

FILED

OCT 29 2010

SUPERIOR COURT
CLERK'S OFFICE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ595-10-6

Superior Court
Docket Number 10-10-00148-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

JOSEPH BUDIS,)

MHHC CORPORATION,)

and)

MURRAY HILL EQUIPMENT,)

INC.)

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(False Representations for a Government Contract - Second Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about March 24, 2010, and on or about June 17, 2010, at the Town of Clinton, in the County of Hunterdon, and at the Township of Union, in the County of Union, elsewhere, and within the jurisdiction of this Court, knowingly made material representations that were false in connection with the negotiation, award or performance of a government contract, that is, the said JOSEPH BUDIS

and MHHC CORPORATION, knowingly made one of the following false, material representations: (1) that a person whose identity is known to the Grand Jurors was the President of MHHC CORPORATION; (2) that a person whose identity is known to the Grand Jurors was the Owner of MHHC CORPORATION; (3) that a person whose identity is known to the Grand Jurors was the Secretary of MHHC CORPORATION; (4) that a person whose identity is known to the Grand Jurors was the Vice President of MHHC CORPORATION; (5) that a person whose identity is known to the Grand Jurors was the Project Manager of MHHC CORPORATION; (6) that MHHC CORPORATION had a valid certificate of registration under the New Jersey Public Works Contractor Registration Act; (7) that a person whose identity is known to the Grand Jurors signed the bid submitted on behalf of MHHC CORPORATION, or one of the following documents submitted in connection with that bid: (i) Stockholders' Disclosure Statement; (ii) Non-Collusion Affidavit; (iii) Procurement and Service Contracts Language "A"; (iv) Bid Bond; (v) Payment Bond; (vi) Performance Bond; (vii) Subcontractor Certification for Grant Agreement between the Town of Clinton and the New Jersey Department of Environmental Protection (DEP-069G); (viii) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Initial Project Workforce Report Construction (Form AA-201); (ix) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Monthly Project Workforce Report (Form AA-202); (x) Acknowledgment of Receipt of

Addendum I dated March 8, 2010 to Request for Proposals for Restoration of the Clinton Mills Dam and Dike; or (xi) Acknowledgment of Receipt of Addendum II dated March 15, 2010 to Request for Proposals for Restoration of the Clinton Mills Dam and Dike; (8) that the signature of a person whose identity is known to the Grand Jurors on the Non-Collusion Affidavit was validly notarized; (9) that the Bid Bond naming MHHC CORPORATION as the Principal was a valid bid bond; (10) that the Payment Bond naming MHHC CORPORATION as the Principal was a valid payment bond; (11) that the Performance Bond naming MHHC CORPORATION as the Principal was a valid performance bond; (12) that the Powers of Attorney attached to the foregoing bonds were valid Powers of Attorney; (13) that the named President of the insurance company listed on the foregoing Powers of Attorney was, in fact, the President of said insurance company; (14) that a person whose identity is known to the Grand Jurors signed the Agreement dated May 14, 2010 between the Town of Clinton and MHHC CORPORATION for the Restoration of the Clinton Mills Dam and Dike on behalf of MHHC CORPORATION; (15) that MHHC CORPORATION had a certificate of liability insurance issued by an entity whose identity is known to the Grand Jurors; or (16) that MHHC CORPORATION had workers compensation and employers' liability insurance under a policy issued by an entity whose identity is known to the Grand Jurors, in connection with the negotiation, award or performance of a public contract issued by the Town of Clinton to

restore the Clinton Mills Dam and Dike, which contract was in the approximate amount of \$673,240, contrary to the provisions of N.J.S.A. 2C:21-34b, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Theft by Deception - Second Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about March 24, 2010, and on or about June 17, 2010, at the Town of Clinton, in the County of Hunterdon, and at the Township of Union, in the County of Union, elsewhere, and within the jurisdiction of this Court, purposely did obtain a public contract from the Town of Clinton to restore the Clinton Mills Dam and Dike having a value of approximately \$673,240, by deception, that is, by creating or reinforcing a false impression as to one of the following matters in connection with their bid for said contract: (1) that a person whose identity is known to the Grand Jurors was the President of MHHC CORPORATION; (2) that a person whose identity is known to the Grand Jurors was the Owner of MHHC CORPORATION; (3) that a person whose identity is known to the Grand Jurors was the Secretary of MHHC CORPORATION; (4) that a person whose identity is known to the Grand Jurors was the Vice President of MHHC CORPORATION; (5) that a person whose identity is known to the Grand Jurors was the Project Manager of MHHC CORPORATION; (6) that MHHC CORPORATION had a valid certificate of registration under the New Jersey Public Works Contractor Registration Act; (7) that a person whose identity is known to the Grand Jurors signed the bid submitted

