



MEXICO HOUSING AUTHORITY



PO Box 484 – 828 Garfield Avenue – Mexico, Missouri 65265 Phone: (573) 581-2294 – Fax: (573) 581-6636 –
www.mexicoha.com

Board of Commissioners
Housing Authority of the City of Mexico, Missouri

TENATIVE AGENDA REGULAR MEETING

MHA Administration Office,
828 Garfield Avenue, Mexico, MO 65265

Scheduled for
Tuesday, April 16, 2019 at 3:30pm

1. **Call to order** by Vice Chairperson Tad Dobyms
2. **Roll Call** by Tammy Dreyer, Executive Director
3. **Adoption of Agenda**
4. **Comments from the Public** (limit 3 minutes per person)
5. **Approval of Consent Agenda**

Approval of Regular meeting minutes for: March 26, 2019

Executive Director's Report:

- a. Financial Reports (none)
- b. Bills Expended
- c. S8/PH Report (none)
- d. S8/PH Waitlist
- e. Contract/Capital Fund/Modernization Projects
- f. Maintenance Reports

6. **Unfinished Business**

Secured System log in

7. **New Business:**

Resolution 2910 Approving Revision to Procurement Policy
Resolution 2911 Acceptance of SEMAP Submission 2019

8. **Other Business:**

Election of MHA BOC Officers

9. **Comments from Commissioner:**

10. **Adjournment of Open Meeting:**

A complete agenda packet is available for review at the MHA office during regular business hours and posted on the MHA website at: www.mexicoha.com

If you wish to participate in the meeting and require specific accommodations or services related to disability, please contact MHA at (573) 581-2294 press 2 and leave a message, at least one working day prior to the meeting.

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF COMMISSIONERS OF
THE HOUSING AUTHORITY OF THE CITY OF MEXICO
HELD ON March 26, 2019

The Board of Commissioners of the Housing Authority of the City of Mexico convened in an Open Meeting on Tuesday, March 26, 2019 at 3:30 PM at the MHA Administration Building, 828 Garfield Avenue, Mexico, MO 65265. Commissioner and Rita Jackson presided.

1. **Call to order:** The Board of Commissioners of the Housing Authority of the City of Mexico, Missouri (MHA) met in open session on March 26, 2019 in the MHA Community Building at 828 Garfield, Mexico, Missouri 65265. Commissioner and Rita Jackson called the meeting to order at 3:36pm.
2. **Roll Call** by Executive Director Tammy Dreyer:

The following Commissioners were present:

Commissioner Amy Prater
Commissioner Denise Harrington
Commissioner Rita Jackson
Commissioner Vacancy

Commissioners excused:

Commissioner Tad Dobyms

Others present:

Executive Director/Secretary	Tammy Dreyer
Finance Manager	Dawn Mahaney

3. Adoption of Agenda

R Jackson requested a motion to adopt the Agenda with agenda changes that R Jackson to hold meeting due to Vice Chair T Dobyms absence. Commissioner A Prater made a motion and D Harrington second. All commissioners present voted “aye”, and Commissioner Rita Jackson declared the motion approved.

Yes:	R Jackson, A Prater, D Harrington
No:	None
Absent:	T Dobyms

4. Comments from the public:

None

5. Approval of Consent Agenda (if applicable)

Approval of regular meeting minutes for: January 15, 2019

Executive Director's Report

Commissioner Rita Jackson requested a motion to approve the Consent Agenda. A motion was made by Commissioner A Prater and seconded by Commissioner D Harrington. All Commissioners present voted "aye" and Commissioner Rita Jackson declared the motion carried.

Yes:	R Jackson, A Prater, D Harrington
No:	None
Absent:	T Dobyys

6. Unfinished Business

No log in for T Dobyys was absent

7. New Business

Board Resolution 2907, Approving FY 2019/20120 Operating Budget

Commissioner Rita Jackson called for motion to approve Board Resolution 2907. A motion was made by Commissioner D Harrington and seconded by Commissioner A Prater. Upon a roll call vote of the motion, the following vote was recorded:

Yes:	R Jackson, A Prater, D Harrington
No:	None
Absent:	T Dobyys

Board Resolution 2908, Approving Revision 1 FY Operating Budget 2018/2019

Commissioner Rita Jackson called for motion to approve Board Resolution 2908. A motion was made by Commissioner D Harrington and seconded by Commissioner A Prater. Upon a roll call vote of the motion, the following vote was recorded:

Yes:	R Jackson, A Prater, D Harrington
No:	None
Absent:	T Dobyys

Board Resolution 2909, Approving Tenant Accounts Receivable FYE 2019

Commissioner Rita Jackson called for motion to approve Board Resolution 2909. A motion was made by Commissioner A Prater and seconded by Commissioner D Harrington. Upon a roll call vote of the motion, the following vote was recorded:

Yes:	R Jackson, A Prater, D Harrington
No:	None
Absent:	T Dobyys

8. Other Business:

T Dreyer stated that she was able to get 900 items donated to the SW NAHRO Annual Conference, ADM gave packs of soy beans which is great to promote this community.

Note; MHA BOC by email vote/acceptance of the cancelation of the February 2019 meeting due to no agenda items.

T Dreyer stated that she will put electing officers on the agenda for the April 2019 meeting. T Dreyer also stated that we are still in need of one more BOC member and if anyone knows of any interested and living inside the city limits of Mexico to please apply at the City Clerk's office.

9. Comments from Commissioners:

10. Adjournment of Open Meeting:

Commissioner Rita Jackson requested a motion to adjourn the Open meeting on March 26, 2019, Commissioner D Harrington made the motion and Commissioner A Prater seconded. The regular session meeting was adjourned at 4:07 pm

ATTEST:

Rita Jackson, Commissioner

Tammy Dreyer, Executive Director

Certification of Public Notice

I, Tammy Dreyer, Executive Director and Secretary of the Board, of Housing Authority of the City of Mexico, Missouri, do hereby certify that on March 13, 2019, I posted public notice of the March 26, 2019 Board of Commissioners meeting and made available to the public by request at the MHA office during regular business hours and on the MHA website at www.mexicoha.com, copies of the Agenda and Board Packet for review.

