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December 28, 2022

VIA FEDERAL EXPRESS

Dan Toto, Acting Executive Director
Franklin Township Housing Authority
25 Parkside Street
Somerset, New Jersey 08873

**Re: RFP #2023-3 - Proposal for General and Development Legal Services
Housing Authority of the Township of Franklin**

Dear Mr. Toto:

In response to the Housing Authority's Request for Proposals (RFP), I am pleased to submit this proposal to provide General and Development Legal Services to the Housing Authority of the Township of Franklin. I have set forth herein the firm's background and experience, outlining our experience providing a full array of legal services including, but not limited to, serving as general, tenancy, employment and labor, special, development and litigation counsel to numerous New Jersey public housing authorities and HUD-funded non-profit affordable housing organizations. Given the firm's extensive qualifications and experience in all of the areas identified in the scope of services, please accept this proposal to provide the legal services required.

I have also included an original and two (2) copies of this narrative, all other requested documentation, including attorney biographies, an outline of our firm's fee schedule, and a list of professional references for your review.

I. EXECUTIVE SUMMARY/INTRODUCTION

Manfredi & Pellechio practices Public Housing Law and serves as General, Tenancy, HUD, Employment/Labor, Development and Special Counsel to New Jersey Public Housing Authorities (PHAs) and U.S. Department of Housing & Urban Development (HUD) funded Nonprofit Affordable Housing Organizations. Attorney Joseph Manfredi, who started the firm, has practiced Public Housing Law continuously since 1992, a total of thirty (30) years. He frequently gives seminars at NJ NAHRO conferences on Public Housing Law, as well as at MARC NAHRO. He also provided a full day instruction to the Newark Housing Authority Legal Staff on NJ Courtroom Litigation regarding the HUD Tenancy One Strike Policy. In all, the firm has been engaged in Public Housing Legal Practice continuously since its formation in February 2000.

This practice includes representing PHAs and HUD-funded non-profits in all aspects of NJ State and Federal HUD legal compliance, encompassing: General Counsel, Tenancy Counsel, Special Counsel, Labor and Employment Counsel, RAD Counsel, Section 8 Counsel, NJ Low Income Housing Tax Credit Counsel and Development Counsel. This also includes all forms of Litigation arising from Public Housing operations including tenancy matters, civil rights issues, employment and labor matters, matters involving the Open Public Meetings and Open Public Records Act, US Privacy Act, NJ State Agencies, and all HUD & DCA Regulations and procurement compliance, including experience with HUD Zero Threshold agencies.

Importantly, this firm has extensive experience working with HUD in a multitude of public housing matters. Our references include Diane Johnson, the former Director of the HUD Newark Field Office, Shie-Fong Sun, Chief General Counsel, HUD Newark Field Office, as well as a multitude of the most accomplished PHA Executive Directors in the State of New Jersey. The firm serves as General and Tenancy Counsel to large and small PHA's and has represented numerous PHAs and non-profit affordable housing organizations in all forms of affordable housing funding including: LIHTC, Section 8 Revenue and Refunding Housing Bonds, HUD Section 202 Competitive Grant Awards, Section 221(d) Mortgages, HOME grant funds, Community Development Block Grants (CDBG), and Federal Home Loan Bank Reinvestment Funds.

The firm has been involved from its inception in analyzing land acquisition issues, presenting and securing Municipal Land Use Approvals from local Zoning and Planning Boards, as well as drafting and successfully negotiating Payment in Lieu of Taxes (PILOT) and Long-Term Tax Abatement Agreements with local municipalities. The firm is also experienced in the formation of private, nonprofit entities including the preparation of all corporate organizational documents and the securing of federal 501(c)(3) tax-exempt status.

Embedded in this broad experience is the firm's philosophy of affording each and every client the highest degree of professional representation and personal service. The success of our firm is based upon the satisfaction of our clients. If selected, the firm is prepared to begin work for the Housing Authority immediately for the contractual term.

II. COMPANY PROFILE

Manfredi & Pellechio is currently comprised of six (6) attorneys and three (3) support staff. As demonstrated by the annexed biographies, each of our attorneys possesses exemplary academic and professional qualifications, including a record of high academic achievement. All of our attorneys practice exclusively in the Public Housing and HUD funded Non-Profit Affordable Housing field and are in good standing in the State of New Jersey. As a result of our vast experience in these areas, our qualifications, as well as our history of exceptional performance for our clients, this firm is uniquely situated to provide the necessary special counsel legal services to the Housing Authority.

Upon graduation from Law School, Joseph A. Manfredi served a Judicial Clerkship to the United States Magistrate Judge in the United States District for the District of New Jersey. Thereafter he served as an associate at one of New Jersey's largest and well-respected law firms, The Gibbons law firm. In 1992, he commenced practicing Public Housing Law with the firm of Hartlaub and Dotten and commenced representing the Housing Authority of the Borough of Madison. His public housing client base expanded thereon and on February 28, 2000, he opened his own practice. Over time, the practice focused upon Public Housing and HUD Funded Non-Profit Affordable Housing Law. Mr. Manfredi has worked with HUD Newark staff for over thirty (30) years and the firm has over two decades of experience working closely with HUD Newark and New York staff and has an excellent reputation.

III. ABILITY TO PROVIDE REQUESTED SERVICES

A. General Experience in Housing Authority and HUD-Funded Affordable Housing Non-Profit Management Environments

Our firm has served as General Counsel, tenancy Counsel, Labor and Employment Counsel, Rental Assistance Demonstration (RAD) Counsel, Development Counsel, Litigation Counsel and Special Counsel to numerous New Jersey PHAs and Non-Profit Affordable Housing Organizations. Below is an abbreviated listing of current and past clients:

- **Housing Authority of the Borough of Madison (Louis A. Riccio, former Executive Director)** – General Counsel, including Tenancy, Labor and Employment, Development, and Litigation Counsel, 1992-2017; Special Development Counsel, 2017-2020.
- **Housing Authority of the City of Linden (Ann J. Ferguson, Executive Director)** – General Counsel, including Tenancy, Labor and Employment, Development, and Litigation Counsel, 2002 to present.
- **Housing Authority of the Town of Harrison (Raymond Lucas, Executive Director)** – General Counsel, including Tenancy, Labor and Employment, and Litigation Counsel, 2003 to present.
- **Housing Authority of the City of New Brunswick (John Clarke, Executive Director)** – General Counsel, including Tenancy, Labor and Employment, Special HUD, Tenancy, and Litigation Counsel, 2007 to present.
- **Housing Authority of the Township of Franklin (Dan Toto, Acting Executive Director)** – Special Development Counsel, 2007 to 2015; General Counsel, including Tenancy, Labor and Employment, and Development Counsel, 2015 to present.
- **Housing Authority of the City of Hoboken (Marc Recko, Executive Director)** – Labor and Employment and Special Litigation Counsel, 2014 to present.
- **Housing Authority of the Township of Middletown (Susan Thomas, Executive Director)** – General Counsel, including Tenancy, Labor and Employment, and Special RAD Counsel, 2014 to present.
- **Housing Authority of the City of Long Branch (Gloria Wright, Executive Director)** – General Counsel, including Labor and Employment and Litigation Counsel, 2019 to present.
- **Housing Authority of the City of Atlantic City (John Clarke, Interim Executive Director)** – Special and Labor Counsel, 2019 to present.

- **Princeton Housing Authority (John Clarke, Interim Executive Director)** – Redevelopment Counsel, 2022 to present.
- **Housing Authority of the Town of Dover (Maria Tchinchinian, Executive Director)** – General Counsel, 2021 to present
- **Housing Authority of the Town of Guttenberg (Ruddys Andrade, Executive Director)** – Special Counsel 2010 to 2020; General Counsel, including Tenancy and Labor and Employment Counsel, 2011 to 2020.
- **Housing Authority of the Town of Morristown (Keith Kinard, Executive Director)** – General Counsel, including Tenancy, Labor and Employment, Development, and Litigation Counsel, 1997 to 2019.
- **Housing Authority of the City of Jersey City (Robert Graham, Interim Executive Director)** – Contracts and Construction Counsel, 2001 to 2003; Special Litigation Counsel, 2001 to 2004; Tenancy Counsel, 2002; Special Counsel to the Executive Director, 2003-2004.
- **Housing Authority of the City of Summit** – Special Public Housing Construction Counsel and Special Tenancy Counsel, 2010 to 2013.
- **Madison Affordable Housing Corporation – HUD Funded Affordable Housing Non-Profit (Louis Riccio)** – General Counsel, including Tenancy, Labor and Employment, and Development and Special Land Use Counsel, 1992-2017.
- **Cooks Pond, LP – HUD Funded Affordable Housing Non-Profit (Louis Riccio)** – General Counsel, including Tenancy Counsel, 2001-2010.
- **The Church Street Corporation – HUD Funded Affordable Housing Non-Profit (Robert Graham, President)** – General Counsel, including Tenancy, Labor and Employment, Development, Litigation, and HUD Counsel, 2002 to present.
- **Linden Housing Corporation – HUD Funded Affordable Housing Non-Profit (Ann J. Ferguson, Executive Director)** – General Counsel, including Tenancy, Labor and Employment, Litigation, and Special HUD Counsel, 2003 to present.
- **Mongil Corporation – HUD Funded Affordable Housing Non-Profit (Ann J. Ferguson, President)** – General Counsel, including Tenancy, Labor and Employment, Development, and Special HUD Counsel, pre-incorporation stage and 2006 to present.