on behalf of MHHC CORPORATION, or one of the following documents submitted along with that bid: (i) Stockholders' Disclosure Statement; (ii) Non-Collusion Affidavit; (iii) Procurement and Service Contracts Language "A"; (iv) Bid Bond; (v) Payment Bond; (vi) Performance Bond; (vii) Subcontractor Certification for Grant Agreement between the Town of Clinton and the New Jersey Department of Environmental Protection (DEP-069G); (viii) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Initial Project Workforce Report Construction (Form AA-201); (ix) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Monthly Project Workforce Report (Form AA-202); (x) Acknowledgment of Receipt of Addendum I dated March 8, 2010 to Request for Proposals for Restoration of the Clinton Mills Dam and Dike; or (xi) Acknowledgment of Receipt of Addendum II dated March 15, 2010 to Request for Proposals for Restoration of the Clinton Mills Dam and Dike; (8) that the signature of a person whose identity is known to the Grand Jurors on the Non-Collusion Affidavit was validly notarized; (9) that the Bid Bond naming MHHC CORPORATION as the Principal was a valid bid bond; (10) that the Payment Bond naming MHHC CORPORATION as the Principal was a valid payment bond; (11) that the Performance Bond naming MHHC CORPORATION as the Principal was a valid performance bond; (12) that the Powers of Attorney attached to the foregoing bonds were valid Powers of Attorney; (13) that the named President of the insurance company

listed on the foregoing Powers of Attorney was, in fact, the President of said insurance company; (14) that a person whose identity is known to the Grand Jurors signed the Agreement dated May 14, 2010 between the Town of Clinton and MHHC CORPORATION for the Restoration of the Clinton Mills Dam and Dike on behalf of MHHC CORPORATION; (15) that MHHC CORPORATION had a certificate of liability insurance issued by an entity whose identity is known to the Grand Jurors; or (16) that MHHC CORPORATION had workers compensation and employers' liability insurance under a policy issued by an entity whose identity is known to the Grand Jurors, contrary to N.J.S.A. 2C:20-4a, N.J.S.A. 2C:20-2b(1)(a), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Tampering with Public Records or Information - Third Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about March 24, 2010, and on or about May 17, 2010, at the Town of Clinton, in the County of Hunterdon, and at the Township of Union, in the County of Union, elsewhere, and within the jurisdiction of this Court, with purpose to defraud or injure, did make, present offer for filing or use any record, document or thing knowing it to be false, and with purpose that it be taken as a genuine part of information or records belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government, that is, the said JOSEPH BUDIS and MHHC CORPORATION, did make, present, offer for filing or use one of the following documents knowing them to be false, in connection with their bid for a public contract issued by the Town of Clinton to restore the Clinton Mills Dam and Dike: (1) a bid falsely purported to be signed by a person whose identity is known to the Grand Jurors and falsely describing that person as the Owner of MHHC CORPORATION; (2) an invalid certificate of registration for MHHC CORPORATION issued by the New Jersey Department of Labor and Workforce Development under the New Jersey Public Works Contractor Registration Act and falsely describing a

person whose identity is known to the Grand Jurors as the President of MHHC CORPORATION; (3) Stockholders' Disclosure Document falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION and falsely purporting to be signed by that same person; (4) Non-Collusion Affidavit falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION, falsely purporting to be signed by that same person and falsely purporting to be notarized by another person whose identity is known to the Grand Jurors; (5) Procurement and Service Contracts Language "A" falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION and falsely purporting to be signed by that same person; (6) Bid Bond falsely naming MHHC CORPORATION as the Principal and falsely purporting to be signed by a person whose identity is known to the Grand Jurors as the representative of MHHC CORPORATION; (7) Power of Attorney attached to said Bid Bond; (8) Payment Bond falsely naming MHHC CORPORATION as the Principal and falsely purporting to be signed by a person whose identity is known to the Grand Jurors as the representative of MHHC CORPORATION; (9) Performance Bond falsely naming MHHC CORPORATION as the Principal and falsely purporting to be signed by a person whose identity is known to the Grand Jurors as the representative of MHHC CORPORATION; (10) Power of Attorney attached to said Payment Bond and Performance Bond; (11) Subcontractor Certification for Grant Agreement between

