



**COLUMBUS METROPOLITAN  
HOUSING AUTHORITY**  
COMMUNITY. COMMITMENT. COLLABORATION.

# Procurement Policy & Procedure



**October 28, 2016**

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**Columbus Metropolitan Housing Authority  
Purchasing Policy  
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**1.0 INTRODUCTION**

**General.** Established for the Columbus Metropolitan Housing Authority (hereinafter, “CMHA”) by Action of the CMHA Board of Commissioners (Board) on August 26, 2016, this Procurement Policy (Policy) complies with the Annual Contributions Contract (ACC) between the HA and the United States Department of Housing and Urban Development (HUD), Federal Regulations at 24 CFR 85.36, 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.** CMHA 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 CMHA;
- 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 CMHA;
- 2.1.4** promote competition in contracting; and
- 2.1.5** assure that the HA 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 CMHA, regardless of the source of funds, except as noted under “exclusions” below. However, nothing in this Policy shall prevent CMHA 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.

**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 Part 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 Freedom of Information Act.

### **3.0 ETHICS IN PUBLIC CONTRACTING**

**3.1 General.** CMHA hereby establishes this code of conduct regarding procurement issues and actions. 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 CMHA 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, 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 spouse or partner; or
- 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 CMHA shall ask for or accept gratuities, favors, or items of more than nominal value 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 CMHA 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, CMHA 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 CMHA's procurement costs;
- 4.1.3** reduce CMHA 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.**

- 5.1.1** Purchases under \$25.00 may be handled through the use of a petty cash account. Petty Cash Accounts may be established in an amount sufficient to cover small purchases made during a reasonable period, e.g., one month. For all Petty Cash Accounts, CMHA shall ensure that security is maintained and only authorized individuals have access to the account. These accounts shall be reconciled and replenished periodically.
- 5.1.2** Purchases under \$50.00, made by members of the Jurisdiction-Wide Resident Council (JWRC), may be reimbursed through Petty Cash controlled by an HA Resident Services staff member. This individual shall ensure that security is maintained. These accounts shall be reconciled and replenished monthly.

**5.2 Small Purchase Procedures.** For any amounts above the Petty Cash ceiling, but not exceeding \$49,999.99, CMHA may use small purchase procedures. Under small purchase procedures, CMHA shall obtain a reasonable number of quotes (preferably three); however, for purchases of less than \$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 quote may be obtained orally (either in person or by phone), by fax, in writing. Award shall be made to the responsive and responsible vendor that submits the lowest

cost to CMHA. If award is to be made for reasons other than lowest price, documentation shall be provided in the contract file. CMHA 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 HA 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 \$49,999.99.

- 5.3.1 Conditions for Using Sealed Bids.** CMHA 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; two 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.
- 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 responsive and responsible 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 HA 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 the best overall value to the HA, 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."
- 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. CMHA may assign price a specific weight in the evaluation factors or CMHA 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, CMHA 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 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 HA 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 CMHA'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 CMHA 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 CMHA'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 CMHA 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.** CMHA shall contract for A/E services using Qualifications-based Selection (QBS) procedures, utilizing a Request 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 CMHA, 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:

**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 24 CFR 85.36(d)(4)(i)(A) through (D) 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.** CMHA 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 goods and services obtained under a cooperative purchasing agreement must have been procured in accordance with ORC 125.05 and 24 CFR 85.36.

## **6.0 INDEPENDENT COST ESTIMATE (ICE)**

- 6.1 **General.** For all purchases above the Micro Purchase threshold, CMHA 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.** CMHA 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 (three) 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 CMHA cannot reasonably determine price reasonableness, the CMHA 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, CMHA 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, CMHA must conduct a cost analysis, consistent with Federal guidelines, to ensure that the price paid is reasonable.
- 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 \$49,999.99.
- 7.1.6 Modification Change Orders to Purchase Order.** A Modification Change Order is a written change to an existing purchase order or contract. It may be made through a request by the vendor or contractor and agreed to by the Authority's Purchasing Manager or Contracting Administrator. It may also be done unilaterally by the Authority. The Purchasing Manager or Contracting Administrator must obtain permission in writing from the appropriate Vice President or the President/CEO or their designated representatives before committing to the change order. An exception to this is a change order required during reconstruction type contracts (referred to as "fire jobs") when the change order stems from the subsequent identification of "hidden damage" or damage that was not apparent during the original estimate of work. In that case, the modification change order may be issued by the Contracting Administrator.

