affirmative, the bidder/offeror shall make an immediate and full written disclosure to the PHA Contracting Officer.

(c) Any misrepresentation by the bidder/offeror shall give the PHA the right to (1) terminate the resultant contract; (2) at its discretion, to deduct from contract payments the amount of any commission, percentage, brokerage, or other contingent fee; or (3) take other remedy pursuant to the contract.

## 2. Small, Minority, Women-Owned Business Concern Representation

The bidder/offeror 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 small business concern. "Women-owned," as used in this provision, means a small 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 enterprise which, pursuant to Executive Order 11625, is defined as a business which is at least 51 percent owned 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)

- |   |   |
|---|---|
| <input type="checkbox"/> Black Americans    | <input type="checkbox"/> Asian Pacific Americans  |
| <input type="checkbox"/> Hispanic Americans | <input type="checkbox"/> Asian Indian Americans   |
| <input type="checkbox"/> Native Americans   | <input type="checkbox"/> Hasidic Jewish Americans |

## 3. Certificate of Independent Price Determination

(a) The bidder/offeror certifies that—

- (1) The prices in this bid/offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other bidder/offeror or competitor relating to (i) those prices, (ii) the intention to submit a bid/offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this bid/offer have not been and will not be knowingly disclosed by the bidder/offeror, directly or indirectly, to any other bidder/offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the bidder/offeror to induce any other concern to submit or not to submit a bid/offer for the purpose of restricting competition.

(b) Each signature on the bid/offer is considered to be a certification by the signatory that the signatory:

- (1) Is the person in the bidder/offeror'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/offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the bidder/offeror'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/offeror deletes or modifies subparagraph (a)2 above, the bidder/offeror must furnish with its bid/offer a signed statement setting forth in detail the circumstances of the disclosure.

#### 4. Organizational Conflicts of Interest Certification

(a) The Contractor warrants that to the best of its knowledge and belief and except as otherwise disclosed, it does not have any organizational conflict of interest which is defined as a situation in which the nature of work under a proposed contract and a prospective contractor's organizational, financial, contractual or other interest are such that:

(i) Award of the contract may result in an unfair competitive advantage;

(ii) The Contractor's objectivity in performing the contract work may be impaired; or

(iii) That the Contractor has disclosed all relevant information and requested the HA to make a determination with respect to this Contract.

(b) The Contractor agrees that if after award he or she discovers an organizational conflict of interest with respect to this contract, he or she shall make an immediate and full disclosure in writing to the HA which shall include a description of the action which the Contractor has taken or intends to eliminate or neutralize the conflict. The HA may, however, terminate the Contract for the convenience of HA if it would be in the best interest of HA.

(c) In the event the Contractor was aware of an organizational conflict of interest before the award of this Contract and intentionally did not disclose the conflict to the HA, the HA may terminate the Contract for default.

(d) The Contractor shall require a disclosure or representation from subcontractors and consultants who may be in a position to influence the advice or assistance rendered to the HA and shall include any necessary provisions to eliminate or neutralize conflicts of interest in consultant agreements or subcontracts involving performance or work under this Contract.

#### 5. Authorized Negotiators (RFPs only)

The offeror represents that the following persons are authorized to negotiate on its behalf with the PHA in connection with this request for proposals: (list names, titles, and telephone numbers of the authorized negotiators):

#### 6. Conflict of Interest

In the absence of any actual or apparent conflict, the offeror, by submission of a proposal, hereby warrants that to the best of its knowledge and belief, no actual or apparent conflict of interest exists with regard to my possible performance of this procurement, as described in the clause in this solicitation titled "Organizational Conflict of Interest."

#### 7. Offeror's Signature

The offeror hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

\_\_\_\_\_  
Signature & Date:

\_\_\_\_\_  
Typed or Printed Name:

\_\_\_\_\_  
Title:

**REQUEST FOR PROPOSALS  
INDEPENDENT AUDIT SERVICES  
ATTACHMENT C**

**NON-COLLUSIVE AFFIDAVIT**

**(Prime Bidder)**

State of \_\_\_\_\_

County of \_\_\_\_\_

\_\_\_\_\_, being first duly sworn, deposed and says that he/she is a partner or officer of the firm of, the party making the foregoing proposal or bid, that such proposal or bid is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought, by agreement or collusion, or communication or conference, with any person to fix the bid price of affiant or any other bidder, or to fix overhead, profit or cost element of said price, or that of any other bidder, or to secure any advantage against the Housing Authority of the City of Meriden, of any personal interest in the proposed contract; and, that all statements in said proposal or bid are true.

Signed: \_\_\_\_\_  
(Bidder, if the bid is an individual;  
Partner, if the bid is a partnership;  
Officer, if the bid is a corporation)

Subscribed and sworn to before me this

Day of \_\_\_\_\_, 2018.

My commission expires \_\_\_\_\_, 20