



GENERAL CONTRACTOR CERTIFICATION AND QUESTIONNAIRE

All DSHA financed projects and projects receiving Low Income Housing Tax Credits shall invite three (3) or more qualified general contractors to provide bid estimates for proposed projects. In order to be considered qualified by Delaware State Housing Authority (DSHA), general contractors must complete this questionnaire and provide information on all of the required attachments 30 days prior to invitation to bid **or** general contractors can submit the information to DSHA for approval on an annual basis.

The following information is requested in connection with the projected financing of proposed Housing Developments which are or will be constructed or rehabilitated with DSHA financial sources. DSHA is required to exercise due diligence in ascertaining the accuracy and completeness of information which is material in the underwriting of the proposed financing which includes certification of the general contractor.

The information which is to be provided by you in this questionnaire is subject to the Freedom of Information Act, unless otherwise deemed proprietary.

Accordingly, DSHA requests that the following questions be answered accurately and completely and all required information is submitted so that DSHA can make an assessment for approved general contractor certification. If any question is not applicable, please so state and, unless self-evident, explain why. If the answer to any question is in doubt, or if you have any questions as to what associates or affiliates are covered by this questionnaire, or whether any facts are "material", please set forth the pertinent facts so that DSHA or our counsel may consult with you or your counsel as to appropriate disclosure, if any. Please note that the "principals" of your firm includes owners, directors and senior officers.

After DSHA has approved the general contractor certification, the general contractor will be placed on a list of approved general contractors. Developers will invite a minimum of three (3) approved general contractors to bid on their proposed development. DSHA must review/approve bid documents prior to release for bidding. The bids shall be sent to the architect of record in a sealed envelope, clearly marked with the project name and date stamped. Faxed or e-mailed bids shall not be accepted. The bids shall be privately opened, tallied and the results forwarded to DSHA and Developer.

INSTRUCTIONS: Please answer each question fully and completely. If any question is not applicable, please so state. In addition to answering the following questions, please attach those documents set forth in Exhibit A and Appendix A. If additional space is required, please attach separate sheet(s) of paper, as necessary and identify the question number.

1. What is the full name of firm?

Is it a sole proprietorship, general partnership, limited partnership or corporation?

Under the laws of what state is it organized? _____

Is it registered to do business in Delaware? _____ Yes _____ No

What is the firm's mailing address, and street address of its principal place of business, if that differs?

Contact Person: _____ Email: _____

Telephone: _____ Fax: _____

2. When was the entity formed? _____

Is this entity the successor to any other entity? If yes, state the name of such entity or entities, and their date or dates of formation, and the reason for the termination of such entity or entities. _____

When did this entity actively begin construction practice? _____

How many persons are presently employed? _____

What is the construction value of work presently under contract? _____

What is the value of work completed by your firm in each of the last five (5) years?

2005: _____

2008: _____

2006: _____

2009: _____

2007: _____

3. Please provide information concerning the principal owners or partners of your firm as follows:

Name	Position	Years of Service	Occupation

4. Provide a brief description of the general type of construction or design work in which your firm is engaged, and indicate whether your firm generally performs design/engineering and/or production services itself or subcontractors such services.

5. a. How many residential housing projects have you constructed which were subject to the construction requirements of HUD, FmHA or other government-assisted or regulated agencies, or of the mortgagee? _____ Please attach Form 2530, "Previous Participation Certificate", for each of those projects as Attachment #4.
- b. How many conventionally financed, non-governmental assisted residential housing projects have you constructed? _____

6. On Appendix A please list all major projects your firm is now involved with, and provide a brief description of the general type of work, dollar value, and projected completion date for each.

In what states are the projects listed on Appendix A located? _____

7. Have there been any major adverse business developments or conditions experienced in connection with the construction or operation of any of the buildings your firm has constructed attributable (in whole or in part) to your firm's construction performance? If so, please describe in full.

