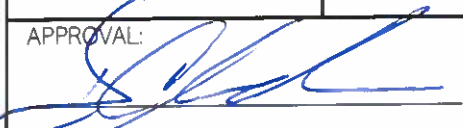
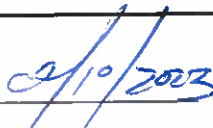


Virgin Islands Housing Finance Authority
Procurement Procedures



VIRGIN ISLANDS
HOUSING FINANCE AUTHORITY

Procurement Procedures

SUBJECT: VIHFA Procurement Procedures	
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APPROVAL:	
Dayna Clendinen, Interim Executive Director	
VIHFA	Date

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Procurement Procedures

This guide serves to highlight the steps that must be taken for the Virgin Islands Housing Finance Authority ("VIHFA") procurement activities as outlined in the Procurement Policy adopted October 8, 2021.

PURPOSE: To establish a standard method for advertising and procuring of goods and services. These procedures will help to assure equal treatment, maximum open and free competition to all perspective bidders.

In order to ensure that these procedures are consistent, Standard Operation Procedures (SOP) for Business Related Expenditures must be applied in all instances of purchasing or obtaining goods or services. The following procedures shall apply:

PURCHASE AND REIMBURSEMENT PROCEDURES

A. Independent Cost Estimate

- i. For all federally funded procurement actions and Independent Cost Estimate shall be prepared to determine procurement method, price/ cost reasonableness and budgetary purposes. Independent Cost Estimates are generally not necessary for micro purchases less than \$2,000.00.

To complete an Independent Cost Estimate, the requesting department shall:

Estimate goods or services to be acquired under a contract or modification for SOW prepared prior to solicitation using one or more of the following methods to acquire pricing range:

- Historical Purchase (attach documentation from previous PO/Contract)
- Published Price (attach catalog price or other advertised offers)
- Comparison of previous bids (attach)
- Engineering or Technical Estimate (attach)
- Independent Third-Party Estimate (attach)
- Pre-Established pricing resulting from competition (attach Contract Modification only)

The methods stated above shall be used to determine the estimated total cost of purchase and identify which procurement method will be used on the Request for Procurement Form. The Requestor ("Staff") refers to any VIHFA employee filling out the Request for Procurement Form.

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B. Petty Cash \$0-\$100:

1. Petty Cash Purchase

- a. A Petty Cash Custodian (Custodian) will be assigned a fund of Two Thousand Dollars \$2,000.00 in each district to be responsible for administering a Petty Cash Fund.
- b. Employees requesting Petty Cash shall fill out a petty cash request form and acquire approval from Executive Director, COO, CFO or CDRO.
- c. Once the Custodian receives the approved petty cash request form, they shall distribute the approved amount to the employee whose name is on the form.
- d. Employee shall return signed petty cash form with receipt and any unspent funds to custodian within 72 hours of disbursement.

2. Petty Cash Reconciliation and Replenishment

- a. The account is reconciled periodically, by the Custodian or the Alternate Custodian and replenished by submission of a check request and supporting documentation to the Chief Financial Officer (CFO).
- b. The account is audited semi-annually by the Accounting Division or designee to validate proper use and to verify that the account total equals cash on hand plus the total accumulated check requests.

3. Petty Cash Employee Reimbursements Procedures

- a. A Petty cash reimbursement form must be filled out by employees.
- b. Employees must present receipt(s) and fully completed petty cash reimbursement form to either the Executive Director (ED), Chief Operating Officer (COO) or CFO based on their availability. The receipt(s) must include:
 - ✓ place of purchase
 - ✓ date of purchase
 - ✓ description of the item(s)
 - ✓ itemized amounts
- c. ED, COO, or CFO will review receipts and sign petty cash reimbursement form indicating approval or denial of reimbursement on the form.
- d. Employees will then submit the original itemized sales receipt and signed petty cash reimbursement form to the Custodian for reimbursement.
- e. The Custodian will dispense funds after verifying receipts and signed petty cash reimbursement form.

4. Petty Cash Meal Expense Reimbursement Policy

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These expenses include the cost of meals purchased for breakfast, lunch and/or dinner, including gratuities paid, but excluding the cost of alcoholic beverages. Subsistence expenses can be reimbursed up to the maximum petty cash reimbursement allotment of \$75. Fees and tips to waiters and waitresses, dining room steward or stewardess reimbursements shall not exceed 18%. Please refer to the VIHFA Travel Policy for additional information.

