



REGIONAL HOUSING AUTHORITY

Serving the Cities of Live Oak, Yuba City and Colusa • Counties of Sutter, Nevada, Colusa and Yuba

1455 Butte House Road • Yuba City, CA 95993

Phone: (530) 671-0220 • Toll Free: (888) 671-0220 • TTY: (866) 735-2929 • Fax: (530) 673-0775

www.RegionalHA.org

March 14, 2018

TO: Chairperson Dan Miller
Vice-Chairperson Mike Leahy
Commissioner Brian Foss
Commissioner Manny Cardoza
Commissioner Jeremy Chapdelaine
Commissioner Diane Hodges
Commissioner Suzanne Gallaty
Commissioner Luis Uribe
Commissioner Ron Sullenger
Commissioner Toni Benson
Commissioner John Loudon
Commissioner Doug Lofton
Commissioner Kent Boes
Legal Counsel Brant Bordsen

Sutter County Board of Supervisors
Nevada County Board of Supervisors
Yuba County Board of Supervisors
Colusa County Board of Supervisors
City Council, Live Oak
City Council, Yuba City
City Council, Colusa
Appeal-Democrat
Duane Oliveira, General Counsel Emeritus
PEU Local #1
Terrel Locke, City of Yuba City
Darin Gale, City of Yuba City
The Union
Rob Choate, County of Nevada
Kara Gash, Sutter County Health Division
Judy Sanchez, City of Yuba City

NOTICE OF REGULAR MEETING

March 21, 2018

You are hereby notified that the Commissioners of the Regional Housing Authority are called to meet in Regular Session at **12:15 PM on Wednesday, March 21, 2018 at Richland Neighborhood Center, 420 Miles Avenue, Yuba City, CA 95991.**



Gustavo Becerra
Executive Director

AGENDA
REGULAR MEETING
OF THE BOARD OF COMMISSIONERS OF
REGIONAL HOUSING AUTHORITY
Richland Neighborhood Center, 420 Miles Avenue, Yuba City, CA 95991
March 21, 2018, 12:15 PM

- A. CALL TO ORDER: ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. PUBLIC PARTICIPATION: Members of the public shall be provided with an opportunity to address the Board on items of interest that are within the subject matter jurisdiction of the Board. Any member of the audience who may wish to bring something before the Board that is not on the agenda may do so at this time; however, State law provides that no action may be taken on any item not appearing on the posted Agenda. Persons who wish to address the Board during public comment or with respect to an item that is on the agenda, will be limited to three (3) minutes.
- D. EXECUTIVE SESSION: May be held under California Government Code regarding pending and/or anticipated litigation, property acquisition, and/or personnel issues.
 - 1. CLOSED SESSION: Pursuant to Section 54957.6 of the California Government Code
Conference with Labor Negotiator
Agency Negotiator: Patrick Clark
- E. AWARDS AND PRESENTATIONS: NONE
- F. CONSENT CALENDAR: All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that the Board votes on the motion, unless members of the Board request specific items to be discussed or removed from the Consent Calendar for individual action.
 - 2. Approval of Minutes – February 21, 2018 pg. 1
 - 3. Resolution 18-1556 – Homes2Families Collection Loss Write-Off pg. 4
 - 4. Resolution 18-1557 – Kingwood Commons Collection Loss Write-Off pg. 6
 - 5. Resolution 18-1558 – Cold Weather Shelter Collection Loss Write-Off pg. 8
 - 6. Resolution 18-1559 - Approval of Amendment to the Procurement pg. 10

REGIONAL HOUSING AUTHORITY
Minutes
Regular Board Meeting
February 21, 2018

ITEM NO. A - CALL TO ORDER:

Chairperson Dan Miller called the meeting to order at the Richland Neighborhood Center, 420 Miles Avenue, Yuba City, CA 95991.

ITEM NO. A - ROLL CALL:

Chairperson Dan Miller, Vice-Chairperson Mike Leahy, Commissioners Toni Benson, Kent Boes, Brian Foss, Ron Sullenger, John Loudon, Suzanne Gallaty, Manny Cardoza, Jeramy Chapdelaine, Diane Hodges, Luis Uribe and Doug Lofton were present. Legal Counsel Brant Bordsen was also present.

ITEM NO. B. – PLEDGE OF ALLEGIANCE:

Commissioner Boes led the pledge of allegiance.

ITEM NO. C. – PUBLIC PARTICIPATION: NONE

ITEM NO. D.1. – CLOSED SESSION: PURSUANT TO SECTION 54957.6 OF THE CALIFORNIA GOVERNMENT CODE: CONFERENCE WITH LABOR NEGOTIATOR, AGENCY NEGOTIATOR: PATRICK CLARK:

Chairperson Miller reported there was no action taken.

ITEM NO. E. – AWARDS AND PRESENTATIONS: NONE

ITEM NO. F.2. through F.6. - CONSENT CALENDAR:

Commissioner Boes made a motion to approve the Consent Calendar as submitted. Commissioner Cardoza made the second. All were in favor by voice vote.

ITEM NO. G. – OLD BUSINESS: NONE

ITEM NO. H. 7. – RESOLUTION 18-1555, REQUEST TO RETURN REPLACEMENT HOUSING FACTOR FUNDS WAIVER:

Chief Financial Officer Gail Allen explained when the old Maple Park units were demolished HUD, over the last four (4) years, gave the Housing Authority \$125,000 to either build or purchase new Public Housing units. She stated these funds will not get much, so she approached HUD with the possibility of using the funds for capital needs and they have requested this resolution and other backup information to review.

Vice-Chairperson Leahy made a motion to approve Resolution 18-1555, Request to Return Replacement Housing Factor Funds Waiver. Commissioner Loudon made the second. The following roll call vote was taken:

Vote: Ayes: Chairperson Dan Miller, Vice-Chairperson Mike Leahy,
Commissioners Ron Sullenger, John Loudon, Jeremy
Chapdelaine, Manny Cardoza, Suzanne Gallaty, Doug Lofton,
Diane Hodges, Luis Uribe, Toni Benson, Kent Boes and Brian
Foss
Nays: None
Abstain: None
Absent: None

ITEM NO. H. 8. – RECOMMENDED APPROVAL OF ROOF BID FOR KINGWOOD COMMONS:

Senior Development and Rehab Specialist Larry Tinker stated the roofing at Kingwood Commons has been replaced when funds are available. He said staff went out to bid for building E, which has ten (10) units. where five (5) contractors showed up for the walk through and two (2) submitted bids. He mentioned approximately \$57,000.00 will come from the City of Yuba City's CDBG funds.

Vice-Chairperson Leahy made a motion to approve the bid from CNW Construction, Inc. in the amount of \$67,700.00 for the roofing replacement project planned for building E (10 units) at Kingwood Commons Apartments located at 1340 Gray Avenue in Yuba City, CA, and authorize the Executive Director to execute the construction contract and all required documents. Commissioner Cardoza made the second. The following roll call vote was taken:

Vote: Ayes: Chairperson Dan Miller, Vice-Chairperson Mike Leahy,
Commissioners Ron Sullenger, John Loudon, Jeremy
Chapdelaine, Manny Cardoza, Suzanne Gallaty, Doug Lofton,
Diane Hodges, Luis Uribe, Toni Benson, Kent Boes and Brian
Foss
Nays: None
Abstain: None
Absent: None

ITEM NO. H. 9. – RECOMMENDED APPROVAL OF ROOF BID FOR RICHLAND PUBLIC HOUSING:

Mr. Tinker explained with this approval the last Richland Public Housing roof replacements would be completed. He stated \$40,000.00 will come from the City of Yuba City's CDBG funds.

Vice-Chairperson Leahy made a motion to approve the bid from CNW Construction, Inc. in the amount of \$91,500.00 for the roofing replacement project planned for 10 units at Richland Public Housing located on Garden Highway in Yuba City, CA, at the referenced addresses, and authorize the Executive Director to execute the construction contract and all required documents. Commissioner Lofton made the second. The following roll call vote was taken:

Vote: Ayes: Chairperson Dan Miller, Vice-Chairperson Mike Leahy,
Commissioners Ron Sullenger, John Loudon, Jeramy
Chapdelaine, Manny Cardoza, Suzanne Gallaty, Doug Lofton,
Diane Hodges, Luis Uribe, Toni Benson, Kent Boes and Brian
Foss

Nays: None

Abstain: None

Absent: None

ITEM NO. H. 10. – APPOINTMENT OF COMMISSIONER TO THE BUILDING BETTER PARTNERSHIPS BOARD:

Executive Director Gustavo Becerra explained Building Better Partnerships, Inc. is a non-profit affiliate of the Housing Authority. He stated there is currently a vacant position previously held by a Commissioner who is no longer on the Board which needs filled.