the Town of Clinton and the New Jersey Department of Environmental Protection (DEP-069G) falsely describing a person whose identity is known to the Grand Jurors as the President of MHHC CORPORATION and falsely purporting to be signed by that same person, falsely describing another person known to the Grand Jurors as the Secretary of MHHC CORPORATION and falsely purporting to be signed by that same person, falsely describing another person known to the Grand Jurors as the Secretary of MHHC CORPORATION and falsely purporting to be signed by that same person; (11) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Initial Project Workforce Report Construction (Form AA-201) falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION and falsely purporting to be signed by that same person; (12) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Monthly Project Workforce Report (Form AA-202) falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION and falsely purporting to be signed by that same person; (13) Acknowledgment of Receipt of Addendum I dated March 8, 2010 to Request for Proposals for Restoration of the Clinton Mills Dam and Dike falsely purporting to be signed by a person whose identity is known to the Grand Jurors; (14) Acknowledgment of Receipt of Addendum II dated March 15, 2010 to Request for Proposals for Restoration of the Clinton Mills Dam and Dike falsely purporting to be signed by a person whose

identity is known to the Grand Jurors; (15) certificate of liability insurance falsely purported to be issued by an entity whose identity is known by the Grand Jurors and falsely naming MHHC CORPORATION as the insured; or (16) Agreement dated May 14, 2010 between the Town of Clinton and MHHC CORPORATION for the Restoration of the Clinton Mills Dam and Dike on behalf of MHHC CORPORATION falsely describing a person whose identity is known to the Grand Jurors as the President of MHHC CORPORATION and falsely purporting to be signed by that same person, falsely describing another person known to the Grand Jurors as the Secretary of MHHC CORPORATION and falsely purporting to be signed by that same person as authority for the former person to sign the Agreement as President of MHHC CORPORATION, contrary to the provisions of N.J.S.A. 2C:28-7a(2), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Forgery - Fourth Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about March 24, 2010, and on or about May 17, 2010, at the Town of Clinton, in the County of Hunterdon, and at the Township of Union, in the County of Union, elsewhere, and within the jurisdiction of this Court, with purpose to defraud or injure the Town of Clinton, knowingly did make, complete, execute, issue or transfer a writing, namely, (1) a bid dated March 24, 2010; (2) Stockholders' Disclosure Statement; (3) Non-Collusion Affidavit; (4) Procurement and Service Contracts Language "A"; (5) Bid Bond; (6) Power of Attorney attached to said Bid Bond; (7) Payment Bond; (8) Performance Bond; (9) Power of Attorney attached to said Payment Bond and Performance Bond; (10) Subcontractor Certification for Grant Agreement between the Town of Clinton and the New Jersey Department of Environmental Protection (DEP-069G); (11) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Initial Project Workforce Report Construction (Form AA-201); (12) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Monthly Project Workforce Report (Form AA-202); (13) Acknowledgment of Receipt of Addendum I dated March 8, 2010 to Request for Proposals for Restoration of the Clinton Mills

Dam and Dike; (14) Acknowledgment of Receipt of Addendum II dated March 15, 2010 to Request for Proposals for Restoration of the Clinton Mills Dam and Dike; (15) Certificate of Liability Insurance issued by an entity whose identity is known by the Grand Jurors naming MHHC CORPORATION as the insured; or (16) Agreement dated May 14, 2010 between the Town of Clinton and MHHC CORPORATION for the Restoration of the Clinton Mills Dam and Dike, in connection with the bid submitted by the said JOSEPH BUDIS and MHHC CORPORATION for a public contract issued by the Town of Clinton to restore the Clinton Mills Dam and Dike, so that it purported to be the act of persons whose identities are known to the Grand Jurors, who did not authorize said act or a fictitious person, contrary to the provisions of N.J.S.A. 2C:21-1a(2), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Forgery - Fourth Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about March 24, 2010, and on or about May 17, 2010, at the Town of Clinton, in the County of Hunterdon, and at the Township of Union, in the County of Union, elsewhere, and within the jurisdiction of this Court, with purpose to defraud or injure the Town of Clinton, did utter to the Town of Clinton in connection with the bid submitted by the said JOSEPH BUDIS and MHHC CORPORATION for a public contract issued by the Town of Clinton to restore the Clinton Mills Dam and Dike one of the following writings, that is, (1) a bid dated March 24, 2010; (2) Stockholders' Disclosure Statement; (3) Non-Collusion Affidavit; (4) Procurement and Service Contracts Language "A"; (5) Bid Bond; (6) Power of Attorney attached to said Bid Bond; (7) Payment Bond; (8) Performance Bond; (9) Power of Attorney attached to said Payment Bond and Performance Bond; (10) Subcontractor Certification for Grant Agreement between the Town of Clinton and the New Jersey Department of Environmental Protection (DEP-069G); (11) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Initial Project Workforce Report Construction (Form AA-201); (12) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Monthly Project