- **Westfield Senior Citizens Housing Corporation – HUD Funded Affordable Housing Non-Profit (Elizabeth A. Fennik, Executive Director)** – General Counsel, including Tenancy, Labor and Employment, Development, Litigation and Special HUD Counsel, 2004 to present.
- **Second Westfield Senior Citizens Housing Corporation – Affordable Housing Non-Profit (Elizabeth A. Fennik, Executive Director)** – General Counsel, including Tenancy, Labor and Employment, Development, Litigation and Special HUD Counsel, 2004 to present.
- **Village at Garwood – HUD Funded Affordable Housing Non-Profit (Elizabeth A. Fennik, President)** – General Counsel, including Tenancy and Labor and Employment Counsel, pre-incorporation stage and 2012 to present.
- **Cranford Senior Housing – HUD Funded Affordable Housing Non-Profit (Cindy Rabinowitz, Executive Director)** – Special Labor and Employment Counsel and Tenancy Counsel, 2014 to present.
- **Middletown Redevelopment Corporation – Affordable Housing Non-Profit (Richard Kolber, President)** – General Counsel, including Development and Litigation Counsel, 2017 to present.
- **Maestro Community Development Corporation (Gloria Wright, Executive Director)** – Special Counsel, 2019 to present.
- **Middletown Senior Citizens Housing Corporation (Catherine Rogers, President)** – General Counsel, 2020 to present.
- **Center for Hope Hospice & Palliative Care** – Special HUD Counsel, 2017 to present.
- **Borough of Keyport – Business Improvement District (BID)** – General Counsel, 2021 to present.
- **ARC of Union County** – Special HUD Counsel, 1992-1998.
- **New Town Community Development Corporation** – General Counsel and Special Development Counsel, 2005-2012.
- **Warren Hospital** – Special Labor and Employment Litigation Counsel, 2011 to 2015. Reported case of Warren Hospital v. Does 1-10, 430 N.J. Super. 225 (App. Div. 2013).

Taken together, we have represented New Jersey public housing authorities and nonprofit housing organizations in all aspects of operations and development.

B. Procurement

We have extensive experience in ensuring New Jersey public housing authorities and non-profit affordable housing organizations comply with all aspects of the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and Federal Procurement Regulations (formerly 24 C.F.R. Part 85, now 2 C.F.R. Part 200) through the drafting or updating of Procurement Policies, Invitations for Bids, Requests for Proposals, and solicitations for price quotes; the review of bids and proposals for legal compliance; the preparation of materials for Davis-Bacon Act and HUD-determined prevailing wage compliance; the review of various types of procurement documentation for capital fund renovations and ARRA-funded projects; the review of contract bids for new construction; the representation of public housing authorities in all manners of litigation from claims arising from publicly bid contracts, including, but not limited to, bid challenges; and the representation of public housing authorities in HUD procurement compliance audits and zero threshold compliance matters. In addition, we have lectured at NJNAHRO conferences on Federal and State Procurement law compliance.

The firm served as Construction and Contracts Counsel to the Housing Authority of the City of Jersey City, the second largest New Jersey public housing authority, under the aegis of the late Executive Director Robert Rigby and thereafter under Interim Executive Director Robert Graham. Our work in this regard encompassed revising the Housing Authority's Procurement Policy to comply with all aspects of the revised New Jersey State Public Contract Law. This policy set forth all state public contract compliance procedures for the bid and award for all categories of public contracts and bids including construction bids, professional service bids, and bids for the purchase of various goods and services. Notably, the firm provided legal counsel on more than \$10 million worth of publicly bid contracts while serving in this capacity.

More recently, we have represented public housing authorities in all aspects of compliance with HUD's Zero Procurement Threshold. This is an extensive undertaking. In this capacity, we have performed comprehensive reviews of all existing contracts for legal compliance and reporting to HUD for vendor payment approval. For new procurements, we have reviewed every solicitation, advertisement, bid package, bid, Request for Proposals, proposal, and contract, and provided an opinion of counsel to HUD certifying that the new procurement complies with all applicable legal requirements. We routinely interface with HUD personnel and have secured HUD approval of numerous procurements without comment. We have represented PHA's in all forms of HUD OIG Procurement Audits. We actively meet with our client to instruct on proper PHA procurement and ensure that their files are maintained to HUD and NJ State legal requirements.

The firm has extensive experience in construction law and litigation. We have perfected claims against the performance and payment bond when a contractor defaults on its obligations. In addition, the firm has expertise in dealing with bid challenges, bid protests, and a wide range of matters pertaining to procurement issues. We have successfully concluded a number of construction litigation matters, which we frequently resolve through favorable negotiated settlements. However, we have also litigated against recalcitrant opponents to finality when

necessary and appropriate. In that capacity, we are intimately familiar with all steps that must be taken in order to fully protect the interests of Housing Authorities where a contractor has defaulted.

The firm is ideally positioned to advise public housing authorities as to whether contracts can be terminated for cause or for convenience, the ramifications of each course, and the process involved in initiating an action on a payment and performance bond. Furthermore, we are knowledgeable with respect to the various complexities that are likely to arise when securing a replacement contractor and structuring a negotiated settlement with a bonding company.

We additionally possess the expertise and experience necessary in order to assist housing authorities in their efforts to place defaulting contractors on a list of bidders with whom the housing authority has had "prior negative experience". Such bidders may then be barred from bidding on any public contracts at the housing authority for a period of up to five years.

The firm has also served as Special Counsel to investigate procurement violations and to oversee implementation of corrective actions plans to ensure proper procedures to achieve New Jersey and Federal procurement compliance. This has included the review and investigation of a large New Jersey PHA's procurement practices and the ensuing report to the PHA's Board of Commissioners and HUD.

C. Development

This firm has represented numerous New Jersey public housing authorities and non-profit affordable housing organizations in all aspects of affordable housing development and funding. We have ample experience in securing funding from and ensuring compliance with all terms and conditions of funding through Low Income Housing Tax Credits, Section 8 Revenue and Refunding Housing Bonds, HUD Section 202 Grants, Section 221(d) Mortgages, HOME Investment Partnerships Program funds, Community Development Block Grants, Federal Home Loan Bank Community Reinvestment Funds, New Jersey Balanced Housing funds, municipal affordable housing trust funds, and tax-exempt municipal bonds. We have continued to represent these clients in all ongoing operations.

Specific development experience includes successfully representing the Housing Authorities in the implementation and development of several successful mixed-use finance redevelopment and Hope VI projects, including the draft and review of key mixed-finance documentation, conducting and participating in several tax-credit closings, and guiding the Housing Authority through project closing and commencement of permanent occupancy. The firm has also represented the Madison Affordable Housing Corporation in the development of a 72-unit tax credit project in Dover, New Jersey, where it handled all legal aspects of the project including land acquisition, zoning approvals, formation of the non-profit corporation, construction contract and residential leases.

Other examples include the following:

- 1) **Westfield Senior Citizens Housing Corporation (WSCHC)** - the firm represented WSCHC in the development of a 72-unit senior affordable housing complex in Garwood, New Jersey. As part of this project, the firm successfully assisted Westfield, as the sponsoring agency, in applying for and obtaining the necessary financing for the project including a HUD Section 202 grant, low-income housing tax credits issued through the NJ Housing & Mortgage Finance Agency, a Federal Home Loan Bank grant and a HUD pre-development loan.

As part of this endeavor, the firm successfully assisted in the formation of a private non-profit general partner, the formation of a private urban renewal limited partnership, the review, revision and finalization of a limited partnership agreement and the application for and successful receipt of tax-exempt 501(c)(3) status.

- 2) **Housing Authority of the Township of Middletown (HATM)** - The firm represented the HATM as Special Rental Assistance Demonstration (RAD) Counsel. As part of this endeavor, the firm is in the process of forming a separate 501(c)(3) non-profit in accordance with state and federal requirements and shall orchestrate, in conjunction with the development team, the project's transition from existing public housing to Section 8 to allow for the leveraging of public and private debt and equity to perform needed capital improvements.
- 3) **Madison Affordable Housing Corporation (MAHC)** - The firm represented MAHC in the development of an affordable for sale condominium. The firm also handled all aspects of this development project, including the purchase of the parcel to be developed, as well as all filings necessary to fulfill all local, state and federal requirements regarding the establishment of a condominium development.
- 4) **Housing Authority of the Township of Franklin (HATF)** - This firm served as special development counsel to the HATF in the transformation of obsolete public housing into a revitalized community with state of the art, LEED certified, family and senior housing using the HUD recommended mixed-finance approach. This work included step-by-step guidance through the mixed-finance process in accordance with 24 CFR Part 941, the relocation of public housing residents, the drafting and review of various documentation including the Master Development Agreement, Ground Lease, and Regulatory & Operating Agreement, and direct participation in two complex tax-credit closings on behalf of the HATF. The firm continues to serve as legal counsel to the HATF.
- 5) **Linden Housing Corporation (LHC)** - The firm represented LHC in the construction of a 78-unit senior housing complex. This representation included all phases of the project including cost estimates, construction contracts, environmental approvals as

well as counseling the client as to financing in the form of tax-exempt municipal housing bonds, HUD Section 202 Program requirements and closing and Low Income Housing Tax Credits.

D. Board Governance

The firm is experienced in all phases of New Jersey PHA Board of Commissioners regulation and governance, such as compliance with New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq), education requirements for Board members, appointment powers, removal of commissioners, and terms of office. In addition, the firm has prepared numerous New Jersey and HUD compliant policy updates on behalf of PHA Boards to ensure efficient agency operation. These policies include Procurement Policies, Internal Controls Policies, Travel and Training Policies, Personnel Policies, Section 8 Administrative Plans, and Admissions and Continued Occupancy Policies.

E. Open Public Meetings Act & Open Public Records Act Compliance

This firm has extensive experience representing New Jersey public housing authorities in all aspects of New Jersey Open Public Meetings Act (OPMA) and Open Public Records Act (OPRA) compliance, such as ensuring proper notification and calling of board meetings, compliance with proper exceptions to the OPMA including closed session, preparing timely responses to OPRA records requests, identifying and denying requests for records excluded from public access by law, protecting confidential information through the redaction of particular records, and defending against litigation, including Orders to Show Cause. We have successfully addressed voluminous requests within the statutory time period and denied punishing and overbroad requests for public housing waiting lists, closed session meeting minutes, and other confidential materials. In addition, we have resolved a multitude of cases before the NJ Superior Court and the Government Records Council, often through favorable negotiated settlements, to our clients' satisfaction.