Commissioner Sullenger made a motion appoint Manny Cardoza to the Building Better Partnerships, Inc. Board. Vice-Chairperson Leahy made the second. All were in favor by voice vote.

ITEM NO. I.11. – ADMINISTRATIVE UPDATE:

Mr. Becerra mentioned there will be an open house for the Stony Creek Apartments with Commissioner Kent Boes as the key note speaker tomorrow at 10:30 AM. He also mentioned there was a meeting with Congressman Doug LaMalfa regarding the concerns around the proposed HUD budget.

Mr. Becerra gave an update on the emergency repairs at the Office of Migrant Services. He said work has started. Tom Goodwin, Operations Manager, said the electrical issue ended up being a main line failure which requires a high voltage contractor. Mr. Goodwin stated these repairs will only be those needed to get the center opened on May 1, 2018.

ITEM NO. J. HOUSING COMMISSIONERS' COMMENTS:

Commissioner Cardoza mentioned there will be a ribbon cutting for the coordinated entry site at the Life Building Center in Marysville on Saturday at 5:30 PM.

Chairperson Miller recommended everyone contact their state assembly representative regarding the President's proposed budget.

ITEM NO. K – NEXT MEETING: March 7, 2018

ITEM NO. L - ADJOURNMENT: The meeting was adjourned at 1:21 PM.



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RESOLUTION 18-1556

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE REGIONAL HOUSING AUTHORITY AUTHORIZING HOMES2FAMILIES COLLECTION LOSS WRITE-OFF IN THE AMOUNT OF \$4,743.00

WHEREAS, the Regional Housing Authority operates affordable housing in conjunction with the City of Yuba City; and

WHEREAS, operations of affordable housing includes the collection of monthly rental amounts; and

WHEREAS, the Regional Housing Authority makes every attempt to collect outstanding balances; and

WHEREAS, Exhibit A provides a list of uncollectible accounts for the period ending March 31, 2018 and is made a part of this resolution;

BE IT THEREFORE RESOLVED that the Board of Commissioners of the Regional Housing Authority authorizes the Executive Director to write-off as collection losses the tenant receivables listed on Exhibit A totaling \$4,743.00.

This Resolution is to take effect immediately.

This Resolution is presented at the Regular Meeting of the Board of Commissioners, passed and adopted this 21st day of March 2018 by the following vote:

AYES:

NAYS:

ABSTAINED:

ABSENT:

ATTEST:

Dan Miller, Chairperson

H2F Properties - Yuba City
 Collection Loss Write Off
 Period: March 2018

<u>Tenant</u>	<u>Address</u>	<u>Move In</u>	<u>Date</u>	<u>Move Out</u>	<u>Monthly Rent</u>	<u>Rent Owed</u>	<u>Late Fee's</u>	<u>Damages</u>	<u>Utilities</u>	<u>Legal Fee's</u>	<u>Total Owed</u>	<u>Payback Agreement</u>
T0002411	899 Bridge St. Yuba City	11/01/10	01/17/18		\$ 1,100.00	\$ 2,968.00	\$ 75.00	\$ -	\$ -	\$ 1,700.00	\$ 4,743.00	No PA
						\$ 2,968.00	\$ 75.00	\$ -	\$ -	\$ 1,700.00	\$ 4,743.00	
											\$ 4,743.00	

3/8/18

Tenants listed with Payback Agreement's failed to honor the Agreement.

Utility costs incurred by PHA from tenant move-in date until transferred to tenant's name. Those charges are then billed to the tenant.



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RESOLUTION 18-1557

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE REGIONAL HOUSING AUTHORITY AUTHORIZING KINGWOOD COMMONS APARTMENTS COLLECTION LOSS WRITE-OFF IN THE AMOUNT OF \$2,662.90

WHEREAS, the Regional Housing Authority operates Kingwood Commons pursuant to Section 8 regulations; and

WHEREAS, operations of Kingwood Commons includes the collection of monthly rental amounts; and

WHEREAS, the Regional Housing Authority makes every attempt to collect outstanding balances; and

WHEREAS, Exhibit A provides a list of uncollectible accounts for the period ending March 31, 2018 and is made a part of this resolution;

BE IT THEREFORE RESOLVED that the Board of Commissioners of the Regional Housing Authority authorizes the Executive Director to write-off as collection losses the tenant receivables listed on Exhibit A totaling \$2,662.90.

This Resolution is to take effect immediately.

This Resolution is presented at the Regular Meeting of the Board of Commissioners, passed and adopted this 21st day of March 2018 by the following vote:

AYES:

NAYS:

ABSTAINED:

ABSENT:

ATTEST:

Dan Miller, Chairperson

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RESOLUTION 18-1558

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE REGIONAL HOUSING AUTHORITY AUTHORIZING COLD WEATHER SHELTER COLLECTION LOSS WRITE-OFF IN THE AMOUNT OF \$222.50

WHEREAS, the Regional Housing Authority operates affordable housing; and

WHEREAS, operations of affordable housing includes the collection of monthly rental amounts; and

WHEREAS, the Regional Housing Authority makes every attempt to collect outstanding balances; and

WHEREAS, Exhibit A provides a list of uncollectible accounts for the period ending March 31, 2018 and is made a part of this resolution;

BE IT THEREFORE RESOLVED that the Board of Commissioners of the Regional Housing Authority authorizes the Executive Director to write-off as collection losses the tenant receivables listed on Exhibit A totaling \$222.50.

This Resolution is to take effect immediately.

This Resolution is presented at the Regular Meeting of the Board of Commissioners, passed and adopted this 21st day of March 2018 by the following vote:

AYES:

NAYS:

ABSTAINED:

ABSENT:

ATTEST:

Dan Miller, Chairperson

Cold Weather Shelter
 479 Bernard Drive, YC
 Collection Loss Write Off
 Period: March 2018

<u>Tenant</u>	<u>Apartment</u>	<u>Date</u>		<u>Monthly Rent</u>	<u>Rent Owed</u>	<u>Late Fee's</u>	<u>Damages</u>	<u>Utilities</u>	<u>Legal Fee's</u>	<u>Total Owed</u>	<u>Payback Agreement</u>
		<u>Move In</u>	<u>Move Out</u>								
T0004880	H2	12/06/12	03/08/13	\$ -	\$ -	\$ -	\$ 45.00	\$ -	\$ -	\$ 45.00	No
T0004936	H4	01/29/13	03/31/13	\$ -	\$ -	\$ -	\$ 72.50	\$ -	\$ -	\$ 72.50	No
T0004935	H6	01/29/13	03/31/13	\$ -	\$ -	\$ -	\$ 105.00	\$ -	\$ -	\$ 105.00	No
										\$ 222.50	Total Write Off

G.P.

Deceased *

Tenants listed with Payback Agreement's failed to honor the Agreement.

Utility costs incurred by PHA from tenant move-in date until transferred to tenant's name. Those charges are then billed to the tenant.

Exhibit A

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REGIONAL HOUSING AUTHORITY

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RESOLUTION 18 - 1559

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE REGIONAL HOUSING AUTHORITY ADOPTING A REVISED PROCUREMENT POLICY

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) Annual Contributions Contract (ACC), HUD Handbook 7460.8 REV-2, "Procurement Handbook for Public Housing Agencies," and the procurement standards of 2 CFR 200 govern procurement by public housing agencies (PHAs) and require PHAs to adopt policies and procedures to govern their purchases of good and services; and

WHEREAS, the Board of Commissioners adopted the current Procurement Policy by Resolution 17-1523 on September 6, 2017; and

WHEREAS, the Procurement Policy was revised to include the use of the Housing Authority's website to solicit bids and/or proposals and make procurement information available to the public; and

WHEREAS, the Board of Commissioners now desires to institute the revised Procurement Policy;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Regional Housing Authority that it does hereby approve the attached Procurement Policy, which is incorporated by this reference as though set forth in full, as the policy which shall supersede prior policies.

FURTHER, BE IT RESOLVED that the Executive Director is hereby authorized and directed to execute all documents pertaining to said Procurement Policy for and on behalf of Regional Housing Authority.

This Resolution was approved at the regular meeting of the Board of Commissioners this 21st day of March, 2018.

AYES:

NAYS:

ABSTAINED:

ABSENT:

ATTEST: _____

Chairperson, Dan Miller

(SEAL)

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REGIONAL HOUSING AUTHORITY PROCUREMENT POLICY

Established for Regional Housing Authority (hereinafter referred to as RHA) and adopted by the Board of Commissioners on September 6, 2017 ~~March 21, 2018~~.

This Procurement Policy complies with HUD's Annual Contributions Contract (ACC), HUD Handbook 7460.8 REV-2, "Procurement Handbook for Public Housing Agencies," and the procurement standards of 2 CFR 200.