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**8.0 SOLICITATION AND ADVERTISING****8.1 Method of Solicitation.**

- 8.1.1 Petty Cash and Micro Purchases.** CMHA may contact only one source if the price is considered reasonable.
- 8.1.2 Small Purchases.** Quotes may be solicited electronically, in writing or by any other reasonable method.
- 8.1.3 Sealed Bids and Competitive Proposals.** Solicitation must be done publicly. CMHA 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).

**8.2 Time Frame.** For purchases of more than \$49,999.99, 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).

**8.4 Time Period for Submission of Bids.** A minimum of 21 days shall generally be provided for preparation and submission of sealed bids and 21 days for competitive proposals. However, the President & CEO 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 CMHA 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 CMHA.
  - 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 CMHA'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 CMHA's intent to negotiate, and must give each bidder a reasonable opportunity to negotiate.
  - 8.5.6** If problems are found with the specifications, CMHA 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, CMHA 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

**9.1 General.** The standards under this section apply to construction contracts that exceed \$49,999.99. There are no bonding requirements for small purchases or for competitive proposals. CMHA 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 \$49,999.99, 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 \$49,999.99, 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** A 20 % cash escrow; or

**9.1.2.3** 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 California. 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** CMHA 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;
  - 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/offeror'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 (24 CFR Part 24) 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, CMHA 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 (GSA) Excluded Parties Listing Service system 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.

## **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 HA may be used, unless prohibited by 24 85.36(f)(4). All solicitations and contracts shall include the clauses and provisions necessary to define the rights



and responsibilities of both the contractor and the HA. For all cost reimbursement contracts, CMHA 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.

- 11.1.2. Prohibited Types of Contracts. Under 85.36(f)(4), contracts may not use cost-plus-percentage-of-cost or cost-plus-percentage-of-construction-cost to determine pricing arrangements.

**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 CMHA;
- 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 CMHA 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 CMHA.

**12.2 Required Forms.** Additionally, the forms HUD-5369, 5369-A, 5369-B, 5369, 5370, 5370-C, and 51915-A, which contain all HUD-required clauses and certifications for contracts of more than \$49,999.99, as well as any forms/clauses as required by HUD for small purchases, shall be used in all corresponding solicitations and contracts issued by the HA.

**12.3 Required Contract Clauses:** CMHA shall ensure that each contract executed by the HA contains the required contract clauses detailed within 24 CFR 85.36(i). When functioning as a governmental entity of the state and contracting for services provided to individuals or the public, CMHA shall ensure each contract contains the required clauses detailed in Ohio Revised Code 9.232.

## **13.0 CONTRACT ADMINISTRATION**

**13.1 General.** CMHA 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 CMHA'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, unless standardizing the project. 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).

It is recognized that one of the responsibilities of the Purchasing Office is to identify and recommend materials and equipment for standardization within the Authority. In performing this function, this office will recommend to using departments specific items that will satisfy requirements. The using department will then have the responsibility to insure that all future requisitions for that type of item are for the standards.

## 15.0 APPEALS AND REMEDIES

**15.1 General.** It is CMHA 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.

Contract protests are complaints or disagreements made by contractors or vendors about a provision or provisions of a contract or purchase order or of a decision made by the Contracting Administrator or Purchasing Manager. A protest may be made by a bidder or offeror for a specific contract or purchase order prior to the award. This type of protest will only be accepted if it is limited to the aspects of the particular solicitation. A protest from a bidder or offeror who was not awarded the contract or purchase order will only be accepted if the contract or purchase order

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was awarded to other than the lowest bidder. Protests are made to the Contracting Administrator or the Purchasing Manager.

## **15.2 Appeals.**

Appeals are formal written requests submitted by contractors or vendors to the Contracting Administrator or the Purchasing Manager asking that a prior decision regarding the instant contract or purchase order be changed or modified. The appeal must include the contractor or vendor's reason as to why the decision should be changed. It cannot be accepted if no reason is stated. The Contracting Administrator or Purchasing Manager will notify the contractor or vendor in writing of his/her decision about the appeal and further inform him/her that he/she may resubmit the appeal to the President/CEO for a final decision if he is not satisfied. The Contracting Administrator or Purchasing Manager may require continued performance of the contractor or vendor during the appellate process if it is in the Authority's interest. If the contractor or vendor elects not to continue work, then the contract may be considered breached and the penalties provided in the contract may be imposed. If continued performance is not required, then the contractor or vendor is granted an excusable delay.