Our firm has represented PHA's in all aspects of operations including Board governance, hiring of Executive Director's, compliance with all HUD and NJ State PHA laws, regulations and policies, land and PHA leases, and special HUD compliance matters,

F. Employment/Labor

In serving as General and Labor Counsel to a multitude of New Jersey public housing authorities, including serving specifically as Labor and Employment Counsel to two large PHAs (Housing Authority of the City of Atlantic City and Housing Authority of the City of Hoboken), we have extensive experience in handling all aspects of employment and labor matters in compliance with federal and State of New Jersey statutes, rules, regulations, and orders. Our experience in this area includes the review, revision and negotiation of Collective Bargaining Agreements (CBAs) with various labor unions, appearing before and working with the New Jersey

Public Employment Relations Commission (PERC) with regard to the identification and modification of negotiation units, handling grievance arbitrations and mediations involving disputes arising out of CBAs, preparing legally compliant Personnel Policies; providing guidance on the process for hiring new employees, including the Executive Director search process; overseeing investigations into workplace complaints; preparing reports on alleged misconduct, including corrective and remedial action plans to cure any workplace violations discovered; advising Boards and Executive Directors on all forms of employee discipline and reductions in force; and preparing employment contracts. We have successfully handled all aspects of New Jersey Civil Service compliance, including Civil Service Audit hearings, Civil Service challenges and full opt out proceedings and plans with Department of Personnel oversight. We have represented New Jersey public housing authorities and HUD-funded affordable housing nonprofit corporations in all stages and types of employment complaints and regularly appear before the U.S. Equal Employment Opportunity Commission (EEOC), New Jersey Division on Civil Rights (DCR), New Jersey Office of Administrative Law (OAL), HUD, and New Jersey courts.

Generally, the firm has extensive experience providing the following services to public housing authorities:

- Negotiating and drafting union collective bargaining agreements.
- Comprehensively drafting, reviewing and updating personnel policies.
- Regularly updating clients on developments in public-sector PHA employment law developments.
- Handling PERC Hearing.
- Advising on the impact of COVID-19 laws upon PHA employees.
- Advising on and handling workplace harassment claims.
- Investigating employee malfeasance claims.
- Providing employee training.
- Preparing Executive Director employment agreements.
- Undertaking salary reviews and identifying comparable salaries.
- Advising on Civil Service matters including serving as counsel to PHAs withdrawing from Civil Service.
- Investigating employment cases.
- Advising Board of Commissioners and Management on all areas of employment law.

As Labor and Employment Counsel to both the Housing Authority of the City of Atlantic City and the Housing Authority of the City of Hoboken, this firm has represented both entities on several employment-related matters and investigations. The firm has served as Labor and Litigation Counsel to the Housing Authority of the City of Hoboken since 2014 and has successfully negotiated CBAs with 2 different labor unions while representing the Authority before PERC and grievance arbitration proceedings. This included the recent successful mediation of a three (3) year CBA for its full-time maintenance employees. In addition, the firm has

successfully defended the Authority against wrongful termination and employment discrimination claims brought before the EEOC.

In addition to the above, the firm serves as primary employment counsel to over a dozen different public housing and HUD funded affordable housing non-profit agencies which involves this firm's constant involvement and guidance to clients on all aspects of NJ state and federal employment law including the handling of employment investigations from beginning to end, handling of employee grievances, drafting and revising of Personnel Policies, and handling all stages of employment litigation.

The firm has successfully represented PHA in New Jersey Public Employees Occupational Safety and Health Act (PEOSHA) compliance, including responding to PEOSHA complaints and ensuring all employees are equipped with adequate personal protective equipment (PPE). We have also handled litigation against insurance companies over coverage for public housing authorities in employment matters and served as litigation counsel in employment matters.

Specifically, below are just a few of the employment-related matters the firm has handled for public housing authorities (PHAs):

- Undertook an investigation into an employee's allegation of sexual harassment against a Board member, including full investigation and review of all relevant documents, recordings, video and related evidence. Provided a full report with conclusion to the Board including recommended corrective and remedial measures.
- Investigated an employee's allegation of gender identity and sexual orientation based harassment by a coworker. Interviewed witnesses, reviewed the personnel policy issued final report and recommendation.
- Undertook an investigation into an employee's sexual harassment complaint regarding the observed conduct of two coworkers. Comprehensively interviewed numerous witnesses. Delivered written and in person reports to the Executive Director and the Board of Commissioners. Evaluated and recommended personnel action against employee for demonstrated false complaint.
- Investigation of Whistleblower claims of maintenance department employee for alleged safety violation.
- Investigated employee's allegations of insufficient protective measures and insufficient personal protective equipment during COVID-19 pandemic. Reviewed PEOSHA standards for personal protective equipment and CDC guidance on protecting employees from COVID-19. Documented unsupported nature of employee's allegations. Evaluated personnel action against employee for abuse of leave during COVID-19 pandemic.
- Undertook an investigation into an employee's allegation of workplace violence. Reviewed written statements and interviewed witnesses. Provided recommendations for disposition of unsubstantiated complaint.

- Undertook an investigation into the personnel practices of senior management of a large NJ PHA.
- Represented PHA involving PHA employee complaints to HUD.
- Investigated PHA employee alleged harassment of PHA resident and vendor alleged improper action towards PHA employee.
- Handling employment/labor litigation with HUD authorization.
- Defended Large PHA in a suit by senior management.
- Investigated Senior management for procurement violations.
- Represented a large PHA in terminating its Executive Director for cause.
- Represented numerous PHAs in the Executive Director hiring process.

In addition, we have successfully defended public housing authorities in a multi-plaintiff sexual harassment cases, whistleblower cases, wrongful termination cases and employment discrimination matters.

The firm prominently represented Warren Hospital in litigation pertaining to the unlawful hacking of the hospital's computer system. Once in the system, the hackers issued a hospital-wide email alleging sexual misconduct and other wrongdoing by members of the hospital's upper management team. The case was one of first impression in the State of New Jersey and can be found at Warren Hospital v. Does 1-10, 430 N.J. Super. 225 (App. Div. 2013).

The firm is also knowledgeable in Federal and State of New Jersey confidentiality requirements regarding employee handling of confidential information, including public housing applicant and resident information. Notably, this firm represented a New Jersey PHA in a case pertaining to an employee's theft of the applicant waiting list and other confidential materials, which involved the HUD Office of Inspector General and the Federal Bureau of Investigation.

G. Tenancy

This firm handles all aspects of tenancy matters, including the drafting and issuance of Federal and State legal notices, the resolution of tenant disputes and evictions (from initial complaint through trial), resident relocations, Orders to Show Cause and post-eviction hearings. Our firm has extensive knowledge and experience in representing New Jersey public housing authorities in successful eviction cases for all relevant causes for eviction for public housing tenants encompassing, but not limited to, the following:

- Serious breach of lease matters including-
 - Violation of housekeeping requirements
 - Failure to recertify
 - Refusal to comply with pest control measures
 - Disturbing the peaceful enjoyment of other residents
 - Smoking violations
 - Violations of Pet Policy

- Failure to report income
- Violation of landlord's rules and regulations
- Disorderly conduct
- Destructions, damage, or injury to premises
- Criminal conduct (including violation of Federal one-strike provisions)
- Nonpayment of rent
- Habitual failure to pay rent (late payment of rent)

In connection with such lease termination and eviction cases, we have handled informal grievance proceedings, formal grievance hearings, trials, advantageous settlement agreements and settlement hearings, post-judgment hearings, and order to show cause hearings. All phases of the lease termination and the eviction process are handled in accordance with both state and federal regulations, with which we are fully familiar. We recognize that evicting problem tenants is an area of paramount importance to public housing authorities. We are aware of the significant federal and state regulations that housing authorities face when undertaking eviction actions, and we take special efforts to ensure that our clients are well prepared in the event they must take such action. We pay particular attention to federal and state due process requirements, so that our eviction complaints are addressed on the merits and not dismissed for failure to comply with such requirements.

We have involved and coordinated the efforts of other government agencies and departments, such as Adult Protective Services, county prosecutor's offices, municipal courts, local police departments, local fire departments, and local departments of health when necessary in the course of achieving the goals of our housing authority clients. We take great pride in our track record of achieving successful tenancy outcomes for our clients over the course of our 25+ years of practicing New Jersey Landlord-Tenancy law for public housing clients. We regularly handle eviction cases for public housing clients across five (5) counties in New Jersey. Further, we have been practicing Landlord-Tenant law for public housing clients in Morris County for 26 years. We have a record of achievement in Morris County Landlord-Tenant Division recognized by Court staff and adversaries alike.

We have also handled Section 8 Housing Choice Voucher terminations and the attendant informal hearings on such terminations. We have additionally handled all aspects of application matters in connection with applications for public housing including assessing eligibility, handling application rejections, and the attendant hearings on such rejections. We are fully familiar with the Federal Regulations governing both application and waiting list matters as well as lease and tenancy matters.

We have litigated civil cases against present and former housing authority tenants, resulting in monetary judgments, which include recovery of legal fees, for breach of contract (lease) and fraud upon the housing authority for failure to report income. Further, we have experience collecting upon such judgments, including securing wage garnishments. We have also litigated cases of unreported income and fraud upon public housing authorities through adversary

proceedings in Bankruptcy Court, to block current and former tenants from discharging their debts to the public housing authority through bankruptcy proceedings.