Workforce Report (Form AA-202); (13) Acknowledgment of Receipt of Addendum I dated March 8, 2010 to Request for Proposals for Restoration of the Clinton Mills Dam and Dike; (14) Acknowledgment of Receipt of Addendum II dated March 15, 2010 to Request for Proposals for Restoration of the Clinton Mills Dam and Dike; (15) Certificate of Liability Insurance issued by an entity whose identity is known by the Grand Jurors naming MHHC CORPORATION as the insured; or (16) Agreement dated May 14, 2010 between the Town of Clinton and MHHC CORPORATION for the Restoration of the Clinton Mills Dam and Dike, knowing the same to be altered or changed without authorization or made so that it purported to be the act of another other who did not authorize the act, contrary to the provisions of N.J.S.A. 2C:21-1a(3), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(False Representations for a Government Contract - Second Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about May 11, 2009, and on or about November 25, 2009, at the Town of Clinton, and at the City of Lambertville, in the County of Hunterdon, and at the Boro of New Providence, in the County of Union, elsewhere, and within the jurisdiction of this Court, knowingly made material representations that were false in connection with the negotiation, award or performance of a government contract, that is, the said JOSEPH BUDIS and MHHC CORPORATION, knowingly made one of the following false, material representations: (1) that a person whose identity is known to the Grand Jurors was the President of MHHC CORPORATION; (2) that a person whose identity is known to the Grand Jurors was the Owner of MHHC CORPORATION; (3) that MHHC CORPORATION had a valid certificate of registration under the New Jersey Public Works Contractor Registration Act; (4) that a person whose identity is known to the Grand Jurors signed the bid submitted on behalf of MHHC CORPORATION, or one of the following documents submitted along with that bid: (i) Stockholders Disclosure Form; (ii) Bidders Affidavit; (iii) Non-Collusion Affidavit; (iv) New Jersey Water Supply Authority Notices form; (v) Affirmative Action Questionnaire; (vi) New Jersey Water

Supply Authority Notice of Intent to Subcontract Form; (vii) New Jersey Water Supply Authority Subcontractor Utilization Plan; (viii) State of New Jersey Business Certification Questionnaire; (ix) New Jersey Division of Purchase & Property Ownership Disclosure Form; (x) New Jersey Division of Purchase and Property Executive Order 117 Vendor Certification and Disclosure of Political Contributions; (xi) Bid Bond; (xii) Payment Bond; or (xiii) Performance Bond; (5) that the signature of a person whose identity is known to the Grand Jurors was validly notarized or witnessed on one or more of the following documents: (i) Stockholders Disclosure Form; (ii) Bidders Affidavit; (iii) Non-Collusion Affidavit; or (iv) Agreement No. WSA C09010 dated June 23, 2009 between the New Jersey Water Supply Authority and MHHC CORPORATION for the Rehabilitation of Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville; (6) that a person whose identity is known to the Grand Jurors signed Agreement No. WSA C09010 dated June 23, 2009 between the New Jersey Water Supply Authority and MHHC CORPORATION for the Rehabilitation of Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville on behalf of MHHC CORPORATION; (7) that JOSEPH BUDIS or the Owner of MHHC CORPORATION had never been charged or convicted in a criminal or disorderly persons matter by the State of New Jersey; or (8) that JOSEPH BUDIS or the Owner of MHHC CORPORATION had never been suspended, debarred or otherwise declared ineligible by any agency of government from bidding or