A clause will be included in the contract or purchase order requiring that the contractor or vendor submit any protest, in writing, to the Purchasing Manager or Contracting Officer within 5 working days after notification of contract award. The clause will also state that an appeal from the contractor or vendor regarding a disagreement with the decision of the Purchasing Agent or Contracting Officer must be submitted in writing within 10 working days from notification of the decision.

The Purchasing Manager and/or Contracting Officer will inform each contractor or vendor doing business with the Authority of their rights regarding protests or appeals. This information is to be added as an addendum to the contract or purchase order. The addendum will also state that the contractor or vendor must exhaust all administrative remedies within the Authority before pursuing a protest or appeal with HUD.

## **16.0 ASSISTANCE TO SMALL AND OTHER BUSINESSES**

**16.1 Required Efforts.** Consistent with Presidential Executive Orders 11625, 12138, and 12432, and Section 3 of the HUD Act of 1968, and Ohio Revised Code 9.318 and 123.151, every effort shall be made to ensure that small and minority-owned businesses, women's business enterprises, veteran-friendly business enterprises, and other individuals or firms located in or owned in substantial part by persons residing in the area of the 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 Part 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.** CMHA will aggressively seek to contract with minority and/or female business enterprises for at least twenty percent (20%) of its annual dollar expenditures for construction, development and supply of goods and services.

**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 subsidiary of a business dominant in its field of operation. The size standards in 13 CFR Part 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 Part 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 Part 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 Authority.** The Board appoints and delegates procurement authority to the President & CEO in the amount not to exceed \$49,999.99 and is responsible for ensuring that any procurement policies and procedures adopted are appropriate for CMHA. All procurements that exceed \$49,999.99 must have approval from the Board prior to award and/or contract execution.

## **18.0 DELEGATION OF CONTRACTING AUTHORITY**

**18.1 Delegation.** While the President & CEO is responsible for ensuring that CMHA's procurements comply with this Policy, the President & CEO may delegate in writing all procurement authority as is necessary and appropriate to conduct the business of CMHA.

**18.2 Procedures.** Further, and in accordance with this delegation of authority, the President & CEO shall, where necessary, establish operational procedures (such as a procurement manual or standard operating procedures) to implement this Policy. The President & CEO 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.** CMHA 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 audit closed and all matters pertaining to the contact are closed.

## **20.0 DISPOSITION OF SURPLUS PROPERTY**

**20.1 General.** Property no longer necessary for CMHA's purposes (non-real property) shall be transferred, sold, or disposed of in accordance with applicable Federal, Ohio Revised Code 125.13, and local laws and regulations.

**20.1.1** The President/CEO or Director of the Department using the equipment or materials will certify in writing to the Purchasing Office that the equipment or materials is excess to the department's needs, economically unrepairable, obsolete or not suitable for the intended purpose.

**20.1.2** The Purchasing Manager will then make a determination if the equipment or materials can be used by the Authority for a different purpose or can be placed in reduced service. If such a determination cannot be made or if it is not in the Authority's interests to retain the materials or equipment, it may then be sold or otherwise disposed of by the Purchasing Department.

**20.1.3** If the estimated sales value of the materials or equipment is less than \$1,000.00, the Purchasing Employee may negotiate a sale in the open market after such informal inquiry as he/she considers necessary to insure a fair return to the Authority.

**20.1.4** Sales of equipment or materials which have an estimated value of more than \$1,000.00 will be made by public auction or after advertising for formal bids in newspapers or circular letters to all prospective purchasers. Bids will be opened publicly at the time and place specified in the advertisement and the property sold to the bidder offering the highest price. All bids will be recorded and filed as a part of the permanent record.

**20.1.5** Personal property of the Authority will not be destroyed, abandoned or donated until every effort has been made to sell it. If the property has no scrap or salvage value or if a purchaser cannot be found, the Purchasing Employee will certify that fact in writing along with a record of the prospective bidders contacted and the efforts made to sell the property together with time and manner of disposition.

**20.1.6** Personal Property of the Authority which has been authorized for disposal but cannot be sold may be donated to a community or public agency or activity. The agency or activity must be approved of in writing by the President/CEO.