We regularly handle reasonable accommodation of disability matters for public housing clients, assessing applications for reasonable accommodation under governing Federal and State laws. We analyze the tenant's or applicant's request under governing laws, follow up with medical professionals or provide additional research where appropriate, and request further information or documentation where necessary. We then provide guidance on whether to grant or deny such requests, or whether to engage in pro-active communication with the requestor regarding alternate accommodations where appropriate.

In addition, we regularly represented public housing clients in discrimination cases brought by tenants and applicants via filing of a discrimination complaint with HUD. For public housing agencies, the New Jersey Division on Civil Rights handles the cases for HUD. We have extensive experience representing public housing authorities in such cases before the New Jersey Division on Civil Rights, achieving positive outcomes ranging from agency determinations of "no probable cause" and full dismissal of the case to positive settlements. Finally, we have extensive experience utilizing New Jersey's defiant trespass statute to bar from public housing premises those individuals that have been responsible for criminal conduct or other problematic behavior on housing authority premises.

In sum, we are fully familiar with governing Federal and State laws, HUD Handbooks and Guidebooks, PIH Notices and HUD final rules, regarding application to public housing, leases, notices, grievance proceedings, lease termination and eviction, and use of defiant trespass. We have extensive courtroom experience in eviction proceedings at the trial stage, in addition to post-judgment proceedings and relief including orders to show cause, orders for orderly removal, and hardship stays. We are well acquainted with Federal Fair Housing laws and New Jersey Law Against Discrimination, with experience in reasonable accommodation of disability, along with HUD and New Jersey Division on Civil Rights discrimination cases. We have many years of experience with civil litigation against current and former public housing residents, collection on civil judgments including wage garnishments, and adversary proceedings in Bankruptcy Court. We represent many public housing authorities and handle all aspects of their tenancy matters. We are well prepared to represent the Housing Authority of the Township of Franklin in this regard.

H. Litigation

In the event that the Authority becomes involved in litigation of any kind, either as a Plaintiff or as a Defendant, this firm is well-versed and experienced in successfully guiding PHAs through state and federal cases from inception through completion. Whether it be a tenancy action for an order to show cause or non-payment of rent to a complex civil claim for breach of contract, employment discrimination or construction defect, the firm has decades of experience successfully handling such matters for its clients.

Recently, the firm has represented a large PHA in bringing an action against a former director for damages incurred due to the director's malfeasance and serious violation of state and federal procurement guidelines. This involved working with HUD regional counsel for its approval for the use of federal funds to bring an affirmative case of this magnitude. In addition, the firm has successfully worked to obtain six-figured settlements for breach of contract and negligence claims for serious construction defects incurred by PHAs.

I. Contracts

The firm has extensive knowledge and experience in the preparation, review and analysis of all contracts involved with Public Housing Authorities and related non-profit entities. This includes, but is not limited to, the preparation, review and analysis of construction and/or vendor agreements, employment agreements, litigation settlement agreements (both civil and tenancy), master development agreements, limited partnership agreements and loan and mortgage agreements. Specifically, we have been intimately involved in the negotiation and drafting of HUD approved Master Development Agreements for complete demolition and redevelopment projects, the drafting of Tender Agreements to third-party contractors for Performance Bond claims, the drafting, review and negotiation of Executive Director Employment Agreements and Settlement Agreements of construction defect and breach of contract litigation claims, and the draft, review and negotiation of large PHA Collective Bargaining Agreements.

J. Troubled Agency / Zero Threshold Experience

In addition to the general experience representing public housing authorities and nonprofit affordable housing organizations outlined above, the firm also has specific extensive experience in the area of serving as Counsel to troubled New Jersey public housing authorities.

Most recently, in its representation of a large PHA in 2017, the firm was extensively involved in the agency response to an extensive HUD OIG audit of its capital fund expenditures and procurements. This involved a more than six-month HUD review and investigation of all related PHA records and the PHA's issuance, with counsel's review and guidance, of several thousands of pages of documentation to HUD. Counsel also prepared and presented to HUD a detailed point-by-point analysis and response to HUD's audit report and successfully reduced and addressed several HUD recommendations resulting in the savings of hundreds of thousands of dollars.

The firm was selected to serve as special counsel to the Housing Authority of the City of Jersey City, the second largest Housing Authority in the State of New Jersey at the time with over 6000 public housing units, a substantial Section 8 and Hope VI program, for the purpose of investigating the Executive Director's compliance with the New Jersey Local Public Contracts Law, New Jersey Local Redevelopment and Housing Law, Federal Procurement Regulations, and Federal and State of New Jersey PHA fiscal practices and regulations. The Housing Authority had over 450 employees and the scope of representation included extensive interviews with all

department heads and over 40 employees to ascertain the full and complete scope of the Executive Director's administration of the Housing Authority.

The work included an extensive review of over 5 million dollars in outside Contracts for compliance with Federal and State Procurement regulations. This included all Bidding practices including Construction bids, Emergency Procurements, Request for Proposals, and small purchase procedures. During the course of this investigation, the firm supervised outside experts that aided in the investigation which included, forensic accountants, investigating Engineers, a full time Jersey City Police Department Detective and Auditors. Moreover, in the discharge of our duties, we joined HUD Inspectors General Office in the investigation and worked closely with Special Agents to refer appropriate matters for Federal Investigation.

This representation and investigation culminated in our firm preparing and presenting to the Board of Commissioner a full report on our investigation and findings. We were then charged with undertaking the preparation of a list of charges against the Executive Director and handled full termination proceedings, which included presenting a full case for termination with evidence. This hearing was held before the Board and involved the presentation of substantial evidence including witness direct testimony and cross examination.

In addition, the firm also served as Special Counsel to the Church Street Corporation (CSC), a troubled federally subsidized non-profit corporation at that time. HUD placed an Executive Director into CSC after a fiscal review of the entity revealed that the Agency would be in troubled status. Our representation included a comprehensive legal review of the agency for compliance with all legal requirements including HUD regulations, State of NJ Fiscal Audits, development of an updated, legally compliant, Procurement Policy and practices, and the review of matters involving reductions in force and terminations of outside contracts. Most notably, the firm handled the redemption of a substantial Bond issuance, which involved extensive work with the US Department of Housing and Urban Development and helped eliminate overwhelming debt service to the agency. This representation also included restructuring legal compliance with all NJ Landlord tenant law and HUD Legal audit requirements.

Finally, as general counsel to the Housing Authority of the Town of Morristown, a mid-sized public housing authority, the firm successfully guided the agency from a troubled agency designation due to a failing Public Housing Assessment System (PHAS) score back to a successful agency in well less than a year. To this end, the firm drafted and assisted the agency in the implementation of a corrective action/recovery plan including an overhaul of its budget and proposed maintenance of its housing portfolio, extensive review and analysis of its procurement practices and capital fund program and creating long-term goals for proper compliance with all federal and state regulations.

IV. PROFESSIONAL REFERENCES

For your reference, we set forth this list of clients and other professional references that you should feel free to contact:

- Shie-Fong Sun, Esq., Chief General Counsel
U.S. Department of Housing and Urban Development – Newark Field Office
One Newark Center
1085 Raymond Boulevard
Newark, New Jersey 07102-5260
(973) 622-7900
- Balu Thumar, Office of Public Housing, Division Director
U.S. Department of Housing and Urban Development – Newark Field Office
One Newark Center
1085 Raymond Boulevard
Newark, New Jersey 07102-5260
(973) 776-7237
- Diane Johnson, Former Field Office Director (Retired)
U.S. Department of Housing and Urban Development – Newark Field Office
One Newark Center
1085 Raymond Boulevard
Newark, New Jersey 07102-5260
(973) 592-4881
- Louis A. Riccio, former Executive Director
Housing Authority of the Borough of Madison
Madison Affordable Housing Corporation
Cooks Pond, LP
15 Chateau Thierry Avenue
Madison, New Jersey 07940
(201) 787-8189
- John A. H. Clarke
Executive Director, **Housing Authority of the City of New Brunswick**
Interim Executive Director, **Housing Authority of the City of Atlantic City**
Interim Executive Director, **Princeton Housing Authority**
7 Van Dyke Avenue
New Brunswick, New Jersey 08901
(732) 745-5157

- Raymond Lucas
Executive Director, **Housing Authority of the Town of Harrison**
Former NFL Quarterback, **New York Jets**
788 Harrison Avenue
Harrison, New Jersey 07029
(973) 483-1488
- Marc Recko, Executive Director
Housing Authority of the City of Hoboken
400 Harrison Street
Hoboken, New Jersey 07030
(201) 798-0370
- Susan Thomas, Executive Director
Richard Kolber, Chairman
Housing Authority of the Township of Middletown
2 Oakdale Drive
Middletown, New Jersey 07748
(732) 671-2990
- Gloria Wright, Executive Director
Housing Authority of the City of Long Branch
2 Hope Lane
Long Branch, New Jersey 07740
(732) 222-3747
- Robert Graham
President, **The Church Street Corporation**,
Executive Director, **United States Virgin Islands Housing Authority**
Former Interim Executive Director, **Jersey City Housing Authority**
25 Hancock Street
Keansburg, New Jersey 07734
(732) 787-6161
- Elizabeth A. Fennik
Executive Director, **Westfield Senior Citizens Housing Corporation**
Executive Director, **Second Westfield Senior Citizens Housing Corporation**
President, **The Village at Garwood**
1133 Boynton Avenue
Westfield, New Jersey 07090
(908) 233-5898