I. GENERAL PROVISIONS

A. PURPOSE

The purpose of this Statement of Procurement Policy (Policy) is to: provide for the fair and equitable treatment of all persons or firms involved in purchasing by RHA; assure that supplies, services, and construction are procured efficiently, effectively, and at the most favorable prices available to RHA; promote competition in contracting; provide safeguards for maintaining a procurement system of quality and integrity; and assure that RHA's purchasing actions are in full compliance with applicable Federal standards, HUD regulations, and state and local laws.

B. APPLICATION

This Policy applies to all contracts for the procurement of supplies, services, and construction entered into by RHA after the effective date of this Policy. It shall apply to every expenditure of funds by RHA for public purchasing, irrespective of the source of funds, including contracts which do not involve an obligation of funds; however, nothing in this Policy shall prevent RHA from complying with the terms and conditions of any grant, contract, gift, or request that is otherwise consistent with law. The term "procurement," as used in this Policy, includes both contracts and modifications (including change orders) for construction or services, as well as purchase, lease, or rental of supplies and equipment.

C. EXECUTIVE DIRECTOR'S RESPONSIBILITIES

The Executive Director or his/her designee shall ensure that:

1. Procurement requirements are subject to an annual planning process to assure equipment and material are available when needed, avoid emergency purchases, and contribute to the most efficient and economical purchasing. In most cases these plans will be made before the next budget year begins, and will include the relatively simple tasks such as; examining the inventory of management and maintenance supplies, equipment, and appliances; estimating the upcoming year's requirements; budgeting for items needed; and selecting the appropriate method of procurement. Other advance planning will be more complex and will include: the

purchase of such items as computer, and large construction efforts; determining whether to purchase some items in bulk to obtain the best price; scheduling purchases to coincide with projected use; planning contracts enough in advance to conduct proper public notice to generate competition; planning for recurring needs such as rodent and pest control, heating systems servicing, lawn and grounds maintenance, etc.; suspending contracts with expiration dates so that solicitations can be issued and new contracts awarded which will insure there is no break in coverage; deciding whether to consolidate or breakout some purchases to obtain the best price; determining the feasibility of purchasing seasonal goods (i.e. lawn mowing and landscaping equipment) during off-season when prices may be lowest; and deciding whether it would be more economical to lease rather than purchase equipment needed for a short period of time for seldom-recurring jobs;

2. Contracts and modifications are in writing, clearly specifying the desired supplies, services, or construction, and are supported by sufficient documentation regarding the history of the procurement, including as a minimum, the method of procurement chosen, the selection of the contract type, the rationale for selecting or rejecting offers, and the basis for the contract price;
3. For procurements other than small purchases, public notice is given of each upcoming procurement; an adequate time is provided for preparation and submission of bids or proposals; and notice of contract awards is made available to the public;
4. Solicitation procedures are conducted in full compliance with Federal standards stated in 2 CFR 200.320;
5. An independent cost estimate is prepared before solicitation issuance and is appropriately safeguarded for each procurement above the small purchase limitation, and a cost or price analysis is conducted of the responses received for all procurements;
6. Contract award is made to the responsive and responsible bidder offering the lowest price (for sealed bid contracts) or contract award is made to the offeror whose proposal offers the greatest value to RHA, considering price, technical and other factors as specified in the solicitation (for contracts awarded based on competitive proposals). Unsuccessful firms are notified within ten days after contract award;
7. There are sufficient unencumbered funds available to cover the anticipated cost of each procurement before contract award or modification (including change orders);
8. Work is inspected before payment, and payment is made promptly for contract work performed and accepted;

9. RHA complies with applicable HUD review requirements, as provided in Section III of this Policy; and
10. Procurement information is made a matter of public record and is made available to the public.

D. CONTRACTOR RESPONSIBILITY

Procurements shall be conducted only with responsible contractors, i.e., those who have the technical and financial competence to perform and who have a satisfactory record of integrity. Before awarding a contract, RHA shall review the proposed contractor's ability to perform the contract successfully, considering factors such as the contractor's integrity (including a review of the List of Parties Excluded from Federal Procurement or Nonprocurement Programs published by the U.S. General Services Administration), compliance with public policy, record of past performance (including contacting previous clients of the contractor, such as other PHAs), and financial and technical resources. If a prospective contractor is found to be nonresponsible, a written determination of nonresponsibility shall be prepared and included in the contract file, and the prospective contractor shall be advised of the reasons for the determination. RHA will not award contracts to contractors who have been debarred, suspended, or otherwise determined to be ineligible by HUD.

E. QUALIFIED BIDDER'S LISTS

Interested businesses shall be given an opportunity to be included on qualified bidder's lists. Any prequalified lists of persons, firms, or products which are used in the procurement of supplies and services shall be kept current and shall include enough qualified sources to ensure competition. Firms shall not be precluded from qualifying during the solicitation period. Solicitation mailing lists of potential contractors shall include, but not be limited to, such qualified suppliers.

F. COMPETITIVE SPECIFICATIONS

Prior to procurement, and in accordance with all other terms and provisions of this Policy, RHA will adopt specifications for each procurement which shall incorporate a clear and accurate description of the technical requirements for the material product, or service to be procured. All specifications shall be drafted so as to promote overall economy for the purposes intended and to encourage competition in satisfying RHA's needs; shall set forth those minimum essential characteristics and standards to which the proposed procurement must conform; shall identify all requirements which the bidders must fulfill and all other factors to be used in evaluating bids or proposals; and will be in compliance with federal, state and local laws, regulations and ordinances, and shall be made available to proposed bidders.

G. LIMITATIONS ON COMPETITION

The following specification limitations shall be avoided: features which unduly restrict competition; geographic restrictions (except for architect/engineering contracts, which may include geographic location as a selection factor if adequate competition is available); unnecessary bonding or experience requirement; brand name specifications (unless a written determination is made that only the identified item will satisfy RHA'S needs); and brand name or equal specifications (unless they list the minimum essential characteristics and standards to which the item must conform to satisfy its intended use), in which event, the specific feature of the named brand which must be met by bidders shall be clearly stated. Specifications must also insure that organizational conflicts of interest do not occur (for example, having a consultant perform a study of computer needs and then allowing that consultant to compete for the subsequent contract for the computers).

II. PROCUREMENT METHODS

A. SELECTION OF METHOD

When making purchases, one of the following procurement methods shall be chosen, based on the nature and anticipated dollar value of the total requirement.

B. SMALL PURCHASE PROCEDURES

1. General. Any procurement not exceeding \$25,000 may be made in accordance with the small purchase procedures authorized in this Section. Purchases shall not be divided so as to make it possible to purchase under this Policy, except as may be reasonably necessary to contract with small and minority-owned businesses, women's business enterprises, labor surplus area businesses, and individuals or firms located in or owned in substantial part by persons residing in the area of RHA's projects.
2. Petty Cash Purchases. Small purchases under \$50.00 which can be satisfied by local sources may be processed through the use of a petty cash account. Such purchases shall be distributed equitably among qualified sources. The Contracting Officer shall ensure that: the account is established in an amount sufficient to cover small purchases made during a reasonable period (e.g., one week), security is maintained and only authorized individuals have access to the account; the account is periodically reconciled and replenished by submission of a voucher to the RHA Finance Department, and, the account is periodically audited by the Finance Department staff or designee to validate proper use and to verify that the account total equals cash on hand plus the total of accumulated vouchers.
3. Small Purchase of \$3,000 or Less. Purchases involving a yearly aggregate expenditure of \$3,000.00 or less per item or a grouping of similar items (also known as Micro Purchases), such as a group of plumbing or electrical parts, may be

made after obtaining one non-written price quotation, if the price received is considered reasonable. Previous purchases, where applicable, of the same or a similar item should be considered in determining price reasonableness. Such purchases must be distributed equitably among qualified sources and if practicable, a quotation shall be solicited from other than the previous source before placing a repeat order.