## **21.0 FUNDING AVAILABILITY**

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

**Appendix A**

**Columbus Metropolitan Housing Authority  
Requisition Authorization Levels**

Columbus Metropolitan Housing Authority  
Requisition Authorization Levels

Position	Employee Name	Non-Expendable Equipment	Copiers, Software & Computer	Maintenance Supplies	Repairs	Office Supplies	Fuel	Other Admin
President/CEO	Charles Hillman	\$49,999	\$49,999	\$49,999	\$49,999	\$49,999	*	\$49,999
Chief Operating Officer	Bryan Brown	\$49,999	\$49,999	\$49,999	\$49,999	\$49,999	*	\$49,999
VP of Planning & Development	Bobbie Garber	\$5,000	\$0	\$0	\$5,000	\$5,000	*	\$5,000
AVP of Planning & Development	Bob Bitzenhofer	\$1,000	\$0	\$0	\$1,000	\$500	*	\$0
Self-Sufficiency Manager	Andrea Rankin	\$0	\$0	\$0	\$0	\$500	*	\$2,000
Assistant Vice President of Housing Programs	Cheryl Thomas	\$2,500	\$0	\$5,000	\$5,000	\$500	*	\$0
NVH Management/Property Managers	Sharon Giles	\$1,000	\$0	\$1,000	\$1,000	\$1,000		\$0
Administrative Executives	Taylor/Zaayer/ Welch/Bowman	\$0	\$0	\$0	\$0	\$250	*	\$0
VP of Design & Construction	Mike Wagner	\$25,000	\$0	\$5,000	\$25,000	\$5,000	*	\$5,000
Construction Manager	Chris Belcastro	\$1,000	\$0	\$1,200	\$1,000	\$500	*	\$0
Assistant Facilities Manager	Oliver Evans	\$1,000	\$0	\$1,200	\$1,000	\$500		\$0
Chief Information Officer	Chad Meek	\$5,000	\$10,000	\$5,000	\$5,000	\$2,000	*	\$5,000
Senior Vice President of Housing Programs	Ron Lebsock	\$5,000	\$0	\$5,000	\$25,000	\$5,000	*	\$5,000
Vice President of Housing Programs	Scott Scharlach	\$2,500	\$0	\$5,000	\$5,000	\$500		\$0
Assistant Vice President of Housing Programs	Sheila Bledsoe	\$1,000	\$0	\$0	\$1,000	\$500	*	\$0
Chief Finance Officer	Tom Williamson	\$2,500	\$0	\$2,500	\$2,500	\$2,500	*	\$2,500
Controller	Matt Kudika	\$500	\$0	\$0	\$500	\$500	*	\$2,000
Finance Manager	Kaltenecker	\$0	\$0	\$0	\$0	\$0	*	\$2,000
Purchasing Manager	Stephanie Northrop	\$500	\$0	\$1,200	\$1,000	\$500	*	\$5,000
Assistant Purchasing Manager	Andrea Quinichett	\$0	\$0	\$1,200	\$500	\$500	*	\$2,000
Human Resources Manager	Betty Dye	\$500	\$0	\$0	\$500	\$500	*	\$5,000
Human Resources Generalist	Brenda Dafney	\$0	\$0	\$0	\$0	\$500	*	\$0
Approved Fleet Drivers	List on File*	\$0	\$0	\$0	\$0	\$0	\$300/month	\$0
Approved Independent Stationers End Users	List on File	\$0	\$0	\$0	\$0	\$150	\$0	\$0

March 9, 2016

**APPENDIX B**  
**CMHA FUEL CARD POLICY AND GUIDELINES**

1. **Card Issuance and Cancellation.** The Procurement Manager is responsible for all card issuances and cancellations.
  - All fuel cards issued must have a signed agreement form from the cardholder. All cardholders must be current full-time employees of CMHA. A copy of the signed agreement form will be sent to Human Resources and placed in the employee file.
  - Cards are to be returned immediately to the Procurement Manager upon a change in the cardholder's job assignment, when they no longer require a card or upon separation from CMHA employment for any reason. Upon termination, Human Resources will immediately notify the Procurement Manager and assist in obtaining the card.
  - If a card becomes lost/stolen, cardholders must report this to the Procurement Manager immediately. The Procurement Manager will notify the vendor of the situation.
  - Cards may be canceled for misuse and at the discretion of the Procurement Manager when a violation has occurred.
2. **Fuel Card Limitations and Restrictions.** Individual cardholder controls constitute a cardholder's profile.
  - The Procurement Manager is responsible for establishing and changing cardholder profiles.
  - The Procurement Manager will maintain a file of all cardholder agreements and cardholder information.
3. **The limits that apply to fuel cards:**
  - 1 transaction per day
  - 5 transactions per month
  - Card can only be used to purchase unleaded regular fuel
  - Cardholder must input required vehicle info before fuel can be pumped
4. **Fuel Card Security- Physical Card and Policies**