- Keith D. Kinard
Executive Director, **Housing Authority of the Town of Morristown**
Former Executive Director, **Housing Authority of the City of Newark**
31 Early Street
Morristown, New Jersey 07960
(973) 292-4186
- Ruddys Andrade, Executive Director
Housing Authority of the Town of Guttenberg
6900 Broadway
Guttenberg, New Jersey 07093
(201) 861-0900
- Collette J. Kennedy
Mayor, **Borough of Keyport**
Board Member, **Keyport BID, Inc.**
70 West Front Street
Keyport, New Jersey 07735
(732) 739-3900
- Hazel Burnett Davis, Former Executive Director
c/o Housing Authority of the Township of Franklin
25 Parkside Street
Somerset, New Jersey 08873
(732) 545-9430
- William F. Snyder
Executive Director, **Housing Authority of the Town of Secaucus**
Executive Director, **Housing Authority of the City of Hackensack**
Executive Director, **Housing Authority of the City of Passaic**
Affordable Housing Administrator, **Secaucus**
Past President- NJNARHO
700 County Avenue
Secaucus, New Jersey 07094
(201) 867-2957
- Asish Patel, Chief Operating Officer
Monarch Housing Associates, Inc.
29 Alden Street, Suite 1B
Cranford, New Jersey 07016
(908) 272-5363 ext. 223

- Gerald Brennan, Staff Attorney
Legal Services of Northwest Jersey
30 Schuyler Place, 2nd Floor
P.O. Box 900
Morristown, New Jersey 07960-3883
(973) 285-6911 x 421
- George Kolber
Former Chief Executive Officer
American Eagle Outfitter Stores
Value City Department Stores
Current President- **Kolber Properties**
884 Navesink River Road
Locust, New Jersey 07760
(732) 708-1872

V. FEE PROPOSAL & BILLING

Fees for Attorney and Paralegal services performed for the Housing Authority of the Township of Franklin in accordance with this proposal shall be billed at the following hourly rates:

\$150.00 per hour	Partners/Associates
\$ 45.00 per hour	Paralegal time

Should the Housing Authority require any additional services not specifically identified, including any special or extraordinary litigation not included in the requested scope of services, this would also be billed, upon approval, at the hourly rates provided above.

Legal fees are traditionally billed on a monthly basis. However, should the Housing Authority require a different billing cycle, the firm will do its best to accommodate such needs.

VI. PROFESSIONAL LICENSES

The firm, including every attorney in the firm, remains in good standing with the Bar of the State of New Jersey, and no member of the firm, or the firm itself, has ever been disbarred, debarred, suspended, or otherwise prohibited from professional practice by any state, federal or municipal agency, including HUD. All attorneys in our firm are licensed to practice law in the State of New Jersey and the firm does not intend to subcontract any portion of its legal services provided pursuant to this proposal.

VII. SECTION 3 COMPLIANCE

This firm shall comply with all Section 3 requirements including, but not limited to, the use of best efforts where applicable to subcontract and employ Section 3 and certified minority business enterprises and/or women business enterprises. However, at this time, the firm does not anticipate any hiring for the purpose of working on this contract.

VIII. READINESS TO PERFORM LEGAL SERVICES

In the event that this firm is awarded a contract for legal services, upon the execution of the contract, the firm is prepared to immediately assume all legal matters and manage any appearances (including collective bargaining negotiations, personnel matters, Board meetings, etc.) as required by the Authority. To assist in this process, the firm shall immediately schedule a meeting with the Authority to discuss the scope of services and the proposed timeline for performing the requested services.

IX. CONCLUSION

Given the firm's extensive experience in providing a multitude of legal services in the areas of corporate governance, development, labor, tenancy, procurement, and litigation to both New Jersey public housing authorities and HUD-funded nonprofit affordable housing corporations, as well as the customer service and attention to detail required to successfully represent the Housing Authority, the firm of Manfredi & Pellechio is ideally suited to serve as General and Development Legal Counsel to the Housing Authority of the Township of Franklin.

Should the Housing Authority require any additional information or have any questions regarding this proposal, the firm will gladly furnish such information upon request.

Thank you for your consideration of our proposal.

Very Truly Yours,

MANFREDI & PELLECHIO

Joseph A. Manfredi

Joseph A. Manfredi, Esq.

Joseph A. Manfredi

Educational Background

New York Law School

Juris Doctor 1988

Member, National Moot Court Team

Research Assistant to E. Donald Shapiro, Dean, New York Law School

Kean College

Bachelor of Arts - Political Science, 1985

Dean's List Student

Professional Practice Areas and Licenses

New Jersey State Courts

United States District Court for the District of New Jersey

Professional Experience

After clerking the 1988-1989 court year in the *United States District Court for the U.S. Magistrate Judge Honorable G. Donald Haneke*, Mr. Manfredi entered private legal practice as an associate with one of New Jersey's largest and most respected law firms, the *Gibbons Law Firm* where he worked in the real estate litigation. Mr. Manfredi thereafter joined the firm of *Hartlaub & Dotten*, where he commenced public housing law practice. Mr. Manfredi thereafter founded *Joseph A. Manfredi & Associates, P.C.*, in March 2000. His reported cases include *United States v. Helen Kramer, et al.*, 19 F. Supp. 2d 273, (D. N.J. 1988) and *Warren Hospital vs. Doe*.

Mr. Manfredi has served as legal counsel to various housing authorities and non-profit housing agencies since 1992. In this capacity, he has represented housing authorities in all aspects of their operations including all forms of HUD compliance, NJ Redevelopment and Housing Law Compliance, NJ Department of Community Affairs Regulations, including all forms of Public Housing Litigation including Courtroom Procurement challenges hearing, Civil Rights defense and compliance, all aspects of HUD and NJ State Procurement compliance. He has led numerous housing authorities through the Executive Director search process ensuring full legal compliance with HUD and NJ State Laws. He has appeared before NJ Courts, Administrative Courts, and numerous Boards on behalf of PHA clients. He has handled all forms of PHA development and compliance and financing including HUD Section 202 closings, NJ Low Income Housing Tax Credits, Federal Home Loan Bank Community Reinvestment and HOME Grant Partnership Funds. He has represented PHAs in HUD Audits, those under HUD designated troubled status and under Zero Threshold. He has served as Special Counsel to a large NJ troubled Public Housing Authority to examine their procurement compliance and to report the findings to the PHA Board of Commissioners and HUD. His reference list includes Diane Johnson, immediate Past Director of HUD Newark Field Office, the HUD Newark Chief Counsel, his Courtroom adversaries, including the Senior Legal Trial Attorney at Morris County

Legal Services and a multitude of the most respected Public Housing Directors in the State of New Jersey.

In addition to handling all PHA General Counsel matters Mr. Manfredi has also handled all aspects of PHA tenant litigation, including the re-drafting of housing authority leases to insure compliance with all federal and state legal requirements. Mr. Manfredi has represented HUD designated troubled Housing Authorities under Zero Threshold and Non-Profit Housing Corporations in troubled status and worked with a HUD Designated Team to turn around troubled agencies. Mr. Manfredi serves as Counsel to over a dozen PHA and Non-Profit Boards handling all forms of Board Governance. He also has represented PHA in all facets of their operations including all forms of employment practices, insurance, contracts, procurement, Open Public Meetings, Open Public Records and all related laws and regulations.

Mr. Manfredi has handled unique aspects of landlord/tenant litigation, including the trial of cases involving substantial violations of lease claims, habitual late payment claims and criminal-drug related actions. In this regard, Mr. Manfredi has also addressed novel issues of New Jersey law in both the State trial level and appellate courts on behalf of his housing authority clients.

For 10 years Mr. Manfredi served as a guest attorney lecturer at the Annual New Jersey N.A.H.R.O., and M.A.R.C. N.A.H.R.O. conferences. He has given seminars on all aspects of HUD and NJ State procurement eviction of public housing authority tenants under New Jersey's Summary Dispossession statute, including all causes for lease termination under the statute. Seminars have included how to bring and successfully prosecute eviction actions for nonpayment of rent, substantial violations of the lease, one-strike, and habitual late payment of rent.

Mr. Manfredi has also served as an instructor for courses in public housing tenancy law in conjunction with the U.S. Department of Housing and Urban Development - Newark region. These courses included topics on a range of issues of public housing and landlord tenant law, including one-strike policies and various causes and procedural aspects of tenant litigation.

Melissa Pellechio

Educational Background

Seton Hall University, School of Law
Juris Doctor 1998

University of Rhode Island
Bachelor of Arts – Psychology, 1994

Professional Practice Areas and Licenses

New Jersey State Courts
United States District Court for the District of New Jersey

Professional Experience

Melissa Pellechio received her Bachelor of Arts degree from the University of Rhode Island in 1994. She then earned her Juris Doctor degree, in 1998, from Seton Hall University, School of Law. Ms. Pellechio is licensed to practice law in New Jersey State courts, as well as the United States District Court for the District of New Jersey.

Ms. Pellechio began her legal career as a legal advocate at the Rhode Island Rape Crisis Center, in Providence, Rhode Island. Following her experience in Rhode Island, Ms. Pellechio was employed by the Monmouth County Prosecutor's Office, first as a victim's advocate and paralegal in the Office of Victim-Witness Advocacy, and later as a law clerk in the Appellate/Motions Section. While in the Appellate/Motions Section, Ms. Pellechio drafted legal briefs, at both the trial and appellate levels, for the State of New Jersey.

While in Law School, Ms. Pellechio participated in the school's clinic program, working as a student attorney in the Seton Hall Center for Social Justice's Immigration Law Clinic. Through the Clinic, Ms. Pellechio represented immigration clients at asylum and other hearings, before both the United States Immigration and Naturalization Service and the federal Immigration Courts. In addition, while in law school, Ms. Pellechio was employed as a law clerk by the firms of *Winter & Winkler, P.C.* and *Montefusco & Kesselman*.

Ms. Pellechio entered the private practice of law in 1998. Upon entering private practice, Ms. Pellechio continued with *Winter & Winkler* and *Montefusco & Kesselman*, as a per diem attorney. Ms. Pellechio's work at *Winter & Winkler* focused largely on insurance defense and constitutional issues surrounding religious freedom and the civil responsibility of religious organizations and clerics. Her work at *Montefusco & Kesselman* spanned from family law to municipal planning and zoning matters.