contracting to provide services, labor, materials or supplies, in connection with the negotiation, award or performance of a public contract to rehabilitate the Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville, which contract was in the approximate amount of \$286,400, contrary to the provisions of N.J.S.A. 2C:21-34b, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Theft by Deception - Second Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about May 11, 2009, and on or about November 25, 2009, at the Town of Clinton, and at the City of Lambertville, in the County of Hunterdon, and at the Boro of New Providence, in the County of Union, elsewhere, and within the jurisdiction of this Court, purposely did obtain a public contract from the New Jersey Water Supply Authority to rehabilitate the Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville having a value of approximately \$286,400, by deception, that is, by creating or reinforcing a false impression as to one of the following matters in connection with their bid for said contract: (1) that a person whose identity is known to the Grand Jurors was the President of MHHC CORPORATION; (2) that a person whose identity is known to the Grand Jurors was the Owner of MHHC CORPORATION; (3) that MHHC CORPORATION had a valid certificate of registration under the New Jersey Public Works Contractor Registration Act; (4) that a person whose identity is known to the Grand Jurors signed the bid submitted on behalf of MHHC CORPORATION, or one of the following documents submitted along with that bid: (i) Stockholders Disclosure Form; (ii) Bidders Affidavit; (iii) Non-Collusion Affidavit; (iv) New

Jersey Water Supply Authority Notices form; (v) Affirmative Action Questionnaire; (vi) New Jersey Water Supply Authority Notice of Intent to Subcontract Form; (vii) New Jersey Water Supply Authority Subcontractor Utilization Plan; (viii) State of New Jersey Business Certification Questionnaire; (ix) New Jersey Division of Purchase & Property Ownership Disclosure Form; (x) New Jersey Division of Purchase and Property Executive Order 117 Vendor Certification and Disclosure of Political Contributions; (xi) Bid Bond; (xii) Payment Bond; or (xiii) Performance Bond; (5) that the signature of a person whose identity is known to the Grand Jurors was validly notarized or witnessed on one or more of the following documents: (i) Stockholders Disclosure Form; (ii) Bidders Affidavit; (iii) Non-Collusion Affidavit; or (iv) Agreement No. WSA C09010 dated June 23, 2009 between the New Jersey Water Supply Authority and MHHC CORPORATION for the Rehabilitation of Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville; (6) that a person whose identity is known to the Grand Jurors signed Agreement No. WSA C09010 dated June 23, 2009 between the New Jersey Water Supply Authority and MHHC CORPORATION for the Rehabilitation of Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville on behalf of MHHC CORPORATION; (7) that JOSEPH BUDIS or the Owner of MHHC CORPORATION had never been charged or convicted in a criminal or disorderly persons matter by the State of New Jersey; or (8) that JOSEPH BUDIS or the Owner of MHHC CORPORATION had never

been suspended, debarred or otherwise declared ineligible by any agency of government from bidding or contracting to provide services, labor, materials or supplies, contrary to N.J.S.A. 2C:20-4a, N.J.S.A. 2C:20-2b(1)(a), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT EIGHT

(Tampering with Public Records or Information - Third Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about May 11, 2009, and on or about June 23, 2009, at the Town of Clinton, and at the City of Lambertville, in the County of Hunterdon, and at the Boro of New Providence, in the County of Union, elsewhere, and within the jurisdiction of this Court, with purpose to defraud or injure, did make, present offer for filing or use any record, document or thing knowing it to be false, and with purpose that it be taken as a genuine part of information or records belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government, that is, the said JOSEPH BUDIS and MHHC CORPORATION, did make, present, offer for filing or use one of the following documents knowing them to be false, in connection with their bid for a public contract issued by the New Jersey Water Supply Authority to rehabilitate the Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville: (1) a bid falsely purported to be signed by a person whose identity is known to the Grand Jurors and falsely describing that person as the Owner of MHHC CORPORATION; (2) an invalid certificate of registration for MHHC CORPORATION issued by the New Jersey Department of Labor and