4. Procurement of Professional Services of \$3,000 or Less. Procurement of professional services involving a yearly aggregate expenditure of \$3,000.00 or less for a particular service may be made after obtaining one non-written proposal is considered reasonable. Selection criteria will be the same as that set forth in Section II.E. of this Policy.
5. Small purchases of more than \$3,000 but not more than \$10,000. Purchases involving a yearly aggregate expenditure of more than \$3,000.00 but not more than \$10,000.00 per item or a grouping of similar items, such as a group of plumbing or electrical parts, shall be made from the lowest responsive and responsible bidder provided at least three price quotations have been obtained from qualified sources. Quotations may be obtained orally, by telephone, or in writing. The names, addresses, and/or telephone numbers of the offerors and persons contacted and the date and amount of each quotation shall be recorded and maintained in the records. Award shall be made to the offeror providing the lowest acceptable bid, unless justified in writing based on price and other specified factors. If non-price factors are used, they will be disclosed to all bidders.
6. Procurement of Professional Services of more than \$3,000 but not more than \$10,000. Procurement of professional services involving a yearly aggregate expenditure of more than \$3,000.00 but not more than \$10,000.00 for a particular service, may be made after obtaining at least three quotations either orally, by telephone, or in writing. The Executive Director will evaluate all proposals and select the most qualified competitor by using established selection factors and criteria set forth in Section II.E. of this Policy. The names, addresses, and/or telephone numbers of the persons and organizations contracted and the date and amount of each proposal shall be recorded and maintained in the records.
7. Small Purchases of more than \$10,000 but not more than \$25,000. Purchases involving a yearly aggregate expenditure of more than \$10,000.00 but not more than \$25,000.00 per item or a grouping of similar items, such as a group of plumbing or electrical parts, shall be made from the lowest responsive and responsible bidder, provided at least three written bids have been obtained on forms furnished by RHA and signed by authorized personnel. No advertising is necessary provided a sufficient number of bids can be obtained. The Executive Director or his/her designee shall solicit competitive bids, and shall keep on file a tabulation of solicitations made and bids received. Award shall be made to the offeror providing the lowest acceptable bid, unless justified in writing based on price and other specified factors. If non-price factors are used, they will be disclosed to all bidders.

8. Procurement of Professional Services of more than \$10,000 but not more than \$25,000. Procurement of professional services involving a yearly aggregate expenditure of more than \$10,000.00 but not more than \$25,000.00 for a particular service, may be made after obtaining at least three written quotations. Quotations must be made on forms furnished by RHA or an offeror's letterhead, and be signed by authorized personnel. The Executive Director will evaluate all proposals and select the most qualified competitor by using established selection factors and criteria set forth in Section II.E. of this Policy. A record of solicitations made and proposals received shall be kept on file.

C. SEALED BIDDING

1. General. Purchases, except for procurement of professional services and purchases at the state contract price, involving a yearly aggregate expenditure of more than \$25,000.00 per item shall be made only by obtaining competitive sealed bids.
2. Conditions for Use. Contracts shall be awarded based on competitive sealed bidding if the following conditions are present: a complete, adequate, and realistic specification or purchase description is available; two or more responsible bidders are willing and able to compete effectively for the work; the procurement lends itself to a firm fixed price contract; and the selection of the successful bidder can be made principally on the basis of price.
3. Solicitation and Receipt of Bids. An invitation for bids shall be advertised and published once each week for two consecutive weeks on RHA's website, or in a public newspaper of general circulation in the RHA area, specifying that the date for bid opening be not less than seven (7) working days after the last published notice. The invitation for bids will include a statement that award will be made to the lowest responsible and responsive bidder whose bid meets the requirements of said invitation for bids, state the time and place for both the receipt of bids and the public bid opening, include specifications which sufficiently define the items or services so as to enable the bidder to properly respond, and state where complete specifications can be inspected or obtained by interested parties.
4. Specifications. A complete and realistic specification or purchase description shall be adopted and available to bidders. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. RHA will endeavor in formulation of specifications, advertisements, etc., to incorporate a clear and accurate description of the technical requirements for the product or service to be procured. Such description shall not in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the product to be procured, and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. RHA shall

identify all requirements which the vendors must fulfill and all other factors to be used in evaluating bids or proposals.

5. Bid Opening and Award. The following procedures apply:
 - a. All bids received shall be time-stamped, but not opened, and shall be stored in a secure place until bid opening;
 - b. A bidder may withdraw its bid at any time prior to bid opening;
 - c. Bids shall be opened publicly, and in the presence of at least one witness, at the time and place prescribed in the invitation for bids;
 - d. An abstract of bids shall be recorded and the bids shall be available for public inspection;
 - e. RHA shall not accept a bid based upon items not included in the specifications;
 - f. A firm fixed-price contract award will be made by written notice to the successful bidder;
 - g. If equal low bids are received from responsible bidders, award shall be made by drawing lots or a similar random method;
 - h. If the lowest responsive and responsible bidder is not also the low bidder, then an explanation as to the reason the low bidder is not also the lowest responsive and responsible bidder shall be contained in the minutes of the meeting of RHA;
 - i. If only one responsive bid is received from a responsible bidder, award shall not be made unless a cost or price analysis verifies the reasonableness of the price, and HUD approval has been received; and
 - j. Any and all bids may be rejected if there is a sound and documented reason. Awards will be made only to responsible parties possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as the party's integrity, compliance with public policy, record of past performance, and financial and technical resources.

6. Mistakes in Bids
 - a. Correction or withdrawal of inadvertently erroneous bids may be permitted, where appropriate, before bid opening by written or telegraphic notice received in the office designated in the invitation for bids prior to the time set for bid opening. After bid opening, corrections in bids shall 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.

- b. All decisions to allow correction or withdrawal of bid mistakes shall be supported by a written determination signed by the Contracting Officer. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of RHA or fair competition shall be permitted.

D. CONSTRUCTION CONTRACTS

1. Bonds.

- a. Any contract for \$25,000 or more involving construction, alteration, or repair of any building or work shall require the contractor to furnish bonds with good and sufficient sureties as follows:

Bid Bond: A bid bond equivalent to five percent of the bid price. The “bid guarantee” shall consist of a firm commitment such as bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.

Performance Bond: A performance bond payable to, in favor of, or for the protection on the housing authority as owner, for the work to be done in an amount not less than the amount of the contract conditioned for the full and faithful performance of the contract.

Payment Bond: A payment bond payable to RHA conditioned for the prompt payment, as required by law, of all persons supplying labor or material used in the prosecution of work under said contract, for the use of each such person in an amount not less than the amount of the contract.

- b. These bonds shall be provided by any surety company that is authorized to do business in the state of California and is listed in the Federal Register/Vol.54 No. 125/dated June 30, 1989 or applicable changes.
- c. A contract less than \$25,000 may be excepted from these bond requirements if RHA elects to make a single lump sum payment at the completion and acceptance of the job. Under such circumstances performance and payment bonds will not be required.

2. Contract for \$3,000 or less. Construction contracts amounting to no more than \$3,000.00 shall be awarded after obtaining one non-written price quotation from a qualified source, if the price is considered reasonable. Previous contracts, where applicable, for the same or similar work should be considered in determining price reasonableness. Such contracts must be distributed equitably among qualified sources, and if practicable, a quotation shall be solicited from other than the previous before awarding a repeat contract.
3. Contracts for more than \$3,000 but not more than \$10,000. Construction contracts amounting to more than \$3,000.00 but not more than \$10,000.00 shall be awarded to the lowest responsive and responsible bidder provided at least three price quotations have been obtained from qualified sources. Quotations may be obtained orally, by telephone, or in writing. The names, addresses, and or/telephone numbers of the bidders or persons contacted, and the date and amount of each quotation shall be recorded and maintained in the records.
4. Contracts for more than \$10,000 but not more than \$25,000. Construction contracts amounting to more than \$10,000 but not more than \$25,000.00 shall be awarded to the lowest responsive and responsible bidder provided at least three written bids have been obtained from qualified sources. These bids shall be submitted on forms furnished by RHA or on the contractor's letterhead, and be signed by authorized personnel. The Executive Director or his or her designee shall solicit competitive bids, and not advertising is necessary provided a sufficient number of bids can be obtained. A tabulation of solicitations made and bids received shall be kept on file.
5. Contracts for more than \$25,000. Any construction contract where the amount of the contract exceeds \$25,000.00 shall be awarded after advertising for competitive sealed bids once each week for two (2) consecutive weeks, on RHA's website or in a regular newspaper of general circulation in the RHA area inviting competitive sealed bids to perform the work outlined in the plans and specifications. The date as published for the bid opening shall not be less than fifteen (15) working days after the last notice is published, and if an addendum is issued within seven calendar days of the bid opening date, the bid opening shall be postponed for at least seven calendar days from the date of the addendum. The invitation for bids will include a statement that award will be made to the lowest responsible and responsive bidder whose bid meets the requirement of said invitation for bids, state the time and place for both the receipt of bids and the public bid opening, and state where complete plans and specifications can be inspected or obtained by interested parties. Paragraphs C5 (Bid opening and Award), and C6 (Mistakes in Bids) of this Section also apply to construction contracts.
6. Cost Plus Contracts. No construction contract shall be awarded on a cost plus a percentage of cost, or percentage of construction cost, method.
7. Contract Modifications. RHA shall comply with HUD requirements either to submit for prior HUD approval the proposed contract modification, or certify that

such modifications are within the scope of the contract, and that any additional costs are within the latest HUD approved budget or otherwise approved by HUD.