Ms. Pellechio became associated with Joseph A. Manfredi & Associates (now Manfredi & Pellechio) in 2000. She has since practiced in the areas of public housing, municipal law, residential and commercial landlord-tenant, civil litigation, and environmental law. Ms. Pellechio has served as a guest lecturer on tenancy issues at the Annual New Jersey NAHRO

(National Association of Housing and Redevelopment Organizations) conference. Currently, Ms. Pellechio exclusively represents public housing authorities and non-profit housing corporations, handling matters spanning from tenancy and applicant matters to employment matters, lease and internal policy creation and updating (including Admissions and Occupancy Policies and Tenant Selection Plans), and compliance with Federal Regulations and governing State laws.

Ms. Pellechio has extensive experience representing housing authority and non-profit clients in the prosecution of tenancy actions in the Special Civil Part of the Superior Court, including the prosecution of eviction actions for nonpayment of rent, habitual late payment of rent, theft from the landlord, criminal activity, damage, injury, and destruction of the premises, disorderly conduct, violation of landlord's rules and regulations, and substantial violation of the lease. Further, Ms. Pellechio has prosecuted a vast array of breach of lease cases including, violation of housekeeping requirements, failure to recertify, violation of pet policies, violation of no-smoking policies, and disturbance of the peaceful enjoyment of premises by fellow residents. Ms. Pellechio has also successfully handled various post-judgment challenges by tenants including a great number of orders to show cause.

Ms. Pellechio has brought civil actions on behalf of housing authority clients, in both the Law Division and the Special Civil Part of the court, for recovery of monies owed to housing authorities from current and former tenants. Further, she has pursued collection upon money judgments resulting from such civil actions through post-judgment collection proceedings, including wage garnishments. Additionally, Ms. Pellechio has filed and prosecuted adversary proceedings in Bankruptcy Court to secure repayment of a debt owed to a housing authority client and to block discharge of the debt in bankruptcy.

Ms. Pellechio regularly appears in court in five (5) counties in New Jersey, prosecuting eviction cases for our public housing and non-profit clients. Her experience includes extensive courtroom work, including eviction trials, settlement hearings, order to show cause hearings, and motion hearings. Ms. Pellechio has also handled a substantial number of out of court hearings, including informal grievance proceedings, formal grievance hearings, Section 8 Housing Choice Voucher termination hearings, and application denial hearings.

Ms. Pellechio has performed extensive legal research for housing authority and nonprofit clients in areas of Federal and State law, which affect public housing authorities and Federally subsidized nonprofits and their tenancy litigation. In addition, Ms. Pellechio's representation of housing authority and nonprofit clients has included staying abreast of recent developments in Federal and State housing law and providing necessary legal guidance to our clients to remain in compliance with governing law. Moreover, Ms. Pellechio has performed legal services for housing authority and nonprofit clients in all aspects of their tenancy matters, including ensuring compliance with all Federal and State notice requirements and the timely filing, prosecution, and procurement of judgments on their behalf.

Ms. Pellechio regularly handles matters in connection with the Federal fair housing laws and New Jersey's anti-discrimination laws, including requests for reasonable accommodation of disability and discrimination cases filed public housing tenants, Project Based Section 8 tenants,

and Housing Choice Voucher program participants. Ms. Pellechio has successfully defended many cases before HUD and the New Jersey Division on Civil Rights, on behalf of our public housing authority and nonprofit clients. In addition, has also had extensive experience in drafting all types of tenancy related documents such as Federal and State law notices, tenancy leases, eviction and civil complaints, and No Smoking Policies and related documents.

In sum, Ms. Pellechio has had substantial experience in representing public housing and nonprofit clients in all aspects of their tenancy matters.

Alberto L. Camacho

EDUCATIONAL BACKGROUND

Hofstra University School of Law
Juris Doctor, 2005

Clemson University
Bachelor of Arts – Political Science, 2002
Minor – Chemistry

PROFESSIONAL LICENSES

Member of the New Jersey State Bar
United States District Court for the District of New Jersey

PROFESSIONAL EXPERIENCE

While attending Hofstra University School of Law, Mr. Camacho was a semi-finalist in the school's 1L Moot Court Competition and was a member of Hofstra's 2004 Hispanic National Bar Association Moot Court team. In the Spring of 2005, Mr. Camacho was published in the inaugural edition of Hofstra's Sports & Entertainment Law Digest for an article entitled, "The Proper Scope of the Non-Statutory Labor Exemption: Why Claret's Challenge to the NFL's Eligibility Rules Must Be Denied."

During the Summer of 2003, Mr. Camacho worked as a law clerk for Rumrell, Costabel, Warrington & Brock, LLP in St. Augustine, Florida, where his work ranged from preparation for extensive discovery in a civil litigation regarding a non-competition agreement to researching and writing legal opinions on easements, pre-judgment writ of attachments, and various other commercial contractual and property issues. During the subsequent summer, Mr. Camacho interned for the Bergen County Prosecutor's Office, where he represented the State of New Jersey in the Superior Court, Law Division, in oral arguments for municipal appeals, including a number of DWI cases. His internship also provided the opportunity to research and write legal briefs and opinions concerning various issues including post-conviction relief. Finally, in the Spring of 2005, Mr. Camacho had the distinct honor of being selected for the Hofstra University School of Law's Criminal Justice Clinic, where, pursuant to New York State Law, he represented indigent clients in pre-trial and arraignment hearings in both Nassau and Queens County Criminal Courts and assisted in preparation for trial.

Upon graduation from Hofstra University School of Law, Mr. Camacho sat for, and passed both the New York and New Jersey Bar Exams. He was admitted to the New Jersey Bar in January of 2006.

Mr. Camacho became associated with the law firm of *Joseph A. Manfredi & Associates, P.C.* in February 2006. Since that time, he has practiced in the areas of commercial litigation, construction law, local public contracts law, landlord-tenancy, real estate, zoning and land use, and municipal corporations law. He has argued matters before the Superior Court of New Jersey in both the Law Division and the Appellate Division and routinely meets with and presents to the U.S. Department of Housing & Urban Development, New Jersey Public Housing Authority Boards of Commissioners and Non-Profit Boards of Trustees. Mr. Camacho is currently a Partner with the firm and routinely represents public housing authorities and non-profit corporations regarding compliance with state and federal procurement regulations, as well as corporate and individual clients in commercial and employment litigation.

Daryl J. Howard

EDUCATIONAL BACKGROUND

Quinnipiac University School of Law
Juris Doctor, 2015
Honors: Cum Laude

The College of New Jersey
Bachelor of Science – Criminology, 2011
Honors: Dean's List (4x)

PROFESSIONAL LICENSES

Member of the New Jersey State Bar

PROFESSIONAL EXPERIENCE

While attending Quinnipiac University School of Law, Mr. Howard twice served as a summer intern to the New Jersey Office of the Attorney General, Division of Law. In the Corrections and State Police section, he worked with Deputy Attorneys General in responding to prisoner complaints against the Department of Corrections. In the Environmental Enforcement section, Mr. Howard assisted on cases involving the recovery of cleanup costs from responsible corporate officials under the Solid Waste Management Act.

Upon graduation from Quinnipiac University School of Law, Mr. Howard sat for, and passed the New Jersey Bar Exam. He was admitted to the New Jersey Bar in December 2015.

Mr. Howard became associated with the law firm of *Manfredi & Pellechio* in August 2016. Since that time, he has worked almost exclusively on matters for New Jersey public housing authorities and HUD-funded affordable housing non-profit corporations. As a result, Mr. Howard has acquired extensive knowledge of State of New Jersey and Federal law and regulations, most notably U.S. Department of Housing and Urban Development (HUD) program regulations, notices, and other guidance documents. Additionally, he has developed considerable experience in handling: (1) corporate governance matters, including interpreting bylaws, ensuring Open Public Meetings Act compliance, and preparing meeting minutes and resolutions; (2) assisting clients in formulating responses to Open Public Records Act requests and defending against Government Records Council (GRC) complaints; (3) providing legal advice and guidance with regard to housing applicant rejections and tenant eviction cases; (4) evaluating potential uses of program funds for HUD compliance; (5) ensuring full procurement compliance, including following all procedural requirements for competition (e.g. advertising and issuing solicitations, invitations for bids, and Requests for Proposals), implementing new record-keeping practices, evaluating prevailing wage compliance, and drafting contracts for a variety of goods/services and construction projects; (6) ensuring full personnel compliance, including implementing new record-keeping practices, conducting employment applicant screening through criminal background checks and driving record checks, documenting Public Employees Occupational Safety and Health

Act (PEOSHA) compliance (including appropriate training and the receipt of adequate personal protective equipment), documenting and implementing employee discipline, investigating and addressing workplace complaints, and participating in employment litigation by assisting with discovery and evaluating insurance coverage options (most prominently in sexual harassment cases); (7) evaluating municipal code compliance, including fire code matters; and (8) drafting required policy documents, including personnel policies and procedures manuals, procurement policies, travel and training reimbursement policies, internal controls policies, and various tenancy-related policies (admissions and continued occupancy policies, Section 8 administrative plans, tenant selection plans, pet rules, and parking policies).

Representations, Certifications, and Other Statements of Bidders

Public and Indian Housing Programs

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1. Certificate of Independent Price Determination

(a) The bidder certifies that--

(1) The prices in this bid have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other bidder or competitor relating to (i) those prices, (ii) the intention to submit a bid, or (iii) the methods or factors used to calculate the prices offered;

(2) The prices in this bid have not been and will not be knowingly disclosed by the bidder, directly or indirectly, to any other bidder or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a competitive proposal solicitation) unless otherwise required by law; and

(3) No attempt has been made or will be made by the bidder to induce any other concern to submit or not to submit a bid for the purpose of restricting competition.