Workforce Development under the New Jersey Public Works Contractor Registration Act and falsely describing a person whose identity is known to the Grand Jurors as the President of MHHC CORPORATION; (3) Stockholders' Disclosure Document falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION, falsely purporting to be signed by that same person and falsely purporting to be witnessed by another person whose identity is known to the Grand Jurors; (4) Bidders Affidavit falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION, falsely purporting to be signed by that same person and falsely purporting to be notarized by another person whose identity is known to the Grand Jurors; (5) Non-Collusion Affidavit falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION, falsely purporting to be signed by that same person and falsely purporting to be notarized by another person whose identity is known to the Grand Jurors; (6) New Jersey Water Supply Authority Notices form falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION and falsely purporting to be signed by that same person; (7) Affirmative Action Questionnaire falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION and falsely purporting to be signed by that same person; (8) New Jersey Water Supply Authority Notice of Intent to Subcontract Form falsely describing a person

whose identity is known to the Grand Jurors as the Owner of MHC CORPORATION and falsely purporting to be signed by that same person;

(9) New Jersey Water Supply Authority Subcontractor Utilization Plan falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHC CORPORATION and falsely purporting to be signed by that same person;

(10) State of New Jersey Business Certification Questionnaire falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHC CORPORATION and falsely purporting to be signed by that same person;

(11) New Jersey Division of Purchase & Property Ownership Disclosure Form falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHC CORPORATION, falsely purporting to be signed by that same person and falsely certifying that JOSEPH BUDIS or the Owner of MHC CORPORATION had never been charged or convicted in a criminal or disorderly persons matter by the State of New Jersey and that JOSEPH BUDIS or the Owner of MHC CORPORATION had never been suspended, debarred or otherwise declared ineligible by any agency of government from bidding or contracting to provide services, labor, materials or supplies;

(12) New Jersey Division of Purchase and Property Executive Order 117 Vendor Certification and Disclosure of Political Contributions falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHC CORPORATION and falsely purporting to be signed by that same person;

(13) Bid Bond falsely describing a person whose identity is known to

the Grand Jurors as the Owner of MHHC CORPORATION and falsely purporting to be signed by that same person; (14) Payment Bond falsely purporting to be signed by a person whose identity is known to the Grand Jurors as the representative of MHHC CORPORATION; (15) Performance Bond falsely purporting to be signed by a person whose identity is known to the Grand Jurors as the representative of MHHC CORPORATION; or (16) Agreement No. WSA C09010 dated June 23, 2009 between the New Jersey Water Supply Authority and MHHC CORPORATION for the Rehabilitation of Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville falsely describing a person whose identity is known to the Grand Jurors as the Owner of MHHC CORPORATION, falsely purporting to be signed by that same person and falsely purporting to be witnessed by another person whose identity is known to the Grand Jurors, contrary to the provisions of N.J.S.A. 2C:28-7a(2), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT NINE

(Forgery - Fourth Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about May 11, 2009, and on or about June 23, 2009, at the Town of Clinton, and at the City of Lambertville, in the County of Hunterdon, and at the Boro of New Providence, in the County of Union, elsewhere, and within the jurisdiction of this Court, with purpose to defraud or injure the New Jersey Water Supply Authority, knowingly did make, complete, execute, issue or transfer a writing, namely, (1) a bid dated May 11, 2009; (2) Stockholders' Disclosure Document; (3) Bidders Affidavit; (4) Non-Collusion Affidavit; (5) New Jersey Water Supply Authority Notices form; (6) Affirmative Action Questionnaire; (7) New Jersey Water Supply Authority Notice of Intent to Subcontract Form; (8) New Jersey Water Supply Authority Subcontractor Utilization Plan; (9) State of New Jersey Business Certification Questionnaire; (10) New Jersey Division of Purchase & Property Ownership Disclosure Form; (11) New Jersey Division of Purchase and Property Executive Order 117 Vendor Certification and Disclosure of Political Contributions; (12) Bid Bond; (13) Payment Bond; (14) Performance Bond; or (15) Agreement No. WSA C09010 dated June 23, 2009 between the New Jersey Water Supply Authority and MHHC CORPORATION for the Rehabilitation of Swan Creek Aqueduct on the

Delaware and Raritan Canal in the City of Lambertville, in connection with the bid submitted by the said JOSEPH BUDIS and MHHC CORPORATION for a public contract issued by the New Jersey Water Supply Authority to rehabilitate the Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville, so that it purported to be the act of persons whose identities are known to the Grand Jurors, who did not authorize said act or a fictitious person, contrary to the provisions of N.J.S.A. 2C:21-1a(2), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT TEN