- Use of the fuel card is limited to the CMHA employee whose name appears on the face of the card. The fuel card should not be loaned to another person in the agency under any circumstances. If a cardholder is absent for a period of time, the card will be cancelled.
- Each cardholder is responsible for the security of his/her card. All precautions should be used to maintain confidentiality of all information relating to the card, such as the cardholder account number, pin number and expiration date. The account number should never be left in a conspicuous place. Each cardholder should examine all receipts to make sure that their account number does not become attainable.
- The Fuel Card should always be treated with the same level of care as you do with your own personal credit cards. Do not leave them unguarded or unprotected at any time. **No supervisors should ever know, use or keep a written record of a cardholder's account number.**
- Guard the Fuel Card account number carefully! Do not post it at your desk, write it in your day planner or store the number in an e-mail/ word document.

#### 5. Reconciliation and Payment of Invoices

- The cardholder will turn in his/her receipt to his/her supervisor daily as they purchase fuel. The supervisor will initial the receipts and forward them to the accounting department daily.
- Accounting will reconcile the receipts to the invoice monthly.
- The Accounting Manager is responsible for ensuring that all cardholder accounts are reconciled on at least a monthly basis.
- The Accounting Manager is responsible for maintaining a system of retaining documentation of purchases and other information supporting the purchase transactions.
- Payments must be processed according to the terms of vendor agreement.

**GENERAL CARD PROCEDURES**

When making a transaction using the Fuel Card, please follow the procedures below:

- When driver pulls up to the pump to fuel, driver will swipe the card in the island card reader and then will be prompted to enter:
  1. Driver’s ID Number
  2. Vehicle License Plate Number
  3. Odometer reading
- Driver will then fuel the vehicle with Unleaded Regular. Completely fill the vehicle tank, when finished driver must get a receipt of the transaction.
- Retain all receipts.
- Make sure that all receipts have at least: (1) vendor name, (2) date of purchase and (3) description of items purchased on it.
- Make sure all receipts and invoices do not have the account number or expiration date printed on it. Mark these numbers out with a marker.
- Driver will turn in all receipts daily to their supervisor for review and approval.
- The supervisor will sign the receipts and send them to accounting daily.
- Accounting will receive a monthly report from the fuel supplier that they will reconcile
- Follow CMHA’s procedures for forwarding the log with the retained sales slips/invoices.

**CMHA  
CARDHOLDER AGREEMENT**

I, \_\_\_\_\_, agree to the following regarding my use of the Fuel Card Program.

1. I understand that I will be making financial commitments on behalf of CMHA.
2. I understand that under no circumstances will I use the Fuel Card to make personal purchases, either for myself or for others. Willful intent to use the Fuel Card for personal gain may result in disciplinary actions including termination of employment.
3. I will follow the established procedures for using the Fuel Card. Failure to do so may result in either revocation of my use privileges or other disciplinary actions.
4. I have been given a copy of the Fuel Card Policy and Instructions for Use and understand the requirements for using the Fuel Card Program.
5. I understand that I can use the Fuel Card to purchase unleaded Regular fuel for my assigned CMHA vehicle only. NO OTHER PURCHASES ARE ALLOWED.
6. Just like your personal credit cards, if the Fuel card is lost or stolen you must immediately notify the Procurement Manager, Stephanie Northrop, 614.421.4432/614.202.8533.

\_\_\_\_\_  
Employee Name (Print)

\_\_\_\_\_  
Procurement Manager (Print)

Employee Signature

Procurement Manager Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**APPENDIX C**

**Credit Card Policy**

**Introduction**

CMHA provides a Corporate Credit card with no annual fee to the Executive staff and Purchasing Manager. The Corporate card provides the Executive staff with a convenient method of payment for business expenses and reduces the need for administration of travel advances.

**Policy**

The corporate credit card will be issued to Executive staff and Purchasing Manager only. It will be used to purchase supplies needed for operations and business related expenses including transportation, meals and lodging.

The corporate credit cannot be used for personal use or any items that do not meet the requirements as set forth by any federal or state mandate.