8. Has there been in the last ten (10) years, or is there now pending or threatened, any litigation, arbitration, governmental proceeding, or regulatory proceeding involving claims in excess of \$100,000 or requesting a declaratory judgment or injunctive relief with respect to the construction or operation of any of the work which your firm or its principals, predecessors or affiliates has undertaken in which the construction performance and/or work, competency or care was or is now being questioned? _____ Is there any potential claim, demand, litigation, arbitration, investigation, governmental proceeding or regulatory proceeding involving your firm or its principals, predecessors or affiliates? _____ If the answer to either of the preceding questions is Yes, please describe in full.

9. In addition to the litigation, arbitration, investigation or regulatory or governmental proceeding referred to in the preceding paragraph, is there any litigation, arbitration, investigation or governmental or regulatory proceeding now pending or threatened to which your firm is or may be a party, or is there any potential claim or demand, which might otherwise affect the capacity of your firm to perform with respect to the Housing Development, whether or not it concerns other work you have undertaken? If so, please describe in full.

10. Has your firm (or its principals, predecessors, or affiliates) within the last ten (10) years been, or are you or they currently, involved in any of the following:
- a. Any action, audit or investigation brought by any federal government agency or authority or by any state or local public body, or any officer of any state on behalf of a state or local public body?
 Yes No
 - b. Any criminal proceeding (excluding traffic violations and other minor offenses)?
 Yes No
 - c. Any proceedings involving a request for a permanent or temporary injunction from an activity involving the purchase or sale of securities?
 Yes No

If the answer to any of the parts of this question is "Yes", please describe in full.

11. Has your firm, its principals, predecessors, or affiliates been the subject of any proceeding under the federal bankruptcy laws or any other proceeding under state or federal law in which a court or government agency has assumed jurisdiction over any of the assets or business of your firm, its principals, predecessors or affiliates? If so, please identify the proceedings, the court or governmental body and the date such jurisdiction was assumed.

12. Describe the circumstances relating to each instance in the past five (5) years, if any, in which a claim or notice of a potential claim or a request for defense costs has been made under any such insurance or under any policies previously carried by your firm, its principals, predecessors or affiliates.

13. Does your firm, or any individual connected therewith, have any relationship (business or personal) with any other party involved in any transactions related to the development of the Housing Development? _____ If so, please describe in full.

14. a. Please attach a copy of your last three financial statements, audited, if available or tax returns.

b. Have there been any material adverse changes in your financial condition from that shown in your most recent financial statement? _____ If so, please describe in full.

15. Is your firm or any individual connected therewith to receive any fee or other compensation in connection with the Housing Development other than as stated in the contract for construction? _____ If so, please describe the circumstances.

The above information and materials provided herewith have been furnished by the undersigned on behalf of the aforesaid firm. Such information is true and accurate and does not omit any information or statements required to make such information not misleading in the circumstances.

Should any change occur in any of the information supplied in answer to the foregoing questions, the undersigned agrees to promptly supply the details of such change in writing to Delaware State Housing Authority, 18 The Green, Dover, DE 19901, Attention: Jerry W. Jones.

I/we fully understand that it is a Class A misdemeanor punishable by fine up to \$2,300 or up to one (1) year in prison, restitution, and other conditions as the court deems appropriate, to knowingly make any false statements concerning any of the above facts as applicable under the provisions of Title 11, Delaware Code, Section 1233.

Date: _____

By: _____
(Signature)

(Print Name)

Title: _____

For DSHA Use Only	
Approved by:	Date:

Exhibit A - Attachments

1. Certified copy of your financial statement(s) for the past three years, audited if available or tax returns.
2. True copy of Construction Contract and any other agreements relating to a Housing Development.
3. Copies of your most recent report/brochures and evidence of successful completion of projects with similar scope of work.
4. HUD Form 2530, Previous Participation Certificate(s).
5. Three (3) Business/Bank References.
6. Bonding capacity letter from surety.
7. Proper general liability insurance documentation.
8. Business license and EI#.
9. Letter of authorization for DSHA to request credit report for both personal and business accounts.

Appendix A

List all major projects your firm is now involved with, and provide a brief description of the general type of work, dollar value, and projected completion date for each.