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

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

[] [Contracting Officer check if following paragraph is applicable]

(d) Non-collusive affidavit. (applicable to contracts for construction and equipment exceeding \$50,000)

(1) Each bidder shall execute, in the form provided by the PHA/IHA, an affidavit to the effect that he/she has not colluded with any other person, firm or corporation in regard to any bid submitted in response to this solicitation. If the successful bidder did not submit the affidavit with his/her bid, he/she must submit it within three (3) working days of bid opening. Failure to submit the affidavit by that date may render the bid nonresponsive. No contract award will be made without a properly executed affidavit.

(2) A fully executed "Non-collusive Affidavit" [] is, [] is not included with the bid.

2. Contingent Fee Representation and Agreement

(a) Definitions. As used in this provision:

"Bona fide employee" means a person, employed by a bidder and subject to the bidder's supervision and control as to time, place, and manner of performance, who neither exerts, nor proposes to exert improper influence to solicit or obtain contracts nor holds out as being able to obtain any contract(s) through improper influence.

"Improper influence" means any influence that induces or tends to induce a PHA/IHA employee or officer to give consideration or to act regarding a PHA/IHA contract on any basis other than the merits of the matter.

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

(1) [] has, [X] has not employed or retained any person or company to solicit or obtain this contract; and

(2) [] has, [X] 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.

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

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

3. Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (applicable to contracts exceeding \$100,000)

(a) The definitions and prohibitions contained in Section 1352 of title 31, United States Code, are hereby incorporated by reference in paragraph (b) of this certification.

(b) The bidder, by signing its bid, hereby certifies to the best of his or her knowledge and belief as of December 23, 1989 that:

(1) No 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 on his or her behalf in connection with the awarding of a contract resulting from this solicitation;

(2) If any funds other than Federal appropriated funds (including profit or fee received under a covered Federal transaction) 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 on his or her behalf in connection with this solicitation, the bidder shall complete and submit, with its bid, OMB standard form LLL, "Disclosure of Lobbying Activities;" and

(3) He or she will include the language of this certification in all subcontracts at any tier and require that all recipients of subcontract awards in excess of \$100,000 shall certify and disclose accordingly.

(c) Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by section 1352, title 31, United States Code. Any person who makes an expenditure prohibited under this provision or who fails to file or amend the disclosure form to be filed or amended by this provision, shall be subject to a civil penalty of not less than \$10,000, and not more than \$100,000, for each such failure.

(d) Indian tribes (except those chartered by States) and Indian organizations as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450B) are exempt from the requirements of this provision.

4. Organizational Conflicts of Interest Certification

The bidder certifies that to the best of its knowledge and belief and except as otherwise disclosed, he or she does not have any organizational conflict of interest which is defined as a situation in which the nature of work to be performed under this proposed contract and the bidder's organizational, financial, contractual, or other interests may, without some restriction on future activities:

(a) Result in an unfair competitive advantage to the bidder; or,

(b) Impair the bidder's objectivity in performing the contract work.

[] In the absence of any actual or apparent conflict, I hereby certify that to the best of my knowledge and belief, no actual or apparent conflict of interest exists with regard to my possible performance of this procurement.

5. Bidder's Certification of Eligibility

(a) By the submission of this bid, the bidder certifies that to the best of its knowledge and belief, neither it, nor any person or firm which has an interest in the bidder's firm, nor any of the bidder's subcontractors, is ineligible to:

(1) Be awarded contracts by any agency of the United States Government, HUD, or the State in which this contract is to be performed; or,

(2) Participate in HUD programs pursuant to 24 CFR Part 24.

(b) The certification in paragraph (a) above is a material representation of fact upon which reliance was placed when making award. If it is later determined that the bidder knowingly rendered an erroneous certification, the contract may be terminated for default, and the bidder may be debarred or suspended from participation in HUD programs and other Federal contract programs.

6. Minimum Bid Acceptance Period

(a) "Acceptance period," as used in this provision, means the number of calendar days available to the PHA/IHA for awarding a contract from the date specified in this solicitation for receipt of bids.

(b) This provision supersedes any language pertaining to the acceptance period that may appear elsewhere in this solicitation.

(c) The PHA/IHA requires a minimum acceptance period of [Contracting Officer insert time period] calendar days.

(d) In the space provided immediately below, bidders may specify a longer acceptance period than the PHA's/IHA's minimum requirement. The bidder allows the following acceptance period: calendar days.

(e) A bid allowing less than the PHA's/IHA's minimum acceptance period will be rejected.

(f) The bidder agrees to execute all that it has undertaken to do, in compliance with its bid, if that bid is accepted in writing within (1) the acceptance period stated in paragraph (c) above or (2) any longer acceptance period stated in paragraph (d) above.

7. Small, Minority, Women-Owned Business Concern Representation

The bidder represents and certifies as part of its bid/ offer that it --

(a) [] is, [X] 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, [X] is not a women-owned business enterprise. "Women-owned business enterprise," as used in this provision, means a 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, [X] is not a minority business enterprise. "Minority business enterprise," as used in this provision, means a business which is at least 51 percent owned or controlled 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)

[] Black Americans

[] Asian Pacific Americans

[] Hispanic Americans

[] Asian Indian Americans

[] Native Americans

[] Hasidic Jewish Americans

8. Indian-Owned Economic Enterprise and Indian Organization Representation (applicable only if this solicitation is for a contract to be performed on a project for an Indian Housing Authority)

The bidder represents and certifies that it:

(a) [] is, [X] is not an Indian-owned economic enterprise. "Economic enterprise," as used in this provision, means any commercial, industrial, or business activity established or organized for the purpose of profit, which is at least 51 percent Indian owned. "Indian," as used in this provision, means any person who is a member of any tribe, band, group, pueblo, or community which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs and any "Native" as defined in the Alaska Native Claims Settlement Act.

(b) [] is, [X] is not an Indian organization. "Indian organization," as used in this provision, means the governing body of any Indian tribe or entity established or recognized by such governing body. Indian "tribe" means any Indian tribe, band, group, pueblo, or

community including Native villages and Native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native Claims Settlement Act, which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs.

9. Certification of Eligibility Under the Davis-Bacon Act (applicable to construction contracts exceeding \$2,000)

(a) By the submission of this bid, the bidder certifies that neither it nor any person or firm who has an interest in the bidder's firm is a person or firm ineligible to be awarded contracts by the United States Government by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(b) No part of the contract resulting from this solicitation shall be subcontracted to any person or firm ineligible to be awarded contracts by the United States Government by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(c) The penalty for making false statements is prescribed in the U. S. Criminal Code, 18 U.S.C. 1001.

10. Certification of Nonsegregated Facilities (applicable to contracts exceeding \$10,000)

(a) The bidder's attention is called to the clause entitled **Equal Employment Opportunity** of the General Conditions of the Contract for Construction.

(b) "Segregated facilities," as used in this provision, means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin or cause of habit, local custom, or otherwise.

(c) By the submission of this bid, the bidder certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The bidder agrees that a breach of this certification is a violation of the Equal Employment Opportunity clause in the contract.

(d) The bidder further agrees that (except where it has obtained identical certifications from proposed subcontractors for specific time periods) prior to entering into subcontracts which exceed \$10,000 and are not exempt from the requirements of the Equal Employment Opportunity clause, it will:

(1) Obtain identical certifications from the proposed subcontractors;

(2) Retain the certifications in its files; and

(3) Forward the following notice to the proposed subcontractors (except if the proposed subcontractors have submitted identical certifications for specific time periods):

Notice to Prospective Subcontractors of Requirement for Certifications of Nonsegregated Facilities

A Certification of Nonsegregated Facilities must be submitted before the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Employment Opportunity clause of the prime contract. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

Note: The penalty for making false statements in bids is prescribed in 18 U.S.C. 1001.

11. Clean Air and Water Certification (applicable to contracts exceeding \$100,000)

The bidder certifies that:

(a) Any facility to be used in the performance of this contract ☐ is, ☐ is not listed on the Environmental Protection Agency List of Violating Facilities:

(b) The bidder will immediately notify the PHA/IHA Contracting Officer, before award, of the receipt of any communication from the Administrator, or a designee, of the Environmental Protection Agency, indicating that any facility that the bidder proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities; and,

(c) The bidder will include a certification substantially the same as this certification, including this paragraph (c), in every nonexempt subcontract.

12. Previous Participation Certificate (applicable to construction and equipment contracts exceeding \$50,000)

(a) The bidder shall complete and submit with his/her bid the Form HUD-2630, "Previous Participation Certificate." If the successful bidder does not submit the certificate with his/her bid, he/she must submit it within three (3) working days of bid opening. Failure to submit the certificate by that date may render the bid nonresponsive. No contract award will be made without a properly executed certificate.

(b) A fully executed "Previous Participation Certificate"

☐ is, ☐ is not included with the bid.