5. Petty Cash Numbering System and Annual Reporting

The Petty Cash custodians will implement an annual numbering system for each petty cash slip to show proper recording for each Fiscal Year. The numbering format shall be recorded as 1/2020-STT or 1/2020-STX.

(1) Represents the voucher number

(2020) Represents the Fiscal Year

(STT or STX) Represents the Island the Petty Cash was disbursed on.

C. Credit Card Purchases \$101-\$5,000

Credit Card purchases are for any amount greater than the Petty Cash threshold of One Hundred Dollars (\$100.00) and up to Five Thousand Dollars (\$5,000.00). Approvals for Division Directors shall be up to three thousand dollars \$3,000.00, and anything above requires approval from the Executive Director.

The VIHFA shall not break down requirements aggregating more than the Micro Purchase threshold into several projects that are less than the applicable threshold merely to: 1) permit use of the micro purchase procedure or 2) avoid any requirements that applies to purchases that exceed the Micro Purchase threshold.

1. Follow steps one through six for Micro Purchases Procedures
*Minimum of (2) two quotes required for "Credit Card Purchases"

D. Micro Purchases \$101-\$10,000

Micro purchases are for any amount greater than the Petty Cash threshold of One Hundred Dollars (\$100.00) and up to Ten Thousand Dollars (\$10,000.00) Approval authority for Division Directors shall be up to two thousand dollars \$2,000.00, fifty thousand \$50,000 for COO, CFO, CDRO and unlimited approval for Executive Director.

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1. Once an ICE is completed, a "Request for Procurement" form is filled out and forwarded with all supporting documents to include required number of quotes needed.
2. Staff shall obtain 2 quotes, whether written or via e-procurement (submittal of request and bids through electronic means, i.e., websites, email) from qualified vendors on company's letter head. Staff sends an "Electronic Bid" request to the identified vendors for the quotes and makes selection based on the lowest responsible bidder on the "Quotation Evaluation Form". If only one quote is obtained after two attempts to obtain quotes staff must prepare a memo justifying the decision for approval by the Executive Director or their designee. For federally funded purchases, if the contract is for construction of a public building or public works and exceeds Two Thousand Dollars (\$2,000.00), a current Davis Bacon Act Wage Determination for the USVI must be pulled from <https://beta.sam.gov/> and attached to the requisition form.
3. The "Quotation Evaluation Form", and other relevant documentation for compliance with approval requirements, accuracy and completeness will be forwarded to the Division Director to review and approve or deny request.
4. If the Quotation Evaluation Form and supporting documents are approved, staff submits to procurement department via procurementrequest@vihfa.gov to create purchase order in SAP
5. Purchase orders will be created by Procurement Department in SAP and forwarded to ED, COO, CFO or CDRO for approval along with supporting documents for review. Purchase Orders would then be forwarded to department to acquire goods or services from vendor. Once the order is complete, the requesting department will acknowledge all items received or services were completed and signed purchase order as the receiving officer and enter corresponding invoice number and date on purchase order.
6. Check request will be created by requesting department and forwarded for approval with signed purchase order and all supporting documents attached.

E. Small Purchases \$10,001-\$250,000

Small Purchases are for any amount greater than \$10,000.00 and equal to or less than \$250,000.00, to include credit card purchases: Approvals for Division Directors shall be up to two thousand dollars \$2,000.00, fifty thousand \$50,000 for COO, CFO, CDRO and unlimited approval for Executive Director.

2. Follow steps one through six for Micro Purchases Procedures
*Minimum of (3) three quotes required for "Small Purchase Orders."
3. Staff must obtain 3 quotes on company's letter head, whether written or via e-procurement (submittal of request and bids through electronic means, i.e., websites, email) from qualified vendors. Staff send the "Electronic Bid" form to the identified vendors for the quotes and makes selection based on the lowest responsible bidder

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on the "Quotation Evaluation Form". If less than three quotes are obtained after 3 attempts to obtain multiple quotes staff must prepare a memo justifying the decision for approval by the Executive Director or their designee. For federally funded purchases, if the contract is for construction of a public building or public works and exceeds Two Thousand Dollars (\$2,000.00), a current Davis Bacon Act Wage Determination for the USVI must be pulled from <https://beta.sam.gov/> and attached to the requisition form.