Tammy Dreyer

date

Housing Authority of the City of Mexico

Check Register

1

Housing Authority of the City of Mexico

Bank Account: 1 01 1111.1 0 - Public Housing & General Fund

All Check Numbers

Check Dates from 3/1/2019 through 3/31/2019

Check Number	Check Type	Check Amount	Status	Check Date	Vendor Name
00064027	Check	\$1,481.33	Reconciled	03/01/2019	Ameren Missouri
00064028	Check	\$738.25	Reconciled	03/01/2019	Clampitt Law LLC
00064029	Check	\$36.75	Reconciled	03/01/2019	Crown Linen
00064030	Check	\$336.00	Reconciled	03/01/2019	Tammy Dreyer
00064031	Check	\$786.49	Reconciled	03/01/2019	Housing Interiors, Inc.
00064032	Check	\$361.34	Reconciled	03/01/2019	Lacrosse Lumber-Mexico
00064033	Check	\$286.00	Reconciled	03/01/2019	Mahaney, Dawn
00064034	Check	\$1,258.87	Reconciled	03/01/2019	Missouri American Water Co.
00064035	Check	\$165.00	Reconciled	03/01/2019	Mommens Heating & Cooling, LLC
00064036	Check	\$130.49	Reconciled	03/01/2019	O'Reilly Automotive, Inc.
00064037	Check	\$24.96	Reconciled	03/01/2019	Plumb Supply Company-Mex
00064038	Check	\$54,906.00	Reconciled	03/01/2019	Robinett Construction
00064039	Check	\$63.84	Open	03/26/2019	Always Care
00064040	Check	\$1,062.52	Open	03/26/2019	Ameren Missouri
00064041	Check	\$450.00	Open	03/26/2019	Beals Tree Service
00064042	Check	\$152.56	Open	03/26/2019	Butler Supply, Inc.
00064043	Check	\$340.00	Open	03/26/2019	Canon Financial Services, INC.
00064044	Check	\$9,780.99	Open	03/26/2019	City of Mexico
00064045	Check	\$687.00	Reconciled	03/26/2019	Clampitt Law LLC
00064046	Check	\$580.74	Open	03/26/2019	Commerce Bank
00064047	Check	\$189.46	Reconciled	03/26/2019	Dayne's Waste Disposal, Inc.
00064048	Check	\$316.88	Open	03/26/2019	Delta Dental Lockbox
00064049	Check	\$645.37	Open	03/26/2019	Erdel & Wood Home
00064050	Check	\$700.00	Reconciled	03/26/2019	Guardian Pest Control
00064051	Check	\$505.00	Open	03/26/2019	Home Depot Credit Services
00064052	Check	\$373.31	Open	03/26/2019	Housing Forms, Inc.
00064053	Check	\$1,000.00	Open	03/26/2019	HousingManager.com
00064054	Check	\$64.69	Reconciled	03/26/2019	Ken's Fast-Lube
00064055	Check	\$1,755.70	Open	03/26/2019	Lacrosse Lumber-Mexico
00064056	Check	\$420.00	Open	03/26/2019	Lindsey Software
00064057	Check	\$130.99	Open	03/26/2019	MFA Oil Company-KC
00064058	Check	\$103.00	Reconciled	03/26/2019	Mahaney, Dawn
00064059	Check	\$333.57	Open	03/26/2019	Marco Technologies LLC
00064060	Check	\$364.04	Open	03/26/2019	Meeks Mexico
00064061	Check	\$50.00	Reconciled	03/26/2019	Mexico Area Family YMCA
00064062	Check	\$17.00	Reconciled	03/26/2019	Mexico Service Center
00064063	Check	\$18.22	Reconciled	03/26/2019	Miller Tire Company
00064064	Check	\$7,631.60	Open	03/26/2019	Missouri American Water Co.

Housing Authority of the City of Mexico

Check Register

1

Housing Authority of the City of Mexico

Bank Account: 1 01 1111.1 0 - Public Housing & General Fund

All Check Numbers

Check Dates from 3/1/2019 through 3/31/2019

Check Number	Check Type	Check Amount	Status	Check Date	Vendor Name
00064065	Check	\$1,130.45	Reconciled	03/26/2019	Mommens Heating & Cooling, LLC
00064066	Check	\$117.00	Open	03/26/2019	PITNEY BOWES INC
00064067	Check	\$400.00	Open	03/26/2019	Pathway Investment Group
00064068	Check	\$451.99	Open	03/26/2019	Purchase Power
00064069	Check	\$46.95	Open	03/26/2019	Plumb Supply Company-Mex
00064070	Check	\$13,214.40	Reconciled	03/26/2019	Robinett Construction
00064071	Check	\$55.20	Reconciled	03/26/2019	S & S Electric Motor Service
00064072	Check	\$496.50	Open	03/26/2019	Socket
00064073	Check	\$48.81	Open	03/26/2019	Standard Insurance Co.
00064074	Check	\$507.64	Open	03/26/2019	Staples Advantage
00064075	Check	\$318.80	Open	03/26/2019	The P I Company
00064076	Check	\$303.76	Open	03/26/2019	U.S. Cellular
00064077	Check	\$8,123.98	Open	03/26/2019	United Health Care Ins. Co.
00064078	Check	\$622.00	Open	03/26/2019	Urlaub & Co., PLLC
00064079	Check	\$253.72	Open	03/26/2019	Walmart Community/GEMB
00064080	Check	\$231.98	Open	03/26/2019	Westlakes Hardware MO-019
00064081	Check	\$1,207.17	Open	03/29/2019	Ameren Missouri
00064082	Check	\$30.83	Open	03/29/2019	Butler Supply, Inc.
00064083	Check	\$335.67	Open	03/29/2019	Cintas FAS LOCKBOX 636525
00064084	Check	\$61.01	Open	03/29/2019	Lacrosse Lumber-Mexico
00064085	Check	\$284.55	Open	03/29/2019	Meeks Mexico
00064086	Check	\$336.21	Open	03/29/2019	Missouri American Water Co.
00064087	Check	\$156.54	Open	03/29/2019	Westlakes Hardware MO-019

Total # of checks listed: 61

Total amount of all checks: \$116,983.12

Total Open: 38

Total Cleared: 0

Total Reconciled: 23

Total Void: 0

Housing Authority of the City of Mexico

Check Register

8

Housing Authority of the City of Mexico

Bank Account: 8 01 1111.2 0 - Section 8 Fund

All Check Numbers

Check Dates from 3/1/2019 through 3/31/2019

Check Number	Check Type	Check Amount	Status	Check Date	Vendor Name
00019581	ACH	\$204.00	Reconciled	03/01/2019	Ahmann, Thomas & Linda
00019582	Check	\$728.00	Reconciled	03/01/2019	Ameren Missouri
00019583	ACH	\$284.00	Reconciled	03/01/2019	JUDY BIRD
00019584	ACH	\$3,051.00	Reconciled	03/01/2019	Berkshire Estates, LP
00019585	Check	\$500.00	Reconciled	03/01/2019	Century 21
00019586	ACH	\$1,615.00	Reconciled	03/01/2019	Chris Bohr
00019587	ACH	\$652.00	Reconciled	03/01/2019	Jerry Boles
00019588	ACH	\$882.00	Reconciled	03/01/2019	Brenda Bryan
00019589	ACH	\$344.00	Reconciled	03/01/2019	Henry Butts
00019590	ACH	\$456.00	Reconciled	03/01/2019	Paul Carlson
00019591	ACH	\$5,273.00	Reconciled	03/01/2019	Cedar Grove LLC
00019592	ACH	\$296.00	Reconciled	03/01/2019	SAMMY DYSART
00019593	ACH	\$481.00	Reconciled	03/01/2019	Davidson, Dan
00019594	ACH	\$275.00	Reconciled	03/01/2019	ESmith Investments LLC
00019595	ACH	\$534.00	Reconciled	03/01/2019	Tammy Gibbons
00019596	ACH	\$747.00	Reconciled	03/01/2019	STEVE HARTING
00019597	ACH	\$1,474.00	Reconciled	03/01/2019	Barbara Jones
00019598	Check	\$388.00	Reconciled	03/01/2019	K & C Properties, LLC
00019599	ACH	\$594.00	Reconciled	03/01/2019	Lick Branch Properties, LLC
00019600	ACH	\$3,392.00	Reconciled	03/01/2019	MEXICO MEADOWS
00019601	Check	\$364.00	Reconciled	03/01/2019	RALPH MIKA
00019602	ACH	\$493.00	Reconciled	03/01/2019	Frank Marth
00019603	ACH	\$1,143.00	Reconciled	03/01/2019	Maco Management
00019604	ACH	\$715.00	Reconciled	03/01/2019	Joshua Newlon
00019605	ACH	\$730.00	Reconciled	03/01/2019	Warren Nordwald
00019606	ACH	\$550.00	Reconciled	03/01/2019	Stuart Pfeifer
00019607	Check	\$507.00	Reconciled	03/01/2019	ROGERS, GREGORY MARK
00019608	ACH	\$321.00	Reconciled	03/01/2019	Replogle, Clarence P.
00019609	ACH	\$831.00	Reconciled	03/01/2019	Rural Real Estate Holdings LLC
00019610	Check	\$44.00	Reconciled	03/01/2019	SAP INVESTMENTS
00019611	ACH	\$152.00	Reconciled	03/01/2019	Schinkel Rentals
00019612	ACH	\$388.00	Reconciled	03/01/2019	Smith Properties
00019613	ACH	\$557.00	Reconciled	03/01/2019	Roger Shuck
00019614	ACH	\$2,369.00	Reconciled	03/01/2019	DBA Country Place
00019615	ACH	\$1,121.00	Reconciled	03/01/2019	Teal Lake Village Mexico, LP
00019616	ACH	\$311.00	Reconciled	03/01/2019	Thomas, Garnett and Joann
00019617	ACH	\$1,012.00	Reconciled	03/01/2019	CLIFFORD WILSON
00019618	Check	\$163.00	Reconciled	03/01/2019	Walker, Kenneth