Except for the President/CEO’s Administrative Assistant, the Corporate Card will be maintained and use by authorized personnel issued a card. The President/CEO’s Administrative Assistant is authorized to use the President/CEO’s corporate credit card to purchase airline tickets and secure hotel reservations for CMHA staff and Commissioners.

**Procedures**

Each time the Corporate Card is used, the copy of the signed receipt will be given to the President/CEO’s Administrative Assistance.

Each month when the billing is received from the credit card company, the Administrative Assistant will match the receipt against the invoice. If an item is billed without a receipt, the Administrative Assistant will request a copy from the credit card company. If the billing was in error by the credit card company, the Administrative Assistant will request that the item be removed from the billing and advise the President/CEO and the Chief Financial Officer.

The President/CEO will review and approve the invoice.

The invoice will be sent to the Chief Financial Officer for payment. The Chief Financial Officer will review the invoice and ensure the expenses are charged against the appropriate program, paid on a timely basis and do not incur any financing fees.

## Appendix D

### PURCHASE LEVEL AUTHORIZATION AND LIMITATIONS

The following are the limits and authorization levels that the Purchasing Department must use in determining the method of procurement. A signed requisition is required for all procurement requests.

1. \$0.01-\$2,000.00

This type of purchase may be used for non-stock items and services. The Purchasing Agent may select a source of supply that will meet the requirements of the End User and specifications requested. Competitive quotes are not necessary for this type of procurement; However, it is the Purchasing Agent's due diligence to insure that all purchases are in the best interest of the HA.

2. \$2,001.00-\$49,999.99 (QSP)

This type of procurement may be used for non-stock items and services. The Purchasing Agent will solicit a minimum of three (3) companies or potential contractors/vendors **in writing** requesting price quotes and availability of the items or services required. The response of these companies or contractors must be in writing and must provide a firm fixed price for the items or services for a specified period of time. The Purchasing Agent must insure adequate competition by continuing to solicit a sufficient number of vendors or potential contractors if the originally solicited businesses do not respond. These steps will be taken before a determination is made to let a sole-source procurement or contract. Procurements of this type shall be fully documented and the file retained for three (3) years after audit or after a final decision involving a protest or appeal, whichever is longer.

3. \$50,000.00 and above (RFP/RFQ/IFB)

This type of procurement may be used for both non-stock items and services. The Purchasing Agent must formally advertise in local and/or regional or national newspapers, periodicals, minority media and our website for this type of procurement. A minimum of two (2) ads will be placed in each selected paper or periodical at least one week apart in publication dates. A minimum of 21 days will be allowed for response from potential quoters/bidders unless a shorter period of time is authorized by the President/CEO. If only one quoter/bidder responds to the solicitation, the Purchasing Manager will inform the President/CEO, CFO and the Vice President of the department which requisitioned the items or service that an acceptable level of competition cannot be attained and that specific written instructions must be given for the procurement to be continued. An evaluation committee of no less than three (3) persons will assess the responsive proposals for all Request For Proposals (RFP) and Request For Qualifications (RFQ) and forward their assessment to the Purchasing Manager who will calculate the quoters/bidders cost to provide the requested items or services. The best overall score, with price being a factor will be awarded the contract. All Information For Bidders (IFB/Sealed Bids) will be formally opened at a scheduled public meeting, tallied and the lowest bidder will win the award. The President/CEO must approve

an award to other than the lowest bidder in writing stating the rationale for that decision and why it would be most beneficial for the HA for all IFBs. This type of procurement must be fully documented and the file retained for three (3) years after audit or after a decision involving a protest or appeal. This type of purchase requires Board of Commissioner approval.

Check Request Policy

All check requests are subject to the purchasing authorizations and limitations as set forth in this policy.

Board Approval

All procurements over \$49,999.00 must be approved by the Board of Commissioners before Award.

Assignees/Pick-ups

In the event of an absence by the Chief Financial Officer, CFO, an interim designee will be assigned by the President/CEO to approve the purchases of services, goods and materials.

**The President/CEO shall authorize other Vice Presidents to allow their personnel to purchase materials, equipment or tools from commercial suppliers so that they may complete a specific task or work order. The limitation on this type of purchase is \$1,999.99 per day/per vendor. This purchase may only be made when it is uneconomical and the delay would not allow the repairs or work to be completed in a timely manner. Exceptions to this rule are emergency-based procurements and HVAC related procurements based on email approval by a Manager.**

All approved requisitions exceeding \$500 will be submitted to the Chief Financial Officer for verification of availability of funds and/or fund obligation.