

EXHIBIT "A"

CONTRACTOR BIDDING POLICY

I. Bidding Process Generally

- 1.1 **Authority.** The Association may solicit bids for contractor / vendor work to be performed within the Association, either through its Board of Directors or any other duly authorized agent of the Association. No agent or individual member of the Board of Directors may enter into any binding contract on behalf of the Association without first receiving written approval of the Board of Directors.
- 1.2 **Projects.** For repairs and work anticipated to cost more than \$50,000.00, the Association shall obtain at least two (2) bids as provided above.
- 1.3 **High and Low Bids.** The Board of Directors determines which vendor it will choose, not the comparative bid costs. Low bids are not guaranteed to be chosen. High bids are not guaranteed to be rejected. Rather, the Board of Directors will also consider such factors such as the vendor's history, warranties, insurance, equipment, and staffing.
- 1.4 **Emergency Exception.** In the event of an emergency, the bidding requirements may be waived by the Board of Directors. Vendors who have an established relationship with the Association (e.g. a history of scheduled services in excess of one year, more than three contracts in any five year period, warranties still active) may be exempted from this requirement by the Board of Directors.

II. Bidder Requirements

- 2.1 **Bid Package.** All vendors / contractors must submit the following information for their bid to be considered:
- (1) Scope of Work to be performed;
 - (2) An anticipated completion date;
 - (3) An itemized list of materials and labor necessary to complete the project;
 - (4) A copy of current liability insurance coverage (including worker's comp. coverage) and/or bonding;
 - (5) A copy of all applicable and necessary State and Local licenses and permits; and
 - (6) A list of references

III. Conflicts of Interest

- 3.1 The Association may only enter into an enforceable contract with a current Board member of the Association, a person related to a current Board member of the Association within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, a company in which a current Board member of the Association has a financial interest in at least 51 percent of profits, or a company in which a person related to a current Board member of the Association within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, has a financial interest in at least 51 percent of profits, if the following conditions are satisfied:
- (1) The Board member, relative, or company bids on the proposed contract and the Association has received at least two other bids for the contract from persons not associated with the Board member, relative, or company, if reasonably available in the community;
 - (2) The Board member:
 - (A) is not given access to the other bids;
 - (B) does not participate in any board discussion regarding the contract; and
 - (C) does not vote on the award of the contract;
 - (3) The material facts regarding the relationship or interest with respect to the proposed contract are disclosed to or known by the Association and the board, in good faith and with ordinary care, authorizes the contract by an affirmative vote of the majority of the Board members who do not have an interest governed by this subsection; and
 - (4) The Association board certifies that the other requirements of this subsection have been satisfied by a resolution approved by an affirmative vote of the majority of the Board members who do not have an interest governed by this subsection.

RP-2021-700237
Pages 4
12/08/2021 07:23 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$26.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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