



Date:

### **GENERAL CONTRACTOR CERTIFICATION AND QUESTIONNAIRE ANNUAL UPDATE**

All General Contractors that are involved with DSHA-financed projects and/or projects receiving Low Income Housing Tax Credits (LIHTC) must be approved by DSHA. Your company is currently qualified with DSHA and is required to update your certification on an annual basis. Please fill out the following information so that your company information will be updated.

#### **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?
  
2. Any recent changes to the organization and/or company or personnel? Yes  No   
If so, please describe in full.
  
3. Contact Person: \_\_\_\_\_ Telephone: \_\_\_\_\_
  
4. What is the value of work completed by your firm in the past year?
  
5. Has the type of construction or design work in which your firm is engaged changed since your initial questionnaire? Yes  No   
If so, please describe in full.

6. On Appendix A, please list all major projects your firm has completed during the past year. Please provide a brief description of the general type of work, dollar value and projected completion date for each.
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 part or in whole) to your firm's construction performance? If so, please describe in full. Yes  No
8. Has there been in the past year, 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? Yes  No  Is there any potential claim, demand, litigation, arbitration, investigation, governmental proceedings or regulatory proceeding involving your firm or its principals, predecessors or affiliates? Yes  No  If the answer to either or both 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 question above, whether or not it concerns other work you have undertaken? Yes  No  If so, please describe in full.
10. Has your firm (or its principals, predecessors, or affiliates) within the past year 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 violation 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 any 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? Yes  No  If so, please identify the proceedings, the court or government body and the date such jurisdiction was assumed.

12. Describe the circumstances relating to each instance in the past year, 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 ongoing development of any DSHA financed projects or any affordable housing projects with which DSHA is connected? Yes  No  If so, please describe in full.

14. Please attach a copy of your most recent audited financial statements, if available, or tax return. Have there been any material adverse changes in your financial condition from that provided on your original questionnaire? Yes  No  If so, please describe in full.
15. Is your firm or any individual connected therewith receiving any fee or other compensation in connection with any DSHA administered project? Do not include payments as stated in any construction contract currently in place. Yes  No  If so, please describe the circumstances.
16. Describe each instance in which change orders applied for under any contract performed by your firm in the last year in the aggregate amounted to more than five percent (5%) of the contract price, or in which actual construction costs under any such contract exceeded the contract price by more than five percent (5%) or exceeded the firm's pre-contract estimate therefor by more than the ten percent (10%).
17. Describe any instance where the work performed by your firm under any contract was not completed by any required substantial completion date (inclusive of any permitted exceptions) under the contract.
18. Are there any other matters affecting your firm or its principals, predecessors or affiliates or your performance of contracting services which might be material and relevant to DSHA? Yes  No  If so, please describe in full. (Any matters are "material" if a reasonable person might consider them important in considering financing for the Housing Development)

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, Delaware 19901, Attention: Housing Development.

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 provision of Title 11, Delaware Code, Section 1233.

Date:

By:  
(Signature)

(Print Name)

Title:

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For DSHA Use Only:

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

### **Exhibit A- Attachments**

1. Certified copy of your financial statement(s) for the past year, audited if available or tax return
2. Two (2) bank references with name, phone, and letter authorizing DSHA to speak with the same.
3. Bonding Capacity letter dated within 5 calendar days of submission of this questionnaire.
4. Proper general liability insurance documentation.
5. Current State of Delaware Business License and EI#.
6. Copy of credit report for both personal and business accounts. Reports must be dated within three (3) months of application submission.
7. Energy Star partnership certification, [www.Energystar.gov](http://www.Energystar.gov).
8. Copy of current DSHA General Contractor Eligibility letter.
9. Certificate of Good Standing.

### **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.

Please indicate which tier you qualify for:

Tier 1: Up to One Million dollars of bonding capacity.

Tier 2: Over One Million dollars to Three Million dollars of bonding capacity.

Tier 3: Over Three Million dollars of bonding capacity.