13. Bidder's Signature

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

(Signature and Date)

(Typed or Printed Name)

(Title)

(Company Name)

(Company Address)

1062 Broadway
W. Long Branch N.J. 07764

STATE OF NEW JERSEY – DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Quote Number: _____

Bidder/ Offeror: _____

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a bidder's proposal non-responsive. If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

PLEASE CHECK THE APPROPRIATE BOX:

☒ I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

☐ I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name _____ Relationship to Bidder/Offeror _____
Description of Activities _____
Duration of Engagement _____ Anticipated Cessation Date _____
Bidder/Offeror Contact Name _____ Contact Phone Number _____

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): Joseph Manfredi

Signature: [Signature]

Title: CFO

Date: 12/29/2022



MACBRIDE PRINCIPLES FORM

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY - DIVISION OF PURCHASE AND PROPERTY
33 WEST STATE STREET, P.O. BOX 230 TRENTON, NEW JERSEY 08625-0230

BID SOLICITATION # AND TITLE:

VENDOR NAME:

Gen'l at Redesign Counsel
Manfred: Pellicchie

Pursuant to Public Law 1995, c. 134, a responsible Vendor/Bidder is required to provide a certification in compliance with the MacBride Principles and Northern Ireland Act of 1989. Pursuant to N.J.S.A. 52:34-12.2, Vendor/Bidder must complete the certification below by checking one of the two options listed below and signing where indicated. If a Vendor/Bidder that would otherwise be awarded a purchase, contract or agreement does not complete the certification, then the Director may determine, in accordance with applicable law and rules, that it is in the best interest of the State to award the purchase, contract or agreement to another Vendor/Bidder that has completed the certification and has submitted a bid within five (5) percent of the most advantageous bid. If the Director finds contractors to be in violation of the principles that are the subject of this law, he/she shall take such action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

I, the undersigned, on behalf the Vendor/Bidder, certify pursuant to N.J.S.A. 52:34-12.2 that:

CHECK THE APPROPRIATE BOX



The Vendor/Bidder has no business operations in Northern Ireland; or

OR



The Vendor/Bidder will take lawful steps in good faith to conduct any business operations it has in Northern Ireland in accordance with the MacBride principles of nondiscrimination in employment as set forth in section 2 of P.L. 1987, c. 177 (N.J.S.A. 52:18A-89.5) and in conformance with the United Kingdom's Fair Employment (Northern Ireland) Act of 1989, and permit independent monitoring of its compliance with those principles.

CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the State of New Jersey is relying on the information contained herein, and that the Vendor is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I may be subject to criminal prosecution under the law, and it will constitute a material breach of my contract(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Signature

Print Name and Title

Date

Manfred: Pellicchie
Manfred: Pellicchie

12/27/2022



CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES
IN RUSSIA OR BELARUS PURSUANT TO P.L.2022, c.3

CONTRACT / BID SOLICITATION TITLE

Cancel at Redoubt Local Source

CONTRACT / BID SOLICITATION No.

CHECK THE APPROPRIATE BOX



I, the undersigned, am authorized by the person or entity seeking to enter into or renew the contract identified above, to certify that the Vendor/Bidder is not engaged in prohibited activities in Russia or Belarus as such term is defined in P.L.2022, c.3,¹ section 1.e, except as permitted by federal law.

I understand that if this statement is willfully false, I may be subject to penalty, as set forth in P.L.2022, c.3, section 1.d.

OR



I, the undersigned am unable to certify above because the person or entity seeking to enter into or renew the contract identified above, or one of its parents, subsidiaries, or affiliates may have engaged in prohibited activities in Russia or Belarus. A detailed, accurate and precise description of the activities is provided below.

Failure to provide such description will result in the Quote being rendered as non-responsive, and the Department/Division will not be permitted to contract with such person or entity, and if a Quote is accepted or contract is entered into without delivery of the certification, appropriate penalties, fines and/or sanctions will be assessed as provided by law.

Description of Prohibited Activity

Attach Additional Sheets if Necessary.

If you certify that the bidder is engaged in activities prohibited by P.L. 2022, c. 3, the bidder shall have 90 days to cease engaging in any prohibited activities and on or before the 90th day after this certification, shall provide an updated certification. If the bidder does not provide the updated certification or at that time cannot certify on behalf of the entity that it is not engaged in prohibited activities, the State shall not award the business entity any contracts, renew any contracts, and shall be required to terminate any contract(s) the business entity holds with the State that were issued on or after the effective date of P.L. 2022, c. 3.

Joseph Manfredi

Signature of Vendor's Authorized Representative

Joseph Manfredi

Print Name and Title of Vendor's Authorized Representative

Manfredi + Pellicchio

Vendor Name

1062 Broadway

Vendor Address (Street Address)

W. Hong Branch

Vendor Address (City/State/Zip Code)

12/27/2022

Date

201 216-1750

Vendor Phone Number

201 216-1760

Vendor Fax Number

jmanfredi@manfredi-law.com

Vendor Email Address for Authorized Representative

¹ Engaged in prohibited activities in Russia or Belarus" means (1) companies in which the Government of Russia or Belarus has any direct equity share; (2) having any business operations commencing after the effective date of this act that involve contracts with or the provision of goods or services to the Government of Russia or Belarus; (3) being headquartered in Russia or having its principal place of business in Russia or Belarus, or (4) supporting, assisting or facilitating the Government of Russia or Belarus in their campaigns to invade the sovereign country of Ukraine, either through in-kind support or for profit.

Certifications and Representations of Offerors Non-Construction Contract

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

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/offerors 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)

- | | |
|---|---|
| ☐ Black Americans | ☐ Asian Pacific Americans |
| ☐ Hispanic Americans | ☐ Asian Indian Americans |
| ☐ Native Americans | ☐ 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)

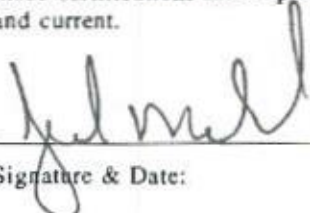
The offeror represents that the following persons are authorized to negotiate on its behalf with the PHA in connection with this request for proposals: (list names, titles, and telephone numbers of the authorized negotiators):

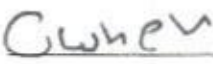
6. Conflict of Interest

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.

 12/27/22
Signature & Date:

Joseph Manfredi
Typed or Printed Name:

Title:

Franklin Township Housing Authority

NON-COLLUSION AFFIDAVIT

State of New Jersey

County of Monmouth

I, Joseph Manfredi, residing in Colts Neck
(name of affiant) (name of municipality)

in the County of Monmouth and the State of N.J., of full age,
being duly sworn according to law on my oath depose and say that:

I am Cover of the firm of Manfredi + Pellechia
(title or position) (name of firm)

the bidder making this Proposal for the bid entitled General and Plumbout Road Sewer.
(title of bid proposal)

and that I executed the said proposal with full authority to do so 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 Franklin Township Housing Authority 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/A
(company name or N/A)

Subscribed and sworn to before me this day, December 27, 2022.
Date

Signature [Signature]
(Type or print name of affiant under signature)

Melissa Pellechia
Melissa Pellechia

Notary public of _____

My Commission expires n/a

(Seal)

Melissa Pellechia, Esq.
Attorney at Law
State of New Jersey

Franklin Township Housing Authority

STATEMENT OF CORPORATE OWNERSHIP

This Statement Shall Be Included with Bid Submission

Name of Business Mansel & Pellechio



I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR



I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:



Partnership
Proprietorship



Limited Liability Corporation



Corporation



Sole



Limited Partnership



Limited Liability Partnership



Subchapter S Corporation

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

Name:

Joseph Mansel
1 Richmond Court
Calte Neck N.J. 07722

Name: _____

Home Address: _____

Name:

Melissa Pellechio
Melissa Pellechio
Subscribed and sworn before me this 27 day of December
2022

Name: _____

(Notary Public)

My Commission expires: n/a

(Affiant)

(Print name & title of affiant)

(Corporate Seal)

Melissa Pellechio, Esq.
Attorney at Law
State of New Jersey

AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 AND N.J.A.C. 17:27

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the contractor is operating under and existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successor vendor(s) must submit the copies of the AA 302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1, et seq.

COMPANY: Mansueti + Pellicci

SIGNATURE: [Signature]

PRINT NAME: Joseph Mansueti

TITLE: Owner

DATE: 12/27/2022

Certification 45356

**CERTIFICATE OF EMPLOYEE INFORMATION REPORT
RENEWAL**

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-AUG-2017** to **15-AUG-2024**

**JOSEPH A MANFREDI AS ASSOCIATES
50 HARRISON STREET, STE 209
HOBOKEN NJ 07030**



Ford M. Scudder

FORD M. SCUDDER
State Treasurer

**CERTIFICATION REGARDING NON-DEBARMENT, SUSPENSION,
INELIGIBILITY AND VOLUNTARY EXCLUSION**

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or Voluntarily excluded by any Federal department or agency;

(b) Have not within a three year period preceding the effective date of this contract been
Convicted of or had a civil judgment rendered against me or Manuel Delgado
(Contractor's/Company Name)

for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a Government entity (Federal, State or Local) with commission of any of the offenses Enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of these statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature of Applicant: Manuel Delgado

Date: 12/27/2022

Printed Name/Title: Manuel Delgado



84 Court Street
Freehold, NJ 07728
Telephone 732.462.8929
800.548.1063
Fax 732.577.8836
www.GSAgency.com

Certificate Holder's Name and Address:

Clerk of the Supreme Court
Clerk's Office (Heather Baker)
PO BOX 970
25 West Market Street
Trenton NJ 08625

Insured's Name and Address:

Joseph A Manfredi & Associates PC
dba Manfredi & Pellechio
1062 Broadway
West Long Branch NJ 07764

CERTIFICATE of INSURANCE

Policy 267863905 is a Lawyers Professional Liability (E&O) policy issued for one year from 3/1/2022 to 3/1/2023 by Continental Insurance Co of NJ.

The policy has limits of \$1,000,000 per claim / \$2,000,000 aggregate

The deductible for the policy is \$5,000

As of the inception date of this policy, the firm had 7 lawyer(s)

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED ABOVE HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES SHOWN. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR, AND THE CERTIFICATE HOLDER.

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

THIS IS A CLAIMS MADE & REPORTED POLICY



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: JOSEPH A. MANFREDI, ESQ., P.C.

Trade Name:

Address: PO BOX 459
COLTS NECK, NJ 07722

Certificate Number: 0923501

Effective Date: November 01, 2000

Date of Issuance: December 23, 2022

For Office Use Only:

20221223113924860