Housing Authority of the City of Mexico

Check Register

8

Housing Authority of the City of Mexico

Bank Account: 8 01 1111.2 0 - Section 8 Fund

All Check Numbers

Check Dates from 3/1/2019 through 3/31/2019

Check Number	Check Type	Check Amount	Status	Check Date	Vendor Name
00019619	ACH	\$575.00	Reconciled	03/01/2019	Welch, William
00019620	ACH	\$232.00	Reconciled	03/01/2019	La Shonia West
00019621	ACH	\$281.00	Reconciled	03/01/2019	YELTON, GARY & SUSAN
00019622	ACH	\$463.00	Reconciled	03/01/2019	Cotton Top II, LLC
00019623	ACH	\$222.00	Reconciled	03/01/2019	James Zumwalt
00019624	Check	\$444.00	Open	03/29/2019	Maco Management

Total # of checks listed: 44

Total amount of all checks: \$36,158.00

Total Open: 1

Total Cleared: 0

Total Reconciled: 43

Total Void: 0

B - Section 8 Mexico
Housing Authority of the City of Mexico
Section 8

Effective Date : 4/8/2019

Size	0BR	1BR	2BR	3BR	4BR	5BR	6+BR	TOTAL
Elderly	0	6	0	0	0	0	0	6
Near Elderly	0	0	0	0	0	0	0	0
Handi/Disabled	0	8	4	4	0	0	0	16
Single Fed Disp	0	0	0	0	0	0	0	0
Family	0	12	15	8	1	0	0	36
Hispanic	0	0	2	0	0	0	0	2
White	0	16	11	7	0	0	0	34
Black	0	5	5	4	0	0	0	14
Indian/Alaskan	0	0	1	0	0	0	0	1
Asian	0	0	0	0	0	0	0	0
Pacific Islander	0	0	1	0	0	0	0	1
Mixed	0	2	0	1	1	0	0	4

Income Limit Breakdown

High:	0
Low:	6
Very Low:	8
ExtLow:	41

A - Low Rent Waiting List
Housing Authority of the City of Mexico
Bedroom Size: ALL

Effective Date : 4/8/2019

Bedroom Size: ALL

Waiting List Recap by Bedroom Size

Size	0BR	1BR	2BR	3BR	4BR	5BR	6+BR	TOTAL
Elderly	0	2	0	0	0	0	0	2
Near Elderly	0	0	0	0	0	0	0	0
Handi/Disabled	0	11	0	2	1	0	0	14
Single Fed Disp	0	0	0	0	0	0	0	0
Family	0	24	7	9	2	0	0	42
Hispanic	0	1	0	0	0	0	0	1
White	0	24	6	7	1	0	0	38
Black	0	8	1	3	1	0	0	13
Indian/Alaskan	0	0	0	0	0	0	0	0
Asian	0	0	0	0	0	0	0	0
Pacific Islander	0	0	0	0	0	0	0	0
Mixed	0	4	0	1	1	0	0	6

Income Limit Breakdown

High:	2
Low:	4
Very Low:	6
ExtLow:	44



MEXICO HOUSING AUTHORITY

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CONTRACTING/CAPITAL FUND/ PROPERTY UPDATES

April 2019

Current Modernization Projects

1. We have replaced 109 occupied countertops.
2. Continuing the upgrades on the light fixtures, vanities, faucets and exterior lights
3. We are modernizing kitchens by replacing lights above the kitchen sink
4. We are also replacing unit tile as needed and funds available
5. We are refinishing tubs, showers, countertops, and cabinets on as needed basis. Currently we have refinished two tubs and scheduled for two more.

Current Capital Fund

1. The replacement of soffit, fascia, gutters and down spouts on East & West Holt, Trinity, Seminary, Bolivar, Breckenridge, Buchanan, has been completed
2. Windows on Trinity has been started.

Current Contracting

1. We have a couple of units that have been vacated that are in need of total renovation and this is under way to be done.

Housing Authority of the City of Mexico

Monthly Report for Housing Authority Board

3/1/2019 TO 3/31/2019

WORK ORDERS

Received	Processed
166	166

Routine Work Received	Avg. Completion Time Routine
143	6.568 Hrs.

Emergency Work Received	Avg. Completion Time Emergency
2	2.250 Hrs.

All Other Work Received	Avg. Completion Time Other
21	32.944 Hrs.

PRODUCTION

Routine work orders with completion time over 24 hours:	12
Emergency work orders with completion time over 24 hours:	0

Work Orders called in this month/Outstanding 1st day of next month: 0

Work orders completed from prior months: 1

W/O #	Work Order Date	Completion Date
136814	02/19/2019	03/07/2019

Work orders still outstanding from prior months: 0

(** = Emergency Work Orders over 24 hours old.)

Report Criteria

PHA:

Project:

Starting Date: 3/1/2019

Ending Date: 3/31/2019

Staff Generated Work Orders: False



MEXICO HOUSING AUTHORITY



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Board Resolution

RESOLUTION NO. 2910 REVISION TO THE PROCUREMENT POLICY

WHEREAS, the Housing Authority of the City of Mexico (MHA) through the Department of Housing and Urban Development (HUD) receives funds for the administration and management of public housing, and receives funds for modernization and rehabilitation of the public housing units and facilities through the Capital Fund Program (CFP), and

WHEREAS, HUD requires all housing authorities to have a written Procurement Policy and to periodically revise it, and

WHEREAS, the Procurement Policy was prepared in accordance with the prescribed guidelines and in the correct form, and

NOW, THEREFORE BE IT RESOLVED, that at a regular Board Meeting of the Board of Commissioners of the Mexico Housing Authority, duly called and held on the 16th day of April, 2019, at which a quorum was present, and by an affirmative and concurring vote of the majority of the Board, The Board of Commissioners approved/authorized the Revision to the Procurement Policy.

Passed this 16th day of April 2019

Tad Dobyns, Vice Chairperson

ATTEST:

Tammy Dreyer, Board Secretary
Executive Director Mexico Housing Authority

PROCUREMENT POLICY

Adopted: 04/16/2019

Resolution No.: 2910

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HOUSING AUTHORITY OF THE CITY OF MEXICO, MISSOURI

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PROCUREMENT POLICY

Adopted: 04/16/2019

Resolution No.: 2910

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PROCUREMENT POLICY

Adopted: 04/16/2019

Resolution No.: 2910

1.0 INTRODUCTION

- 1.1 General.** Established for the Housing Authority of the City of Mexico, Missouri (hereinafter, “the Agency”) by Action of the Agency Board of Commissioners (Board) on October 18, 2016, this Procurement Policy (Policy) complies with the Annual Contributions Contract (ACC) between the Agency and the United States Department of Housing and Urban Development (HUD), Federal Regulations at 2 CFR §200.317 through §200.326, *Procurement Standards*, the procurement standards of the Procurement Handbook for Public Housing Authorities (PHAs), HUD Handbook 7460.8, REV 2, and applicable State and Local laws.