(Forgery - Fourth Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about May 11, 2009, and on or about June 23, 2009, at the Town of Clinton, and at the City of Lambertville, in the County of Hunterdon, and at the Boro of New Providence, in the County of Union, elsewhere, and within the jurisdiction of this Court, with purpose to defraud or injure the New Jersey Water Supply Authority, did utter to the New Jersey Water Supply Authority in connection with the bid submitted by the said JOSEPH BUDIS and MHHC CORPORATION for a public contract issued by the New Jersey Water Supply Authority to rehabilitate the Swan Creek Aqueduct on the Delaware and Raritan Canal one of the following writings, that is, (1) a bid dated May 11, 2009; (2) Stockholders' Disclosure Document; (3) Bidders Affidavit; (4) Non-Collusion Affidavit; (5) New Jersey Water Supply Authority Notices form; (6) Affirmative Action Questionnaire; (7) New Jersey Water Supply Authority Notice of Intent to Subcontract Form; (8) New Jersey Water Supply Authority Subcontractor Utilization Plan; (9) State of New Jersey Business Certification Questionnaire; (10) New Jersey Division of Purchase & Property Ownership Disclosure Form; (11) New Jersey Division of Purchase and Property Executive Order 117 Vendor Certification and

Disclosure of Political Contributions; (12) Bid Bond; (13) Payment Bond; (14) Performance Bond; or (15) Agreement No. WSA C09010 dated June 23, 2009 between the New Jersey Water Supply Authority and MHHC CORPORATION for the Rehabilitation of Swan Creek Aqueduct on the Delaware and Raritan Canal in the City of Lambertville, knowing the same to be made so that it purported to be the act of another who did not authorize the act, contrary to the provisions of N.J.S.A. 2C:21-1a(3), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT ELEVEN

(False Representations for a Government Contract - Second Degree)

JOSEPH BUDIS

AND

MHHC CORPORATION

between on or about October 10, 2008, and on or about July 9, 2009, at the Township of Chatham, in the County of Morris, and at the Boro of New Providence, in the County of Union, elsewhere, and within the jurisdiction of this Court, knowingly made material representations that were false in connection with the negotiation, award or performance of a government contract, that is, the said JOSEPH BUDIS and MHHC CORPORATION, knowingly made one of the following false, material representations: (1) that a person whose identity is known to the Grand Jurors was the President of MHHC CORPORATION; (2) that a person whose identity is known to the Grand Jurors was the Owner of MHHC CORPORATION; (3) that a person whose identity is known to the Grand Jurors was the Project Supervisor of MHHC CORPORATION; (4) that MHHC CORPORATION had a certificate of registration under the New Jersey Public Works Contractor Registration Act; (5) that a person whose identity is known to the Grand Jurors signed the bid submitted on behalf of MHHC CORPORATION in one of two places, or signed or initialed one of the following documents submitted along with that bid: (i) Qualification of Bidder References Form; (ii) Notice, Revision or Addenda Receipt Acknowledgment Form; (iii)

Affirmative Action Affidavit; (iv) New Jersey Division of Public Contracts, Equal Employment Opportunity Compliance, Initial Project Workforce Report Construction (Form AA-201); (v) Contracts on Hand Form; (vi) Non-Collusion Affidavit; (vii) Equipment and Supervisory Questionnaire; (viii) Bidder's Affidavit; (ix) Bid Document Submission Checklist Form; (x) Performance Bond; (xi) Bid Bond; (xii) Payment Bond; or (xiii) in one of two places on the Statement of Corporation Ownership; (6) that the signature of a person whose identity is known to the Grand Jurors was validly witnessed or notarized on one or more of the following documents: (i) in one of two places on the bid dated October 10, 2008: (a) Bidder's Affidavit; or (b) Non-Collusion Affidavit; (7) that a person whose identity is known to the Grand Jurors signed the Contract dated November 23, 2008 between the Township of Chatham and MHHC CORPORATION for Modifications to the Chatham Senior Center; or (8) that a person whose identity is known to the Grand Jurors and who was represented to be the Owner of MHHC CORPORATION resided at an address in Union, New Jersey known to the Grand Jurors, in connection with the negotiation, award or performance of a public contract to perform modifications to the Chatham Senior Center, which contract was in the approximate amount of \$98,060, contrary to the provisions of N.J.S.A. 2C:21-34b, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.