E. PROFESSIONAL SERVICE CONTRACTS

1. General. Procurement procedures for professional services involving an expenditure of more than \$25,000.00 are set forth in this Section. RHA will not enter into, execute, or approve, any agreement or contract for Architectural and Engineering, Legal, Auditing, Insurance, Banking, or other professional services with any person or firm where the initial period or term of the contract is in excess of five (5) years, or where the contract contains a renewal provision for any period of time, without the written approval of HUD.
2. Architectural and Engineering Services. RHA shall use competitive proposal procedures for procurement of architectural and engineering services for all contracts of more than \$25,000.00. The Executive Director will evaluate all proposals and select the most qualified competitor by using established selection factors, subject to negotiating a fair and responsible fee. Geographic location may be used as a selection criteria provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.
3. Legal Services. RHA shall use competitive proposal procedures for procurement of legal services for all contracts initially estimated to exceed \$25,000.00 in the aggregate annually. If there is a recurring need for long term services over a year, which services are estimated to exceed the \$25,000 limit, competitive procedures should be used to obtain an indefinite delivery or quantity contract rather than the small purchase procedures. All competitors' qualifications will be evaluated and considered and the Executive Director will make the selection based on qualifications and price/rate, which in his or her judgment is the most advantageous to RHA. Requirements for services aggregating greater than \$25,000.00 shall not be broken down into several procurements which are less than the limit merely to permit negotiations or small purchase procedures. HUD Regional Counsel must approve any litigation service contract where the fee is expected to exceed \$100,000 with a private attorney involving any RHA program, project, or activity receiving loan, grant, or other subsidy assistance from HUD.
4. Auditing Services. RHA shall use competitive proposal procedures for Procurement of Auditing services for all contracts of more than \$25,000.00. The Executive Director will evaluate all proposals and select the most qualified competitor by using established selection factors, including fee. However, price is not the sole determining factor.
5. Insurance Services. The procurement of insurance services involving an expenditure of more than \$25,000.00 will be accomplished by advertisement for competitive sealed bids. Such advertisement shall be published once each week for

two consecutive weeks on RHA's website or in a public newspaper of general circulation in the RHA area. A contract shall then be awarded to the lowest responsive and responsible bidder who will comply with terms set forth by RHA.

6. Banking Services. In order to maximize the yield from the investment of funds, and to obtain the best possible services at the lowest cost, RHA will periodically solicit banking services by using the competitive proposal procurement procedures.

The competitive proposal process will require the following actions by RHA:

1. Determine the type and quantity of services needed;
2. Prepare a Request for Proposal and circulate it to the competing banks; and
3. Review the proposals received and make the criteria for selection public.

The banking institution whose proposal is the most advantageous to RHA will then be selected, and a depository agreement executed.

7. Other Professional Services. RHA shall use competitive proposal procedures for procurement of all other professional services, such as fee accounting, for all contracts of more than \$25,000.00. The Executive Director will evaluate all proposals and select the most qualified competitor by using established selection factors.

F. COMPETITIVE PROPOSAL PROCUREMENT

1. Conditions for Use. Competitive proposals may be used if RHA determines that conditions are not appropriate for the use of sealed bids. If this method of procurement is used, the procedures set forth in this Section apply.
2. Solicitation. The request for proposals (RFP) will be solicited from an adequate number of qualified sources, and shall clearly identify the relative importance of price and other evaluation factors including the weight given to each factor. A mechanism for fairly and thoroughly evaluating the technical and price proposals shall be established before the solicitation is issued, and the proposals shall be evaluated only on the criteria stated in the request for proposals. Proposals shall be handled so as to prevent disclosure of the number of offerers, identity of the offerers, and the contents of their proposals.
3. Negotiations. Negotiations shall be conducted with offerers who submit proposals determined to have a reasonable chance of being selected for award, based on evaluation against the technical and price factors as specified in the RFP. Such offerers shall be accorded fair and equal treatment with respect to any opportunity for negotiation and revision of proposals. The purpose of negotiations shall be to seek clarification with regard to and advise offerers of the deficiencies in both the technical and price aspects of their proposals so as to assure full understanding of and conformance to the solicitation requirements. No offerer shall be provided

information about any other offerer's proposal, and no offerer shall be assisted in bringing its proposal up to the level of any other proposal. Offerers shall not be directed to reduce their proposed prices to a specific amount in order to be considered for award. A common deadline shall be established for receipt of proposal revisions based on negotiations.

4. Award. After evaluation of each proposal, including revisions if any, the contract shall be awarded to the responsible firm whose qualifications, price and other factors considered, are the most advantageous to RHA.
5. Architect/Engineer Services. Architect/Engineering services may be obtained by either the competitive proposals method or "qualifications-based" selection procedures. However, sealed bidding shall not be used to obtain these services. Under qualifications-based selection procedures, competitors' qualifications are evaluated and the most qualified competitor is selected subject to the negotiation of fair and reasonable compensation. However, price will not be used as a selection factor under this method. Qualifications-based selection procedures shall not be used to purchase other types of services even though architect/engineering firms are potential sources.

G. NONCOMPETITIVE PROPOSAL PROCUREMENT

1. Conditions for Use. Procurements shall be conducted competitively to the maximum extent possible, and RHA may make procurements by noncompetitive proposals only when the award of a contract is not feasible using small purchase procedures, sealed bids, or competitive proposals, and one of the following applies:
 - a. The item is available only from a single source, based on a good faith review of available sources;
 - b. An emergency exists that seriously threatens the public health, welfare, or safety, or endangers property, or would otherwise cause serious injury to RHA, 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 other procurement methods, and the emergency procurement shall be limited to those supplies, services, or construction necessary to meet the emergency;
 - c. HUD authorizes the use of noncompetitive proposals; or
 - d. After solicitation of a number of sources, competition is determined inadequate.

2. Justification. Each procurement based on noncompetitive proposals shall be supported by a written justification for using such procedures. The justification shall be approved in writing by the Contracting Officer.
3. Price reasonableness. The reasonableness of the price for all procurements based on noncompetitive proposals shall be determined by performing a cost analysis.
4. Purchase for less than \$25,000. The Executive Director must approve all purchase for less than \$25,000 prior to procurement by noncompetitive proposal procedures.

H. EMERGENCY PURCHASES

In the event that an emergency exists in regard to purchase of items or repair contract so that delay incident to giving opportunity for competitive bidding would be detrimental to the health or safety of the people served by this authority, would not be in the best interest of the general public, or would result in the destruction of property, then the necessity for competitive bidding shall not apply, but the circumstances constituting the emergency shall be documented at the next board meeting, which shall include a description of the item purchase, the price, the nature of the emergency, etc.

I. LEASE/PURCHASE

RHA may acquire equipment and furniture by lease/purchase agreement and pay interest thereon for a term not to exceed five years without HUD approval. Funding for lease/purchase may be obtained from the vendor or from a third party after having solicited and obtained at least three written competitive bids for such funding.

III. HUD REVIEW REQUIREMENTS

The following contracting actions require HUD approval prior to award:

1. All solicitations and contracts where RHA fails to comply with the procurement standards in 2 CFR 200;
2. Noncompetitive procurements expected to exceed \$25,000.00, including any procurement over \$25,000 in which only one bid or proposal is received in response to a solicitation;
3. Brand name only procurements expected to exceed \$25,000.00;
4. Awards over \$25,000.00 to other than the apparent low bidder under a sealed bid procurement;
5. Proposed contract modifications changing the scope of a contract or increasing the contract amount by more than \$25,000.00;

6. Contracts for services whose initial period exceeds five years, or any option, extension, or renewal of a contract for services which makes the total length of the contract, as modified, exceed five years;
7. Procurement for legal or other services in connection with litigation;
8. Procurement which exceed the amount included in the HUD-approved Development Cost Budget or Operating Budget; and
9. Procurements which exceed the amount included in the HUD-approved Comprehensive Grant Annual Statement, if HUD has issued a notice of deficiency or corrective action order.

IV. COST AND PRICE ANALYSIS

- A. General. A cost or price analysis shall be performed for all procurement actions, including contract modifications and the degree of analysis shall depend on the facts surrounding each procurement. The method of analysis shall be determined as set forth in this Section.
- B. Submission of Cost or Pricing Information. If the procurement is based on noncompetitive proposals, or when only one offer is received, or for other procurements as deemed necessary by RHA (e.g., when contracting for professional, consulting, or architect/engineer services) the offerer shall be required to submit:
 1. a cost breakdown showing projected costs and profit;
 2. commercial pricing and sales information, sufficient to enable RHA to verify the reasonableness of the proposed price as a catalog or market price of a commercial product sold in substantial quantities to the general public; or
 3. documentation showing that the offered price is set by law or regulation.
- C. Cost Analysis. Cost analysis shall be performed if an offerer/contractor is required to submit a cost breakdown as part of its proposal. When a cost breakdown is submitted: a cost analysis shall be performed of the individual cost elements; RHA shall have a right to audit the contractor's books and records pertinent to such costs; and profit shall be analyzed separately. Costs shall be allowable only to the extent that they are consistent with applicable Federal cost principles. In establishing profit, RHA shall consider factors such as the complexity and risk of the work involved, the contractor's investment and productivity, the amount of subcontracting, the quality of past performance, and industry profit rates in the area for similar work.
- D. Price Analysis. A comparison of prices shall be used in all cases other than those described in Paragraph C above.