2.0 GENERAL PROVISIONS

- 2.1 General.** The Agency shall:

- 2.1.1** Provide for a procurement system of quality and integrity;
- 2.1.2** Provide for the fair and equitable treatment of all persons or firms involved in purchasing by the Agency;
- 2.1.3** Ensure that supplies and services (including construction) are procured efficiently, effectively, and at the most favorable and valuable prices available to the Agency;
- 2.1.4** Promote competition in contracting; and
- 2.1.5** Assure that the Agency purchasing actions are in full compliance with applicable Federal standards, HUD regulations, State, and local laws.

- 2.2 Application.** This Policy applies to all procurement actions of the Agency, regardless of the source of funds, except as noted under “exclusions” below. However, nothing in this Policy shall prevent the Agency from complying with the terms and conditions of any grant, contract, gift or bequest that is otherwise consistent with the law. When both HUD and non-Federal grant funds are used for a project, the work to be accomplished with the funds should be separately identified prior to procurement so that appropriate requirements can be applied, if necessary. If it is not possible to separate the funds, HUD procurement regulations shall be applied to the total project. If funds and work can be separated and work can be completed by a new contract, then regulations applicable to the source of funding may be followed.

PROCUREMENT POLICY

Adopted: 04/16/2019

Resolution No.: 2910

- 2.3 Definition.** The term “procurement,” as used in this Policy, includes the procuring, purchasing, leasing, or renting of: (1) goods, supplies, equipment, and materials, (2) construction and maintenance; consultant services, (3) Architectural and Engineering (A/E) services, (4) Social Services, and (5) other services.
- 2.4 Exclusions.** This policy does not govern administrative fees earned under the Section 8 voucher program, the award of vouchers under the Section 8 program, the execution of landlord Housing Assistance Payments contracts under that program, or non-program income, e.g., fee-for-service revenue under 24 CFR §990. These excluded areas are subject to applicable State and local requirements.
- 2.5 Changes in Laws and Regulations.** In the event an applicable law or regulation is modified or eliminated, or a new law or regulation is adopted, the revised law or regulation shall, to the extent inconsistent with these Policies, automatically supersede these Policies.
- 2.6 Public Access to Procurement Information.** Most procurement information that is not proprietary is a matter of public record and shall be available to the public to the extent provided in the Missouri Freedom of Information Act.

3.0 ETHICS IN PUBLIC CONTRACTING

- 3.1 General.** The Agency hereby establishes this code of conduct regarding procurement issues and actions and shall implement a system of sanctions for violations. This code of conduct, etc., is consistent with applicable Federal, State, or local law.
- 3.2 Conflicts of Interest.** No employee, officer, Board member, or agent of the Agency shall participate directly or indirectly in the selection, award, or administration of any contract if a conflict of interest, either real or apparent, would be involved. This type of conflict would be when one of the persons listed below has a financial or any other type of interest in a firm competing for the award:
- 3.2.1** An employee, officer, Board member, or agent involved in making the award;
 - 3.2.2** His/her relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister);
 - 3.2.3** His/her partner; or

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3.2.4 An organization which employs or is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

3.3 Gratuities, Kickbacks, and Use of Confidential Information. No officer, employee, Board member, or agent of the Agency shall ask for or accept gratuities, favors, or items of more than nominal value (i.e. inexpensive hat with logo) from any contractor, potential contractor, or party to any subcontract, and shall not knowingly use confidential information for actual or anticipated personal gain.

3.4 Prohibition against Contingent Fees. Contractors wanting to do business with the Agency must not hire a person to solicit or secure a contract for a commission, percentage, brokerage, or contingent fee, except for bona fide established commercial selling agencies.

4.0 PROCUREMENT PLANNING

4.1 General. Planning is essential to managing the procurement function properly. Hence, the Agency will periodically review its record of prior purchases, as well as future needs, to:

- 4.1.1** Find patterns of procurement actions that could be performed more efficiently or economically;
- 4.1.2** Maximize competition and competitive pricing among contracts and decrease the Agency's procurement costs;
- 4.1.3** Reduce Agency administrative costs;
- 4.1.4** Ensure that supplies and services are obtained without any need for re-procurement (i.e., resolving bid protests); and
- 4.1.5** Minimize errors that occur when there is inadequate lead time.

Consideration shall be given to storage, security, and handling requirements when planning the most appropriate purchasing actions.

5.0 PROCUREMENT METHODS

5.1 Petty Cash Purchases. Purchases under \$100.00 may be handled through the use of a petty cash account. Petty Cash Accounts may be established in an

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amount sufficient to cover small purchases made during a reasonable period, e.g., one month. For all Petty Cash Accounts, the Agency shall ensure that security is maintained, and only authorized individuals have access to the account. These accounts shall be reconciled and replenished periodically.

- 5.2 Small Purchase Procedures.** For any amounts above the Petty Cash ceiling, but not exceeding \$250,000, the Agency may use small purchase procedures. Under small purchase procedures, the Agency shall obtain a reasonable number of quotes (preferably three); however, for purchases of less than \$10,000 (except for construction procurements which is set at \$2,000), also known as Micro Purchases, only one quote is required provided the quote is considered reasonable. To the greatest extent feasible, and to promote competition, small purchases should be distributed among qualified sources. Quotations for Small Purchases (QSP), or quotes, may be obtained orally (either in person or by phone), by fax, in writing, or through e-procurement. Award shall be made to the responsive and responsible vendor that submits the lowest cost to the Agency. If award is to be made for reasons other than lowest price, documentation shall be provided in the contract file. The Agency shall not break down requirements aggregating more than the small purchase threshold (or the Micro Purchase threshold) into several purchases that are less than the applicable threshold merely to: (1) permit use of the small purchase procedures or (2) avoid any requirements that applies to purchases that exceed the Micro Purchase threshold.
- 5.3 Sealed Bids.** Sealed bidding, also known as Invitation for Bids (IFB), shall be used for all contracts that exceed the small purchase threshold and that are not competitive proposals or non-competitive proposals, as these terms are defined in this Policy. Under sealed bids, the Agency publicly solicits bids and awards a firm fixed-price contract (lump sum or unit price) to the responsive and responsible bidder whose bid, conforming with all the material terms and conditions of the IFB, is the lowest in price. Sealed bidding is the preferred method for procuring construction, supply, and non-complex service contracts that are expected to exceed \$150,000.
- 5.3.1 Conditions for Using Sealed Bids.** The Agency shall use the sealed bid method if the following conditions are present: a complete, adequate, and realistic statement of work, specification, or purchase description is available; three or more responsible bidders are willing and able to compete effectively for the work; the contract can be awarded based on a firm fixed price; and the selection of the successful bidder can be made principally on the lowest price.

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5.3.2 Solicitation and Receipt of Bids. An IFB is issued which includes the specifications and all contractual terms and conditions applicable to the procurement, and a statement that award will be made to the lowest responsible and responsive bidder whose bid meets the requirements of the solicitation. The IFB must state the time and place for both receiving the bids and the public bid opening. All bids received will be date and time-stamped and stored unopened in a secure place until the public bid opening. A bidder may withdraw the bid at any time prior to the bid opening.

5.3.3 Bid Opening and Award. Bids shall be opened publicly. All bids received shall be recorded on an abstract (tabulation) of bids, which shall then be made available for public inspection. If equal low bids are received from responsible bidders, selection shall be made by drawing lots or other similar random method. The method for doing this shall be stated in the IFB. If only one responsive bid is received from a responsible bidder, award shall not be made unless the price can be determined to be reasonable, based on a cost or price analysis.

5.3.4 Mistakes in Bids. Correction or withdrawal of bids may be permitted, where appropriate, before bid opening by written or telegraphic notice received in the office designated in the IFB prior to the time set for bid opening. After bid opening, corrections in bids may be permitted only if the bidder can show by clear and convincing evidence that a mistake of a nonjudgmental character was made, the nature of the mistake, and the bid price actually intended. A low bidder alleging a nonjudgmental mistake may be permitted to withdraw its bid if the mistake is clearly evident on the face of the bid document but the intended bid is unclear or the bidder submits convincing evidence that a mistake was made. All decisions to allow correction or withdrawal of a bid shall be supported by a written determination signed by the Contracting Officer. After bid opening, changes in bid prices or other provisions of bids prejudicial to the interest of the Agency or fair competition shall not be permitted.

