



Non-Collusive/Non-Identity of Interest Affidavit

I, _____, being first duly sworn, deposes and says:

(1) That said named person is _____
(A partner or officer of the firm, of etc.)

The party making the foregoing proposal or bid; (2) that such proposal or bid is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in sham-bid or to refrain from bidding, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference with any person, to fix the bid price or affiant or of any other bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the Partners in Housing Development Corporation or any person interested in the proposed contract; (3) that no identify of interest exists or will between Bidder and Owner or architect, and (4) that all statements in said proposal or bid are true.

WARNING: U.S. Criminal Code, Section 1001, Title 8 U.S.C. provides as follows: in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by an trick scheme or devise a material fact, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement of entry shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

An identity of interest will be construed to exist:

- (a) If there is any financial interest of the owner in the general contractor;
- (b) If any of the officers or directors of the owner is also an officer, director, or stockholder of the general contractor;
- (c) If any officer or director of the owner has any financial interest whatsoever in the general contractor;
- (d) If the Party advances any funds to the owner, including providing a and option or any of the costs of obtaining a and option;
- (e) If the Party provides and pays, on behalf of the owner, the cost of any architectural or engineering services other than those of the surveyor, general superintendent, or engineer employed by a general contractor in connection with his/her obligations under the construction contract;
- (f) If the Party has any interest in the owner Corporation as part of the consideration for payment;

- (g) When there exists (or comes into being) any side deals, agreements, contract or undertaking entered into or contemplated, thereby altering, amending or canceling any of the required closing documents;
- (h) When the contractor or any officer, director, stockholder, or partner of such contractor has any financial interest whatsoever in the architectural firm;
- (i) When the Party has stock or any financial interest in the contractor;
- (j) When the contractor or any officer, director, stockholder or partner of such contract provides any of the required services; or where the Party, or any officer, director, stockholder or partner of such services, acts as a consultant to the Party.

IN WITNESS THEREOF, I have set my hand this _____ day of _____, 20__

Signature of Bidder, if an Individual _____

By: _____

Signature of Partner, if Bidder is a Partnership

By: _____

Signature of Officer, if Bidder is a Corporation

Title _____

Title of Officer, if Bidder is a Corporation

STATE OF INDIANA
COUNTY OF MARION

The foregoing Non-Collusive/Non-Identity of Interest Affidavit was acknowledged before me this _____ day of _____, 20__, by _____ to me to be the person described in and who executed the foregoing instrument and acknowledge that he (she) executed the same as his (her) free and voluntary act of deed.

Notary Public

My commission Expires: _____