F. Blanket Purchase Orders \$10,001-\$250,000

Blanket Purchases are for any amount greater than \$10,000.00 and equal to or less than \$250,000.00: Approvals for Division Directors shall be up to two thousand dollars \$2,000.00, fifty thousand \$50,000 for COO, CFO, CDRO and unlimited approval for Executive Director.

Follow steps one through six for Micro Purchases Procedures
Minimum of (3) three quotes on company's letter head required for "Blanket Purchase Orders."

VIHFA will establish charge accounts with qualified vendors for repetitive small purchases. This process eliminates the administrative costs for issuing individuals purchase orders for these items. VIHFA's policy is that vendors must have an applicable and current business license before a blanket purchase order will be issued.

Blanket Purchase Orders are effective for one fiscal year. The fiscal year begins on October 1st and ends on September 30th. If feasible, blanket purchase orders will designate specific items and prices.

The blanket purchase order user's department is responsible for furnishing the following information on the Request for Procurement Form for the blanket purchase orders to the Procurement Department via procurementrequest@vihfa.gov:

1. A prioritized listing of vendors.
2. The names of at least (2) persons authorized to sign the Requisition & Purchase Order Form blanket purchase orders. The approving parties are:
 - a. Division Director up to Two Thousand Dollars \$2,000.00
 - b. Chief Financial Officer, Chief Operating Officer or the Chief Disaster Recovery Officer up to Fifty Thousand Dollars \$50,000.00
 - c. Executive Director unlimited approval
3. Reason for the blanket purchase order.
4. A maximum annual figure for the blanket purchase order shall not exceed Two Hundred-Fifty Thousand Dollars \$250,000.00.

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5. A maximum release figure per each blanket purchase order. The release figure may vary for each vendor; however, the release figure should not exceed Two hundred-fifty Dollars (\$250.00) without a written justification.

When a department wishes to make a purchase using the blanket purchase order, staff should follow process for Small Purchases.

G. Informal Procurement Procedures \$101-\$250,000:

Service Agreements for any amount greater than \$100 and equal to or less than \$250,000.00

Approvals for Division Directors shall be up to two thousand dollars \$2,000.00, up to fifty thousand \$50,000 for COO, CFO, CDRO and unlimited approval for Executive Director.

Follow steps one through six for Micro and Small Purchases Procedures for reference of how many quotes are needed based on amount.

Supporting documentation must be attached, including approved Request for Procurement Form, approved Quotation Evaluation Form, required quotes, and/ or justification letter if needed, contractor's business license and liability insurance naming VIHFA as an additional insured.

The Procurement Department will review all documents and forward to Legal Department to prepare Service Agreement for request and resend to Procurement to execute and forward to requesting department.

Service Agreement will then be forwarded to requesting department to acquire requested services.

H. Formal Procurement Procedures

All procurement actions over \$250,000.00 (Formal Procurement) shall be conducted using formal contracting methods, by sealed bids, competitive proposals or non-competitive proposals where appropriate. To ensure an open and fair process, all formal procurements will be publicly advertised and/or posted on e-procurement sites. When formal procurement is used to acquire goods or services, the following procedures shall be followed:

Requesting Department shall:

1. Develop a detailed Scope of Work to include project overview and objectives, expected deliverables, end products and milestones to be provided by the performing party and type of business license needed.
2. For federally funded purchases, an Independent Cost Estimate (ICE) shall be conducted for budgetary purposes and to help determine procurement method.