5.4 Competitive Proposals. Unlike sealed bidding, the competitive proposal method, also known as Request for Proposals (RFP), permits: consideration of technical factors other than price; discussion with offerors concerning offers submitted; negotiation of contract price or estimated cost and other contract terms and conditions; revision of proposals before the final contractor selection; and the withdrawal of an offer at any time up until the point of award. Award is normally made on the basis of the proposal that represents

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the best overall value to the Agency, considering price and other factors, e.g., technical expertise, past experience, quality of proposed staffing, etc., set forth in the solicitation and not solely the lowest price.

- 5.4.1 Conditions for Use.** Where conditions are not appropriate for the use of sealed bidding, competitive proposals may be used. Competitive proposals are the preferred method for procuring professional services that will exceed the small purchase threshold. As detailed within Section 7.2.B of HUD Procurement Handbook 7460.8 REV 2, "Only under limited circumstances would construction services be procured by competitive proposals;" accordingly, construction services will most typically be procured utilizing the sealed bid (IFB) or small purchase procedures (QSP).
- 5.4.2 Form of Solicitation.** Other than A/E services, developer-related services and energy performance contracting, competitive proposals shall be solicited through the issuance of an RFP. The RFP shall clearly identify the importance and relative value of each of the evaluation factors as well as any subfactors and price. A mechanism for fairly and thoroughly evaluating the technical and price proposals shall be established before the solicitation is issued. Proposals shall be handled so as to prevent disclosure of the number of offerors, identity of the offerors, and the contents of their proposals until after award. The Agency may assign price a specific weight in the evaluation factors or the Agency may consider price in conjunction with technical factors; in either case, the method for evaluating price shall be established in the RFP.
- 5.4.3 Evaluation.** The proposals shall be evaluated only on the factors stated in the RFP. Where not apparent from the evaluation factors, the Agency shall establish an Evaluation Plan for each RFP. Generally, all RFPs shall be evaluated by an appropriately appointed Evaluation Committee. The Evaluation Committee shall be required to disclose any potential conflicts of interest and to sign a Non-Disclosure statement. An Evaluation Report, summarizing the results of the evaluation, shall be prepared prior to award of a contract.
- 5.4.4 Negotiations.** Negotiations shall be conducted with all offerors who submit a proposal determined to have a reasonable chance of being selected for award, unless it is determined that negotiations are not needed with any of the offerors. This determination is based on the relative score of the proposals as they are evaluated and rated in accordance with the technical and price factors specified in the RFP. These offerors shall be treated fairly and equally with respect

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to any opportunity for negotiation and revision of their proposals. No offeror shall be given any information about any other offeror's proposal, and no offeror shall be assisted in bringing its proposal up to the level of any other proposal. A common deadline shall be established for receipt of proposal revisions based on negotiations. Negotiations are exchanges (in either competitive or sole source environment) between the Agency and offerors that are undertaken with the intent of allowing the offeror to revise its proposal. These negotiations may include bargaining. Bargaining includes persuasion, alteration of assumptions and positions, give-and-take, and may apply to price, schedule, technical requirements, type of contract or other terms of a proposed contract. When negotiations are conducted in a competitive acquisition, they take place after establishment of the competitive range and are called discussions. Discussions are tailored to each offeror's proposal and shall be conducted by the contracting officer with each offeror within the competitive range. The primary object of discussions is to maximize the Agency's ability to obtain best value, based on the requirements and the evaluation factors set forth in the solicitation. The contracting officer shall indicate to, or discuss with, each offeror still being considered for award, significant weaknesses, deficiencies, and other aspects of its proposal (such as technical approach, past performance, and terms and conditions) that could, in the opinion of the contracting officer, be altered or explained to enhance materially the proposer's potential for award. The scope and extent of discussions are a matter of the contracting officer's judgment. The contracting officer may inform an offeror that its price is considered by the Agency to be too high, or too low, and reveal the results of the analysis supporting that conclusion. It is also permissible to indicate to all offerors the cost or price that the Agency's price analysis, market research, and other reviews have identified as reasonable. "Auctioning" (revealing one offeror's price in an attempt to get another offeror to lower their price) is prohibited.

5.4.4 Award. After evaluation of the revised proposals, if any, the contract shall be awarded to the responsible firm whose technical approach to the project, qualifications, price and/or any other factors considered, are most advantageous to the Agency provided that the price is within the maximum total project budgeted amount established for the specific property or activity.

5.4.6 A/E Services. The Agency shall contract for A/E services using Qualifications-based Selection (QBS) procedures, utilizing a Request

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for Qualifications (RFQ). Sealed bidding shall not be used for A/E solicitations. Under QBS procedures, competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. Price is not used as a selection factor under this method. QBS procedures shall not be used to purchase other types of services, other than Energy Performance Contracting and Developer services, though architectural/engineering firms are potential sources.

5.5 Noncompetitive Proposals.

5.5.1 Conditions for Use. Procurement by noncompetitive proposals (sole- or single-source) may be used only when the award of a contract is not feasible using small purchase procedures, sealed bids, cooperative purchasing, or competitive proposals, and if one of the following applies:

5.5.1.1 The item is available only from a single source, based on a good faith review of available sources;

5.5.1.2 An emergency exists that seriously threatens the public health, welfare, or safety, or endangers property, or would otherwise cause serious injury to the Agency, as may arise by reason of a flood, earthquake, epidemic, riot, equipment failure, or similar event. In such cases, there must be an immediate and serious need for supplies, services, or construction such that the need cannot be met through any of the other procurement methods, and the emergency procurement shall be limited to those supplies, services, or construction necessary simply to meet the emergency;

5.5.1.3 HUD authorizes the use of noncompetitive proposals; or

5.5.1.4 After solicitation of a number of sources, competition is determined inadequate.

5.5.2 Justification. Each procurement based on noncompetitive proposals shall be supported by a written justification for the selection of this method. The justification shall be approved in writing by the responsible Contracting Officer. Poor planning or lack of planning is not justification for emergency or sole-source procurements. The justification, to be included in the procurement file, should include the following information:

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- 5.5.2.1 Description of the requirement;
- 5.5.2.2 History of prior purchases and their nature (competitive vs. noncompetitive);
- 5.5.2.3 The specific exception in 2 CFR §200.320(f)(1)-(4) which applies;
- 5.5.2.4 Statement as to the unique circumstances that require award by noncompetitive proposals;
- 5.5.2.5 Description of the efforts made to find competitive sources (advertisement in trade journals or local publications, phone calls to local suppliers, issuance of a written solicitation, etc.);
- 5.5.2.6 Statement as to efforts that will be taken in the future to promote competition for the requirement;
- 5.5.2.7 Signature by the Contracting Officer's supervisor (or someone above the level of the Contracting Officer); and
- 5.5.2.8 Price Reasonableness. The reasonableness of the price for all procurements based on noncompetitive proposals shall be determined by performing an analysis, as described in this Policy.

5.6 Cooperative Purchasing/Intergovernmental Agreements. The Agency may enter into State and/or local cooperative or intergovernmental agreements to purchase or use common supplies, equipment, or services. The decision to use an interagency agreement instead of conducting a direct procurement shall be based on economy and efficiency. If used, the interagency agreement shall stipulate who is authorized to purchase on behalf of the participating parties and shall specify inspection, acceptance, termination, payment, and other relevant terms and conditions. The Agency may use Federal or State excess and surplus property instead of purchasing new equipment and property if feasible and if it will result in a reduction of project costs. The goods and services obtained under a cooperative purchasing agreement must have been procured in accordance with 2 CFR §200.317 through §200.326.