V. CANCELLATION OF SOLICITATION

- A. An invitation for bids, request for proposals, or other solicitation may be canceled before offers are due if: RHA no longer requires the supplies, services or construction; or RHA can no longer reasonably expect to fund the procurement; proposed amendments to the solicitation would be of such magnitude that a new solicitation would be desirable; or similar reasons.
- B. A solicitation may be canceled and all bids or proposals that have already been received may be rejected if: the supplies, services, or construction are no longer required; ambiguous or otherwise inadequate specifications were part of the solicitation; the solicitation did not provide for consideration of all factors of significance to RHA; prices exceed available funds and it would not be appropriate to adjust quantities to come within available funds; there is reason to believe that bids or proposals may not have been independently arrived at in open competition, may have been collusive, or may have been submitted in bad faith; or, for good cause of a similar nature when it is in the best interest of RHA.
- C. The reasons for cancellation shall be documented in the procurement file and the reasons for cancellation and/or rejection shall be provided upon request to any offerer solicited.
- D. A notice of cancellation shall be sent to all offerers solicited and, if appropriate, shall explain that they will be given an opportunity to compete on any resolicitation or future procurement of similar items.
- E. If all otherwise acceptable bids received in response to an invitation for bids are at unreasonable prices, or only one bid is received and the price is unreasonable, RHA shall cancel the solicitation and either:
 1. resolicit using a request for proposals; or
 2. complete the procurement by using the competitive proposals method, following paragraphs II.F.3 and II.F.4 above (when more than one otherwise acceptable bid has been received), or by using the noncompetitive proposals method and following paragraph II.G.2 above (when only one bid is received at an unreasonable price); provided, that the Contracting Officer determines in writing that such action is appropriate, all bidders are informed of RHA's intent to negotiate, and each responsible bidder is given a reasonable opportunity to negotiate.

VI. COOPERATIVE PURCHASING

RHA may enter into State and local intergovernmental agreements to purchase or use common goods and services. The decision to use an intergovernmental agreement or conduct a direct procurement shall be based on economy and efficiency. If used, the intergovernmental 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. RHA is encouraged to use Federal or State excess and surplus property instead of purchasing new equipment and property whenever such use is feasible and reduces project costs.

VII. TYPES OF CONTRACTS, CLAUSES, AND CONTRACT ADMINISTRATION

A. CONTRACT TYPES

Established procedures for the procurement of Architectural/ Engineering services allow for only two types of contracts; either a firm fixed price contract, or a cost-plus-fixed-fee (which includes an established ceiling) contract. For all other procurements, any type of contract which is appropriate to the procurement and which will promote the best interests of RHA may be used, provided that the cost-plus-a-percentage-of-cost and percentage of construction cost methods are prohibited. All procurements shall include the clauses and provisions necessary to define the rights and responsibilities of the parties. A cost reimbursement contract shall not be used unless it is likely to be less costly or it is impracticable to satisfy RHA's needs otherwise, and the proposed contractor's accounting system is adequate to allocate costs in accordance with applicable cost principles. A time and materials contract may be used only if a written determination is made that no other contract type is suitable, and the contract includes a ceiling price that the contractor exceeds at its own risk.

B. OPTIONS

Options for additional quantities or performance periods may be included in contracts, provided that: (i) the option is contained in the solicitation; (ii) the option is a unilateral right of RHA; (iii) the contract states a limit on the additional quantities and the overall term of the contract; (iv) the options are evaluated as part of the initial competition; (v) the contract states the period within which the options may be exercised; (vi) the options may be exercised only at the price specified in or reasonably determinable from the contract; and (vii) the options may be exercised only if determined to be more advantageous to RHA than conducting a new procurement.

C. CONTRACT ADMINISTRATION

A contract administration system designed to insure that contractors perform in accordance with their contracts shall be maintained. The operational procedures required by Section I.C. above shall contain guidelines for inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on construction contracts, and similar matters. For cost reimbursement contracts with commercial firms, costs are allowable only to the extent that they are consistent with the applicable cost principles.

VIII. APPEALS AND REMEDIES

It is RHA's policy to resolve all contractual issues informally at the housing authority level without litigation. Disputes shall not be referred to HUD until all administrative remedies have been exhausted at the housing authority level. When appropriate, RHA may consider the use of informal discussions between the parties by individuals who did not participate substantially in the matter in dispute, to help resolve the differences. HUD will only review protests in cases of violations of Federal law or regulations and failure of RHA to review a complaint or protest.

A. BID PROTESTS

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 receipt of bids or proposals, and any protest against the award of a contract must be received within ten calendar days after 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 in the matter. The Contracting Officer may, at his or her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented.

B. CONTRACT CLAIMS

All claims by a contractor relating to performance of a contract shall be submitted in writing to the Contracting Officer or designee 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 a higher level in the housing authority, such as the board of commissioners.

IX. ASSISTANCE TO SMALL AND OTHER BUSINESSES

A. REQUIRED EFFORTS

RHA will make efforts to ensure that small and minority-owned businesses, women's business enterprises, labor surplus area businesses and individuals or firms located in or owned in substantial part by persons residing in the RHA area of operation are used when possible. Such efforts shall include, but shall not be limited to:

1. Including such firms, when qualified, on solicitation mailing lists;
2. Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;

4. Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;
5. Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce;
6. Including in contracts a clause requiring contractors, to the greatest extent feasible, 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 are located in, or owned in substantial part by persons residing in the area of the project.

X. ETHICS IN PUBLIC CONTRACTING

RHA shall adhere to the following code of conduct, consistent with applicable state or local law.

A. CONFLICT OF INTEREST

No employee, officer or agent of RHA shall participate directly or indirectly in the selection or in the award or administration of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a financial or other interest in a firm selected for award is held by:

1. An employee, officer or agent involved in making the award;
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, and half sister);
3. His/her partner; or,
4. An organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

B. GRATUITIES, KICKBACKS, AND USE OF CONFIDENTIAL INFORMATION

RHA's officers, employees or agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontracts, and shall not knowingly use confidential information for actual or anticipated personal gain.

C. PROHIBITION AGAINST CONTINGENT FEES

Contractors shall not retain a person to solicit or secure a RHA contract for a commission, percentage, brokerage, or contingent fee, except for bona fide employees or bona fide established commercial selling agencies.

XI. DISPOSITION OF EXCESS PROPERTY

When a capital asset is deemed unusable, unrepairable or outdated, a request may be made to dispose of the asset. Approval must be obtained from the Executive Director.

When a salvageable value has been determined, disposal may be made utilizing one or more of the following methods:

1. Use of outside auction vendor.
2. Utilization of an advertisement on RHA's website or in the local newspaper stating minimum purchase price and acceptance of bids for a specified period.
3. Display of assets with "For Sale" signs with minimum purchase price and acceptance of bids for a specified period.
4. Donation of asset(s) to other non-profit agency to utilize property training or other appropriate use. A letter requesting assets shall be required and an acknowledgement of receipt of donation.

The method of disposition will be at the discretion of the Executive Director with input from staff.

XI. RECORDS

RHA shall maintain records sufficient to detail the significant history of procurements, which records shall document the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for contract price.