6.0 INDEPENDENT COST ESTIMATE (ICE)

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- 6.1 General.** For all purchases above the Micro Purchase threshold, the Agency shall prepare an ICE prior to solicitation. The level of detail shall be commensurate with the cost and complexity of the item to be purchased.

7.0 COST AND PRICE ANALYSIS (CPA)

- 7.1 General.** The Agency shall require assurance that, before entering into a contract, the price is reasonable, in accordance with the following instructions.

7.1.1 Petty Cash and Micro Purchases. No formal cost or price analysis is required. Rather, the execution of a contract by the Contracting Officer (through a Purchase Order or other means) shall serve as the Contracting Officer's determination that the price obtained is reasonable, which may be based on the Contracting Officer's prior experience or other factors.

7.1.2 Small Purchases. A comparison with other offers shall generally be sufficient determination of the reasonableness of price and no further analysis is required. If a reasonable number of quotes are not obtained to establish reasonableness through price competition, the Contracting Officer shall document price reasonableness through other means, such as prior purchases of this nature, catalog prices, the Contracting Officer's personal knowledge at the time of purchase, comparison to the ICE, or any other reasonable basis.

7.1.3 Sealed Bids. The presence of adequate competition should generally be sufficient to establish price reasonableness. Where sufficient bids are not received, and when the bid received is substantially more than the ICE, and where the Agency cannot reasonably determine price reasonableness, the Agency must conduct a cost analysis, consistent with federal guidelines, to ensure that the price paid is reasonable.

7.1.4 Competitive Proposals. The presence of adequate competition should generally be sufficient to establish price reasonableness. Where sufficient proposals are not received, the Agency must compare the price with the ICE. For competitive proposals where prices cannot be easily compared among offerors, where there is not adequate competition, or where the price is substantially greater than the ICE, the Agency must conduct a cost analysis, consistent with Federal guidelines, to ensure that the price paid is reasonable.

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- 7.1.5 Contract Modifications.** A cost analysis, consistent with federal guidelines, shall be conducted for all contract modifications for projects that were procured through Sealed Bids, Competitive Proposals, or Non-Competitive Proposals, or for projects originally procured through Small Purchase procedures and the amount of the contract modification will result in a total contract price in excess of \$150,000.

8.0 SOLICITATION AND ADVERTISING

8.1 Method of Solicitation.

- 8.1.1 Petty Cash and Micro Purchases.** The Agency may contact only one source if the price is considered reasonable.

- 8.1.2 Small Purchases.** Quotes may be solicited orally, through fax, E-Procurement, or by any other reasonable method.

- 8.1.3 Sealed Bids and Competitive Proposals.** Solicitation must be done publicly. The Agency must use one or more following solicitation methods, provided that the method employed provides for meaningful competition.

- 8.1.3.1** Advertising in newspapers or other print mediums of local or general circulations.

- 8.1.3.2** Advertising in various trade journals or publications (for construction).

- 8.1.3.3** E-Procurement. The Agency may conduct its public procurements through the Internet using e-procurement systems. However, all e-procurements must otherwise be in compliance with 2 CFR §200.317 through §200.326, State and local requirements, and the Agency's procurement policy.

- 8.2 Time Frame.** For purchases of more than \$150,000, the public notice should run not less than once each week for two consecutive weeks.

- 8.3 Form.** Notices/advertisements should state, at a minimum, the place, date, and time that the bids or proposals are due, the solicitation number, a contact that can provide a copy of, and information about, the solicitation, and a brief description of the needed items(s).

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8.4 Time Period for Submission of Bids. A minimum of 30 days shall generally be provided for preparation and submission of sealed bids and 15 days for competitive proposals. However, the Executive Director may allow for a shorter period under extraordinary circumstances.

8.5 Cancellation of Solicitations.

8.5.1 An IFB, RFP, or other solicitation may be cancelled before bids/offers are due if:

8.5.1.1 The supplies, services or construction is no longer required;

8.5.1.2 The funds are no longer available;

8.5.1.3 Proposed amendments to the solicitation are of such magnitude that a new solicitation would be best; or

8.5.1.4 Other similar reasons.

8.5.2 A solicitation may be cancelled and all bids or proposals that have already been received may be rejected if:

8.5.2.1 The supplies or services (including construction) are no longer required;

8.5.2.2 Ambiguous or otherwise inadequate specifications were part of the solicitation;

8.5.2.3 All factors of significance to the Agency were not considered;

8.5.2.4 Prices exceed available funds and it would not be appropriate to adjust quantities to come within available funds;

8.5.2.5 There is reason to believe that bids or proposals may not have been independently determined in open competition, may have been collusive, or may have been submitted in bad faith; or

8.5.2.6 For good cause of a similar nature when it is in the best interest of the Agency.

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(Sample Form Revised June, 2015—Work Product of Mike Gifford, gifford52@yahoo.com—all disclaimers on procurementassistance.org apply)

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8.5.3 The reasons for cancellation shall be documented in the procurement file and the reasons for cancellation and/or rejection shall be provided upon request.

8.5.4 A notice of cancellation shall be sent to all bidders/offerors solicited and, if appropriate, shall explain that they will be given an opportunity to compete on any re-solicitation or future procurement of similar items.

8.5.5 If all otherwise acceptable bids received in response to an IFB are at unreasonable prices an analysis should be conducted to see if there is a problem in either the specifications or the Agency's cost estimate. If both are determined adequate and if only one bid is received and the price is unreasonable, the Contracting Officer may cancel the solicitation and either

8.5.5.1 Re-solicit using an RFP; or

8.5.5.2 Complete the procurement by using the competitive proposal method. The Contracting Officer must determine, in writing, that such action is appropriate, must inform all bidders of the Agency's intent to negotiate, and must give each bidder a reasonable opportunity to negotiate.

8.5.6 If problems are found with the specifications, the Agency should cancel the solicitation, revise the specifications and re-solicit using an IFB.

8.6 Credit (or Purchasing) Cards. Credit card usage should follow the rules for all other small purchases. For example, the Contracting Officer may use a credit card for Micro Purchases without obtaining additional quotes provided the price is considered reasonable. However, for amounts above the Micro Purchase level, the Contracting Officer would generally need to have obtained a reasonable number of quotes before purchasing via a credit card. When using credit cards, the Agency shall adopt reasonable safeguards to assure that they are used only for intended purposes (for instance, limiting the types of purchases or the amount of purchases that are permitted with credit cards).

9.0 BONDING REQUIREMENTS

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9.1 General. The standards under this section apply to construction contracts that exceed \$150,000. There are no bonding requirements for small purchases or for competitive proposals. The Agency may require bonds in these latter circumstances when deemed appropriate; however, non-construction contracts should generally not require bid bonds.

9.1.1 Bid Bonds. For construction contracts exceeding \$150,000, offerors shall be required to submit a bid guarantee from each bidder equivalent to 5% of the bid price.

9.1.2 Payment Bonds. For construction contracts exceeding \$150,000, the successful bidder shall furnish an assurance of completion. This assurance may be any one of the following four:

9.1.2.1 A performance and payment bond in a penal sum of 100% of the contract price; or

9.1.2.2 Separate performance and payment bonds, each for 50% or more of the contract price; or

9.1.2.3 A 20 % cash escrow; or

9.1.2.4 A 25 % irrevocable letter of credit.

These bonds must be obtained from guarantee or surety companies acceptable to the U. S. Government and authorized to do business in the State of Missouri. Individual sureties shall not be considered. U. S. Treasury Circular Number 570 lists companies approved to act as sureties on bonds securing Government contracts, the maximum underwriting limits on each contract bonded, and the States in which the company is licensed to do business. Use of companies on this circular is mandatory.