REGIONAL HOUSING AUTHORITY

STAFF REPORT

Date: March 21, 2018
 To: Board of Commissioners
 From: Pattra Runge, Occupancy Manager

SUBJECT: Quarterly Occupancy (Q4-2017) report for quarter ending December 31, 2017

RECOMMENDATION: Update Only

FISCAL IMPACT: Budget based allocations per funding sources

Housing and Urban Development (HUD) Funded Programs:

Program	Units Available	October	November	December
Public Housing (Yuba City, Live Oak)	171	167	170	169

United States Department of Agriculture (USDA)/Rural Development:

Development	Units Available	October	November	December
USDA/Farm Labor (Yuba City)	188 (151)	150	148	148
Centennial Arms (Live Oak)	21	21	21	20
Butte View (Live Oak)	31	31	31	31

Office of Migrant (OMS) Services

Development	Units Available	October	November	December
Migrant Center (Yuba City)	71	38	0	0

Local Camp 35 (LC35):

Development	Units Available	October	November	December
Transitional Trailer (Yuba City)	1	1	1	1
Trailer Park (Yuba City)	8	8	8	8

RHA Owned and/or Managed Affordable Housing Properties:

Development	Units Available	October	November	December
Kingwood Commons (Yuba City)	63	61	61	63
Devonshire (Colusa)	29	29	29	28
Percy Avenue (Yuba City)	8	7	8	8

Homes2Families (Yuba City)	14	13	14	14
MH-Teesdale-SRO's (Yuba City)	6	6	6	6
Neighborhood Stabilization Program -1 (Yuba City, Live Oak)	9	9	9	9
Neighborhood Stabilization Program-3 (Yuba City)	12	11	12	12

Sutter Community Affordable Housing/Non-Profit

Development	Units Available	October	November	December
Town Center (Yuba City)	27	27	27	27
Yolo-Heiken (Yuba City)	5	5	5	4
Maple Park I (Live Oak)	55	54	55	55
Kristen Court (Live Oak)	55	52	51	50

Commercial Space

	Units	October	November	December
Miles Market (Yuba City)	1	1	1	1
YCUSD-Bernard (Yuba City)	1	1	1	1
Ampla Health Clinic (Yuba City)	1	1	1	1

Building Better Partnerships

Development	Units Available	October	November	December
MH-814 F-SRO's (Marysville)	10	9	9	9
Maple Park II (Live Oak)	34	33	34	32

Comments:

USDA Rural Development-Richland:

The units needing rehab are continuing construction, and the waitlist is open to begin preparing for the newly rehabbed units.

Prepared by: 
Pattra Runge/Occupancy Manager

Submitted by: 
Gustavo Becerra/Executive Director

REGIONAL HOUSING AUTHORITY

STAFF REPORT

Date: March 14, 2018
 To: Board of Commissioners
 From: Alisha Parker, Occupancy Manager

SUBJECT: Quarterly Occupancy (Q4-2017CY) report for quarter ending December 31, 2017

RECOMMENDATION: None

FISCAL IMPACT: Budget based allocations per funding sources

U.S. Department of Housing and Urban Development (HUD) Funded Programs:

Program	Units Available	October	November	December
HCV/Section 8	Budget Based Allocation (Sutter-829 includes 82 Project Based Vouchers Nevada-295 Colusa-36 Yuba-449)	Total-1615 Sutter-724 Nevada-297 Colusa-29 Yuba-454	Total-1600 Sutter-714 Nevada-296 Colusa-30 Yuba-447	Total-1583 Sutter-703 Nevada-294 Colusa-30 Yuba-443
HCV Port-In Administered	N/A	3	5	6
VASH	21 units for Nevada County 14 units for Yuba City	29	31	31

Comments:

This quarter we hosted Housing Quality Standards training at the Richland Community Center. This training provided staff with the knowledge to perform inspections for our voucher program, therefore causing us to be able to terminate our contract with a third-party vendor. Our VASH programs continued to have all unused vouchers issued and searching for housing.

Prepared by: 
 Alisha Parker/Occupancy Manager

Submitted by: 
 Gustavo Becerra/Executive Director

**REGIONAL HOUSING AUTHORITY
STAFF REPORT**

Date: March 14, 2018
To: Board of Commissioners
From: Gail Allen – Chief Financial Officer
Subject: Financial Review
Project Net Income April 1, 2017, through January 1, 2018
Reserve Account Balances Through March 14, 2018

Housing Choice Vouchers (1,644 restricted units; 1,609 Tenant Based + 35 VASH)

- *Housing Assistance Payments (RNP)* -- 97% proration
 <**\$80,094 net income** drawn from RHA or HUD reserve accounts to cover shortfall
- *Administration Fee (UNP)* – Proration 76% (January-June)
 \$31,174 net income deposited into reserve account

Public Housing (173 restricted units; 50 Date Street + 24 Joann Way + 99 Richland Housing)
 \$82,178 combined net income deposited into reserve account

Rural Development (244 restricted units; 32 Butte View Estates + 22 Centennial Arms + 190 Richland Housing)
 \$71,474 combined net income (includes \$231,288 deposited into mandated reserve accounts)

Neighborhood Stabilization Program 1 & 3 (22 restricted units; 9 NSP1 + 13 NSP3)
 \$27,485 combined net income (\$18,174 NSP1 + \$9,311 NSP3) deposited into mandated reserve accounts

Mental Health Services (16 restricted units; 6 Teesdale + 10 Heather Glenn)
 <**\$1,052 combined net income** (<\$4,678 Heather Glenn + \$3,626 Teesdale) carried forward (Heather Glenn) or deposited into reserve account (Teesdale)

Homes2Families (15 restricted units; City of Yuba City owned, RHA managed)
 \$6,225 combined net income deposited into mandated reserve accounts

Unrestricted Properties (excluding restricted Devonshire) -- <**\$88,690 unrestricted combined net income** may be deposited into reserve accounts for past “borrowing” and/or future operations/rehab activities for any project

- **Cost Centers** (Management/Work Order/Fuel Fees) -- <**\$29,767 net income**
- **Planning/Community Development** (First-Time Home Buyer, Owner Occupied Rehab, RHA Development/Maintenance, Developer Fees) -- <**\$68,094 net income** to be covered with future billings to various government entities
- **Devonshire** (30 restricted units) -- <**\$12,506 net income**
- **Kingwood Commons** (64 units) -- **\$22,063 net income**

- **Miscellaneous Programs** (LC35 [Miles Market, School, Solar Farm], Stony Creek, Kristen Court, CSBG) – <\$1,725 net income
- **Percy Avenue** (8 units) -- <\$22,584 net income
- **Trailer Park** (8 units) – \$18,787 net income
- **Transitional Trailer** (1 unit) -- \$5,136 net income

RESERVE ACCOUNTS:

All mandated reserve accounts are fully funded and restricted to the individual programs. The attached balances are through March 14, 2018. Accounts are considered restricted unless otherwise identified.

CALENDAR OF EVENTS:

FYE 2018 fiscal year ends.....	March 31, 2018
Migrant Center opens	May 1, 2018
HUD agency-wide audit.....	May 7-11, 2018
FYE 2018 financial audit (onsite)	May 14-17, 2018
FYE 2018 unaudited REAC submission	May 31, 2018
Migrant Center closes.....	November 30, 2018
FYE 2018 audited REAC submission	December 31, 2018

Prepared by:

Submitted by:



 Gail L. Allen, Chief Financial Officer



 Gustavo Becerra, Executive Director

Restricted Accounts

Account	Origination	Uses	Approval	Balance
<i>Checking Accounts</i>				
Checking Central Office (6035)	Program Income	Daily Operations/Payroll	Internal	399,987.68
Checking Sweep (8277)	Program Income	Daily Operations/Payroll	Internal	481,416.18
				881,403.86
<i>Federal Programs</i>				
HUD - Housing Choice Voucher				
Checking HCV (6084)	Monthly Subsidy	Housing Assistance Payments (HAP's)	Internal	
Reserve RNP HCV (2758)	Monthly Subsidy	Housing Assistance Payments (HAP's)	Internal	25,021.22
Reserve UNA HCV (2454)	Monthly Subsidy	Admin Costs/HAP's	Internal	327,948.99
				352,970.21
HUD - Family Self Sufficiency				
Reserve FSS Escrow HCV (7896)	HAP's	Escrow Account	Payout to Participant	171,923.84
Reserve FSS Escrow PH (5595)	HAP's	Escrow Account	Payout to Participant	3,122.43
				175,046.27
HUD - Public Housing (CFP)				
Reserve General PH (3854)	Annual Capital Fund Grant	Capital Improvements	Internal	333,653.95
				333,653.95
USDA				
Grant Rehab RD 2 (2090)	Federal Rehab Grant - Existing Units	Capital Improvements	USDA	2,305,407.71
Supervised CA (8621)	Program Income - \$1,657 per month	Capital Improvements	USDA	63,079.18
Supervised BVE (0469)	Program Income - \$1,447 per month	Capital Improvements	USDA	57,329.53
Supervised BVE (Chase)	Program Income - \$800 per month	Capital Improvements	USDA	46,176.00
Supervised RD (6072)	Program Income - \$19,225 per month	Capital Improvements	USDA	1,202,529.04
				3,674,521.46
<i>State Programs</i>				
Mental Health Services				
Reserve Operating HG (2387)	Escrow	Capital Improvements	Internal	5,888.72
Reserve Replacement HG (2399)	Program Net Income	Capital Improvements	Internal	8,478.55
Reserve General Teesdale (7409)	Program Net Income	Capital Improvements	Internal	19,666.86
				34,034.13
Migrant Services				
Reserve Care OMS (3094)	PGE Discount	Capital Improvements	OMS	91,431.37
Reserve General OMS (3112)	Prior Unspent Budget	Capital Improvements	OMS	16,724.16
				108,155.53
Neighborhood Stabilization Program 1				
Reserve Operating NSP1 (8669)	Program Net Income	Capital Improvements	City of Yuba City	70,845.88
Reserve Replacement NSP1 (8657)	Program Income - \$1,288 per month	Capital Improvements	City of Yuba City	68,673.54
				139,519.42
Neighborhood Stabilization Program 3				
Reserve Operating NSP3 (2107)	Program Net Income	Capital Improvements	City of Yuba City	5,496.42
Reserve Replacement NSP3 (2119)	Program Income - \$3,370 per month	Capital Improvements	City of Yuba City	116,689.39
				122,185.81
State - Joe Serna				
Grant Rehab Serna 2 (8165)	USDA Rehab Grant	Capital Improvements	Return to State	7,087.63
				7,087.63
<i>Local Programs</i>				
City of Yuba City - Homes2Families				
Reserve Operating H2F (6697)	Program Net Income	Capital Improvements	City of Yuba City	259,569.01
Reserve Replacement H2F (6430)	Program Income - \$1,500 per month	Capital Improvements	City of Yuba City	176,554.38
				436,123.39
TOTAL Restricted				6,264,701.66
	Usage mandated by funding source			

Account	Origination	Uses	Approval	Balance
Security Deposit Accounts (Restricted)				
Security Deposits BVE (0147)	Tenant Income	Payout to Tenant	Internal	9,141.35
Security Deposits CA (8608)	Tenant Income	Payout to Tenant	11087.39	11,087.39
Security Deposits Devonshire (4281)	Tenant Income	Payout to Tenant	Internal	12,313.94
Security Deposits H2F (8937)	Tenant Income	Payout to Tenant	Internal	6,312.78
Security Deposits HG (4931)	Tenant Income	Payout to Tenant	Internal	2,250.06
Security Deposits KC (6443)	Tenant Income	Payout to Tenant	Internal	22,970.87
Security Deposits NSP1 (8645)	Tenant Income	Payout to Tenant	Internal	4,752.97
Security Deposits NSP3 (1814)	Tenant Income	Payout to Tenant	Internal	6,328.97
Security Deposits OMS (5601)	Tenant Income	Payout to Tenant	Internal	100.37
Security Deposits Percy (9073)	Tenant Income	Payout to Tenant	Internal	2,985.11
Security Deposits PH (9085)	Tenant Income	Payout to Tenant	Internal	47,035.92
Security Deposits RD (6030)	Tenant Income	Payout to Tenant	Internal	17,055.90
Security Deposits Teesdale (9303)	Tenant Income	Payout to Tenant	Internal	1,447.98
Total Security Deposits				143,783.61
Miscellaneous Accounts (Unrestricted)				
Checking PH (6047)	Pass-through	Minimum Balance	Internal	100.00
Checking USDA (6011)	Pass-through	Minimum Balance	Internal	100.00
Reserve General BBP (1711)	Program Income	Minimum Balance	Internal	100.00
Reserve General HH (1723)	Program Income	Minimum Balance	Internal	100.25
Reserve General LC (4955)	Program Income	Minimum Balance	Internal	7,537.62
Reserve General LC (8949)	Program Income	Capital Improvements	Internal	1,821.08
Reserve General LC (9133)	Program Income	Minimum Balance	Internal	100.08
Reserve General PCD (8633)	Program Income	Ongoing Agency Projects	Internal	188,663.96
Reserve General Percy (4943)	Program Net Income	Capital Improvements	Internal	41,621.59
Reserve General TT (4505)	Program Net Income	Capital Improvements	Internal	35,549.78
Reserve Solar Farm (4918)	Program Income	Inverter Replacement (2023)	Internal	562.28
Reserve Solar Farm (RVCB)	Program Income	Inverter Replacement (2023)	Internal	39,500.00
Reserve Unfunded Liabilities LC (6375)	Program Income	PEPRA/OPEB	Internal	63,655.15
Total Unrestricted Accounts				379,411.79

**REGIONAL HOUSING AUTHORITY
STAFF REPORT**

Date: March 21, 2018
To: Board of Commissioners
From: Beckie Flores, Planning & Community Development Manager

SUBJECT: Planning & Community Development (PCD) Department Update
RECOMMENDATION: None.
FISCAL IMPACT: Not applicable.

Departmental Updates:

Housing Rehabilitation Program – The PCD Department is currently administering owner-occupied housing rehabilitation programs for the following jurisdictions: City of Colusa, City of Yuba City, City of Williams, Butte County, Sutter County, City of Marysville and Lake County. The following is a summary of housing rehabilitation projects approved since November 1st:

<u>Jurisdiction</u>	<u># Projects Approved</u>
Butte County	4
Yuba City	2
Lake County	1

First Time Homebuyer – The PCD Department is currently administering first time homebuyer programs for the following jurisdictions: City of Yuba City, City of Williams, City of Colusa and Lake County. The following is a summary of first time homebuyer projects approved since November 1st:

<u>Jurisdiction</u>	<u># Projects Approved</u>
Lake County	1

Richland Rural Development (Yuba City) – Notice to Proceed was issued on October 11th. The project includes extensive rehabilitation of the interiors and exteriors of 44 farmworker housing units located at the Richland Housing complex. The first two buildings are almost complete and ready for occupancy. Estimated completion date for all 11 buildings is Fall, 2018.

River City Manor (Yuba City) – On December 6, 2017 the Board of Commissioners approved a bid award to CNW Construction for the siding replacement at the River City Manor community building. The project is complete and final inspections are scheduled.

Kingwood Commons (Yuba City) – On February 21, 2018 the Board of Commissioners approved a bid award to CNW Construction for the roof replacement of Building E at Kingwood Commons. Contracts have been signed and the Notice to Proceed will be issued once the weather clears.

Richland Public Housing Garden Highway Duplexes (Yuba City) – On February 21, 2018 the Board of Commissioners approved a bid award to CNW Construction for the roof replacement and installation of dryer vents in 10 units (5 duplexes) of public housing located along Garden Highway. Contracts have been signed and the Notice to Proceed will be issued once the weather clears.

Richland Permanent Supportive Housing (Yuba City) – Staff is working with co-development partner Pacific West Communities (PWC) to develop a 40-45 unit permanent supportive housing project that would provide housing for homeless and mentally disabled persons. PWC is working on the NEPA environmental review and other predevelopment tasks required prior to applying for tax credits in 2018. Once the No Place Like Home NOFA is released, we will know if the project can apply for Round 2 tax credits.

Stony Creek II (Williams) – Construction is near complete for Stony Creek Phase II, a 32-unit senior housing project in Williams, CA. The contractor is waiting for PG&E to finish connecting power to all buildings (some buildings have already been connected). Leasing of the units has already begun, and we expect the tenants to take occupancy in April, 2018. An open house was held in February for potential applicants and Commissioner Kent Boes was keynote speaker.

Kristen Court Phase II (Live Oak) – Our co-development partner, Pacific West Communities, has been awarded 4% tax credits for Kristen Court Phase II and expects to close on the construction financing this summer. \$4.6 million in HOME Investment Partnerships Program funds have also been awarded. The project will consist of 24 affordable housing units.

Truckee Artist Lofts (Truckee) – Truckee Artist Lofts is a mixed-income, mixed-use development that will provide 90 apartments and 4,000 square feet of retail space. Our co-development partner, CFY Development (CFY) has secured financing for the project including 4% tax credits, bonds and CalHFA funds. The Housing Authority will commit 25 project-based Housing Choice Vouchers to the development. There is still a funding gap, however, with the market for tax credits softening and an increase in construction costs. CFY continues to seek other financing to fill the funding shortfall and hopes to close on the construction financing in June, 2018.

Lone Oak Senior Housing (Penn Valley) – Staff is working with co-development partner Pacific West Communities (PWC) and AMG & Associates to develop senior housing on a parcel located in Penn Valley, CA. AMG has executed a purchase contract with the seller and is conducting

due diligence to analyze the site's potential for tax credit financing and other possible funding sources. AMG is also working on a sub-division of the existing parcel that will take approximately six months to complete the final map. The Housing Authority will look to commit project-based Housing Choice Vouchers to the development.

Cedar Lane Affordable Housing (Linda) – Staff is working with co-development partner Pacific West Communities (PWC) and the County of Yuba to develop affordable housing on a site located on Cedar Lane in Linda, CA. A draft development agreement is in process and the project would potentially be funded with State Affordable Housing and Sustainable Communities (AHSC) funds, and Low-Income Housing Tax Credits. The Housing Authority will look to commit project-based Housing Choice Vouchers to the development. Applications for the next AHSC funding round will be due in January, 2019.

Prepared by:



Beckie Flores
Planning & Community Development Manager

Submitted by:



Gustavo Becerra
Executive Director