10.0 CONTRACTOR QUALIFICATIONS AND DUTIES

10.1 Contractor Responsibility

10.1.1 The Agency shall not award any contract until the prospective contractor, i.e., low responsive bidder, or successful offeror, has been determined to be responsible. A responsible bidder/offeror must:

10.1.1.1 Have adequate financial resources to perform the contract, or the ability to obtain them;

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10.1.1.2 Be able to comply with the required or proposed delivery or performance schedule, taking into consideration all of the bidder's/offeree's existing commercial and governmental business commitments;

10.1.1.3 Have a satisfactory performance record;

10.1.1.4 Have a satisfactory record of integrity and business ethics;

10.1.1.5 Have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them;

10.1.1.6 Have the necessary production, construction, and technical equipment and facilities, or the ability to obtain them; and,

10.1.1.7 Be otherwise qualified and eligible to receive an award under applicable laws and regulations, including not be suspended, debarred or under a HUD-imposed LDP.

10.1.2 If a prospective contractor is found to be non-responsible, a written determination of non-responsibility shall be prepared and included in the official contract file, and the prospective contractor shall be advised of the reasons for the determination.

10.2 Suspension and Debarment. Contracts shall not be awarded to debarred, suspended, or ineligible contractors. Contractors may be suspended, debarred, or determined to be ineligible by HUD in accordance with HUD regulations (2 CFR §200.317 through §200.326) or by other Federal agencies, e.g., Department of Labor for violation of labor regulations, when necessary to protect housing authorities in their business dealings. Prior to issuance of a contract, Agency staff shall, as detailed within Section 10.2.H.1 and 10.2.H.2 of HUD Procurement Handbook 7460.8 REV 2, conduct the required searches within the HUD Limited Denial of Participation (LDP) system and the U.S. General Services Administration System for Award Management (SAM) and place within the applicable contract file a printed copy of the results of each such search.

10.3 Vendor Lists. All interested businesses shall be given the opportunity to be included on vendor mailing lists. Any lists of persons, firms, or products which are used in the purchase of supplies and services (including construction) shall be kept current and include enough sources to ensure competition.

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11.0 CONTRACT PRICING ARRANGEMENTS

11.1 Contract Types. Any type of contract which is appropriate to the procurement and which will promote the best interests of the Agency may be used, **provided the cost -plus-a-percentage-of-cost and percentage-of-construction-cost methods are not used.** All solicitations and contracts shall include the clauses and provisions necessary to define the rights and responsibilities of both the contractor and the Agency. For all cost reimbursement contracts, the Agency must include a written determination as to why no other contract type is suitable. Further, the contract must include a ceiling price that the contractor exceeds at its own risk.

11.2 Options. Options for additional quantities or performance periods may be included in contracts, provided that:

- 11.2.1** The option is contained in the solicitation;
- 11.2.2** The option is a unilateral right of the Agency;
- 11.2.3** The contract states a limit on the additional quantities and the overall term of the contract;
- 11.2.4** The options are evaluated as part of the initial competition;
- 11.2.5** The contract states the period within which the options may be exercised;
- 11.2.6** The options may be exercised only at the price specified in or reasonably determinable from the contract; and
- 11.2.7** The options may be exercised only if determined to be more advantageous to the Agency than conducting a new procurement.

12.0 CONTRACT CLAUSES

12.1 Contract Pricing Arrangements. All contracts shall identify the contract pricing arrangement as well as other pertinent terms and conditions, as determined by the Agency.

12.2 Required Forms. Additionally, the forms HUD-5369; 5369-A; 5369-B; 5369; 5370; 5370-C (Sections I and II); 51915; and 51915-A, which contain all HUD-

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required clauses and certifications for contracts of more than \$150,000, as well as any forms/clauses as required by HUD for small purchases, shall be used, as applicable, in all corresponding solicitations and contracts issued by the Agency.

- 12.3 Required Contract Clauses:** The Agency shall ensure that each contract executed by the Agency contains the required contract clauses detailed within 2 CFR §200.326 and Appendix II.

13.0 CONTRACT ADMINISTRATION

- 13.1 General.** The Agency shall maintain a system of contract administration designed to ensure that Contractors perform in accordance with their contracts. These systems shall provide for inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on major projects including construction contracts, and similar matters. For cost-reimbursement contracts, costs are allowable only to the extent that they are consistent with the cost principles in HUD Handbook 2210.18.

14.0 SPECIFICATIONS

- 14.1 General.** All specifications shall be drafted so as to promote overall economy for the purpose intended and to encourage competition in satisfying the Agency's needs. Specifications shall be reviewed prior to issuing any solicitation to ensure that they are not unduly restrictive or represent unnecessary or duplicative items. Function or performance specifications are preferred. Detailed product specifications shall be avoided whenever possible. Consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. For equipment purchases, a lease versus purchase analysis should be performed to determine the most economical form of procurement.

- 14.2 Limitation.** The following types of specifications shall be avoided:

- 14.2.1** Geographic restrictions not mandated or encouraged by applicable Federal law (except for A/E contracts, which may include geographic location as a selection factor if adequate competition is available);
- 14.2.2** Brand name specifications (unless the specifications list the minimum essential characteristics and standards to which the item must conform to satisfy its intended use).

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Nothing in this procurement policy shall preempt any State licensing laws. Specifications shall be reviewed to ensure that organizational conflicts of interest do not occur.

15.0 APPEALS AND REMEDIES

15.1 General. It is Agency policy to resolve all contractual issues informally and without litigation. Disputes will not be referred to HUD unless all administrative remedies have been exhausted. When appropriate, a mediator may be used to help resolve differences.

15.2 Informal Appeals Procedure. The Agency shall adopt an informal bid protest/appeal procedure for contracts of \$150,000 or less. Under these procedures, the bidder/contractor may request to meet with the appropriate Contract Officer.

15.3 Formal Appeals Procedure. A formal appeals procedure shall be established for solicitations/contracts of more than \$150,000.

15.3.1 Bid Protest. Any actual or prospective contractor may protest the solicitation or award of a contract for serious violations of the principles of this Policy. Any protest against a solicitation must be received before the due date for the receipt of bids or proposals, and any protest against the award of a contract must be received within ten (10) calendar days after the contract receives notice of the contract award, or the protest will not be considered. All bid protests shall be in writing, submitted to the Contracting Officer or designee, who shall issue a written decision on the matter. The Contracting Officer may, at his/her discretion, suspend the procurement pending resolution of the protest if the facts presented so warrant.

15.3.2 Contractor Claims. All claims by a contractor relating to performance of a contract shall be submitted in writing to the Contracting Officer for a written decision. The contractor may request a conference on the claim. The Contracting Officer's decision shall inform the contractor of its appeal rights to the next higher level of authority in Agency. Contractor claims shall be governed by the Changes clause in the relevant form HUD-5370.

16.0 ASSISTANCE TO SMALL AND OTHER BUSINESSES

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16.1 Required Efforts. Consistent with Presidential Executive Orders 11625, 12138, and 12432, and Section 3 of the HUD Act of 1968, all feasible efforts shall be made to ensure that small and minority-owned businesses, women's business enterprises, and other individuals or firms located in or owned in substantial part by persons residing in the area of the HACM project are used when possible. Such efforts shall include, but shall not be limited to:

- 16.1.1** Including such firms, when qualified, on solicitation mailing lists;
- 16.1.2** Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
- 16.1.3** Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;
- 16.1.4** Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;
- 16.1.5** Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce;
- 16.1.6** Including in contracts, to the greatest extent feasible, a clause requiring contractors, to provide opportunities for training and employment for lower income residents of the project area and to award subcontracts for work in connection with the project to business concerns which provide opportunities to low-income residents, as described in 24 CFR §135 (so-called Section 3 businesses); and
- 16.1.7** Requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed above.

16.2 Goals. Shall be established periodically for participation by small businesses, minority-owned businesses, women-owned business enterprises, labor surplus area businesses, and Section 3 business concerns in Agency prime contracts and subcontracting opportunities.

16.3 Definitions.

- 16.3.1** A small business is defined as a business that is: independently owned; not dominant in its field of operation; and not an affiliate or

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subsidiary of a business dominant in its field of operation. The size standards in 13 CFR §121 should be used to determine business size.

- 16.3.2 A minority-owned business is defined as a business which is at least 51% owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51% of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, Asian Indian Americans, and Hasidic Jewish Americans.
- 16.3.3 A women's business enterprise is defined as a business that is at least 51% owned by a woman or women who are U.S. citizens and who control and operate the business.
- 16.3.4 A "Section 3 business concern" is as defined under 24 CFR §135.
- 16.3.5 A labor surplus area business is defined as a business which, together with its immediate subcontractors, will incur more than 50% of the cost of performing the contract in an area of concentrated unemployment or underemployment, as defined by the DOL in 20 CFR §654, Subpart A, and in the list of labor surplus areas published by the Employment and Training Administration.

17.0 BOARD APPROVAL OF PROCUREMENT ACTIONS

- 17.1 **No Board Approval Necessary.** Other than approval of this Procurement Policy, approval by the Board of Commissioners is not required for any procurement actions, as permitted under State and local law. Rather, it is the responsibility of the Executive Director to make sure that all procurement actions are conducted in accordance with the policies contain herein.

18.0 DELEGATION OF CONTRACTING AUTHORITY

- 18.1 **Delegation.** While the ED is responsible for ensuring that the Agency's procurements comply with this Policy, the ED may delegate in writing all procurement authority as is necessary and appropriate to conduct the business of the Agency.
- 18.2 **Procedures.** Further, and in accordance with this delegation of authority, the ED shall, where necessary, establish operational procedures (such as a procurement manual or standard operating procedures) to implement this

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Adopted: 04/16/2019

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Policy. The ED shall also establish a system of sanctions for violations of the ethical standards described in Section 3.0 herein, consistent with Federal, State, or local law.

19.0 DOCUMENTATION

19.1 Required Records. The Agency must maintain records sufficient to detail the significant history of each procurement action. These records shall include, but shall not necessarily be limited to, the following:

19.1.1 Rationale for the method of procurement (if not self-evident);

19.1.2 Rationale of contract pricing arrangement (also if not self-evident);

19.1.3 Reason for accepting or rejecting the bids or offers;

19.1.4 Basis for the contract price (as prescribed in this handbook);

19.1.5 A copy of the contract documents awarded or issued and signed by the Contracting Officer;

19.1.6 Basis for contract modifications; and

19.1.7 Related contract administration actions.

19.2 Level of Documentation. The level of documentation should be commensurate with the value of the procurement.

19.3 Record Retention. Records are to be retained for a period of three years after final payment and all matters pertaining to the contract are closed.

20.0 DISPOSITION OF SURPLUS PROPERTY

20.1 General. Property no longer necessary for the Agency's purposes (non-real property) shall be transferred, sold, or disposed of in accordance with applicable Federal, state, and local laws and regulations.

21.0 FUNDING AVAILABILITY

21.1 General. Before initiating any contract, the Agency shall ensure that there are sufficient funds available to cover the anticipated cost of the contract or modification.



MEXICO HOUSING AUTHORITY



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Board Resolution

RESOLUTION NO. 2911

A Resolution To Approve The Submission of the Annual Section Eight Management Assessment Program (SEMAP) Report to the US Department of Housing and Urban Development (HUD) for the Fiscal Year Ending March 31, 2019

Whereas, the US Department of Housing and Urban Development (HUD) has established the Section Eight Management Assessment Program (SEMAP) for the purpose of measuring the annual performance of public housing agencies (PHAs) that administer the Section 8 housing choice voucher program; and

Whereas, SEMAP applies to PHA administration of the tenant-based Section 8 rental voucher and rental certificate programs (24 CFR part 982); and

Whereas, SEMAP assesses 14 indicators of performance designed to assess whether Section 8 tenant-based assistance programs operate to help eligible families afford decent rental units at the correct subsidy cost; and

Whereas, SEMAP also establishes a system for HUD to measure PHA performance in key Section 8 program areas and to assign performance ratings; and

Whereas, SEMAP provides procedures for HUD to identify PHA management capabilities and deficiencies in order to target monitoring and program assistance more effectively; and

Whereas, PHAs can use the SEMAP performance analysis to assess and improve their own program operations; and

Whereas, the Executive Director has compiled Section 8 Housing Choice Voucher Program data as required for the annual SEMAP submission to the US Department of Housing and Urban Development; and

Now, therefore be it resolved, that at a regular Board meeting of the Board of Commissioners duly called and held on the 15th day of May 2018, at which a quorum was present, and by an affirmative and concurring vote of the majority of the Board, The Board of Commissioners of The Housing Authority of City of Mexico, Missouri approves Resolution 2911 Section Eight Management Assessment Program (SEMAP) report for Fiscal Year Ending March 31, 2019.

Passed this 16th day of April 2019.

Tad Dobyns, Vice Chairperson

Tammy Dreyer, Board Secretary
Executive Director Mexico Housing Authority

Assessment
Profile

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Submission

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Summary

Certification

Profile

Comments

Field Office: 7EPH ST. LOUIS PROGRAM CENTER

Housing Agency: MO010 MEXICO

PHA Fiscal Year End: 3/31/2019

SEMAP

Logoff

OMB Approval No. 2577-0215

SEMAP CERTIFICATION (Page 1)

Public reporting burden for this collection of information is estimated to average 12 hours 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 agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

This collection of information is required by 24 CFR sec 985.101 which requires a Public Housing Agency (PHA) administering a Section 8 tenant-based assistance program to submit an annual SEMAP Certification within 60 days after the end of its fiscal year. The information from the PHA concerns the performance of the PHA and provides assurance that there is no evidence of seriously deficient performance. HUD uses the information and other data to assess PHA management capabilities and deficiencies, and to assign an overall performance rating to the PHA. Responses are mandatory and the information collected does not lend itself to confidentiality.

Check here if the PHA expends less than \$300,000 a year in federal awards ☐

Indicators 1 - 7 will not be rated if the PHA expends less than \$300,000 a year in Federal awards and its Section 8 programs are not audited for compliance with regulations by an independent auditor. A PHA that expends less than \$300,000 in Federal awards in a year must still complete the certification for these indicators.

Performance Indicators**1 Selection from Waiting List (24 CFR 982.54(d)(1) and 982.204(a))**

a. The HA has written policies in its administrative plan for selecting applicants from the waiting list.

PHA Response ☒ Yes ☐ No

b. The PHA's quality control samples of applicants reaching the top of the waiting list and admissions show that at least 98% of the families in the samples were selected from the waiting list for admission in accordance with the PHA's policies and met the selection criteria that determined their places on the waiting list and their order of selection.

PHA Response ☒ Yes ☐ No

2 Reasonable Rent (24 CFR 982.4, 982.54(d)(15), 982.158(f)(7) and 982.507)

a. The PHA has and implements a reasonable written method to determine and document for each unit leased that the rent to owner is reasonable based on current rents for comparable unassisted units (i) at the time of initial leasing, (ii) before any increase in the rent to owner, and (iii) at the HAP contract anniversary if there is a 5 percent decrease in the published FMR in effect 60 days before the HAP contract anniversary. The PHA's method takes into consideration the location, size, type, quality, and age of the program unit and of similar unassisted units and any amenities, housing services, maintenance or utilities provided by the owners.

PHA Response ☒ Yes ☐ No

b. The PHA's quality control sample of tenant files for which a determination of reasonable rent was required to show that the PHA followed its written method to determine reasonable rent and documented its determination that the rent to owner is reasonable as required for (check one):