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3. Submit to Procurement Department via procurementrequest@vihfa.gov with tentative Bid Schedule for the following:
 - Release Date
 - Pre-bid meeting date and/or site visit walk-through (note if mandatory)
 - Question deadline
 - Response date
 - Submittal deadline
4. Procurement/Contract Officer shall:
 - Submit the draft solicitation package to the requestor for concurrence.
 - If Concurred by the requestor, contracting officer will forward to the Division Director for approval, then to Legal Department to review for sufficiency.
 - If rejected, the Procurement/Contract Officer works with staff to revise and develop a final draft that is resubmitted for approval.
 - If concurred, the Procurement/Contract Officer submits it to the ED for final review before publication and Formal Procurement Approval Page with signatures from Division Director, Legal Counsel and final will be from Executive Director
 - Solicitation will be published with bid schedule dates submitted unless requested to change before advertisement is posted.
5. Executive Team will assist Procurement/ Contracting Officer in selecting evaluating committee members.
6. Once proposals are received, Procurement/ Contracting Officer will notify committee members and forward Conflict of Interest and Confidentiality Form for signatures.
7. Proposals will be evaluated, and cost/price analysis will be prepared to determine price reasonableness. (Not needed for RFQ)
8. The Procurement Contracting Officer will assign or serve as Evaluating Committee Chairperson. The Committee Chairperson will prepare Evaluation Summary based on the committee's recommendation and acquire signatures from all members.
9. Summary will be forwarded to Legal Department to review for sufficiency and signature and returned to Procurement Department.
 - a. For RFQ method, once summary is returned, the Procurement Contracting Officer will forward to Executive Director for signature. Once approved, contractors will then be added to Pre-Qualified Pool (PQP).
 - b. For Seal Bids (IFB), Competitive Proposals (RFP or A& E Services), or Non-Competitive Services, the summary will then be forwarded to the Executive Director and sent back to Procurement Department to include with board package if needed depending on cost.

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10. Request for Board Approval package sent to Executive Director by Procurement Contracting Officer.
 - a. Request for Board Approval (prepared by requestor)
 - b. Drafted Contract (prepared by Legal)
 - c. Selected vendor corporate documents and proposal (compiled by Procurement)
11. Once Board of Directors approve, Award and Non-award letters will be sent out to bidders by Procurement Contracting Officer.
12. Contracts will be prepared by Legal Department and forwarded to Contracting Officer to acquire signatures from awarded contractor and Executive Director.
13. A copy of the signed contracts will be forwarded to requesting departments after execution.
14. Project Managers will prepare Notice to Proceed and forward a copy to Contracting officer for files.

TYPES OF BIDS AND PROPOSAL

A. Invitation for Sealed Bids (IFB)

Sealed bidding shall be used for all contracts that exceed the simplified acquisition threshold and that are not competitive proposals (non-competitive proposals). A price analysis shall be used for this type of procurement to determine cost reasonableness.

The VIHFA shall use an IFB when the following conditions are present:

- ✓ A complete, adequate and realistic statement of work, specification or purchase description is available.
- ✓ Two or more perspective responsible bidders have been identified and are willing and able to compete effectively for the work.
- ✓ The contract can be awarded based on a firm fixed price.
- ✓ The selection of the successful bidder can be made principally on the lowest price from a responsible and responsive bidder.

Solicitation and Receipt of Bids - An IFB, which includes the specification(s) and all contractual terms and conditions applicable to the procurement, and a statement that award will be made to the lowest responsible and responsive bidder whose bid meets the requirements of the solicitation, will be issued.

Bid Opening and Award - Bid openings will be advertised and opened to the public.

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B. Competitive Proposal - Request for Proposal (RFP)

Unlike an IFB, the RFP award is normally made on the basis of the proposal that represents the best overall value to the VIHFA, considering price and other factors, to include technical expertise, past experience, quality of proposed staffing, and other evaluation criteria set forth in the solicitation and not solely the lowest price. Competitive proposals shall be solicited through the issuance of an RFP.

This method permits consideration of technical factors other than price; discussion with Contractors concerning offers submitted; negotiation of contract price or estimated cost with a fixed cap and other contract terms and conditions and revision of proposals before the final contractor selection. The RFP includes the evaluation criteria, along with their relative importance, that will be used in the selection process. A cost analysis shall be used for this type of procurement to determine cost reasonableness.

C. Competitive Proposal - Architectural & Engineering (A/E) Services

The VIHFA must contract for A/E services using Qualification-Based Selection (QBS) procedures, utilizing a Request for Qualification (RFQ). Sealed bidding shall not be used for A/E solicitations. Under QBS procedures, competitor's 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.

D. Non-Competitive Proposals

Non-Competitive proposals shall be approved by the Executive Director prior to any commitment for goods or services. NCPs shall only be used when the following apply:

- History of similar purchases and difficulty in acquiring required amount of proposals.
- Statement to the unique circumstances or the inability to obtain required amount of proposals.
- Description of efforts made to find competitive sources (issuance of written solicitation, emails, or publications).

However, if single source is the result of the solicitation attempts, the Executive Director may approve based on a submitted justification.

A sole source manufacturer's letter is required for approval when an item is only available from one source.

E. Pre-Qualified Pool

VIHFA staff will follow steps one through nine (a) of Section H (Formal Procurement of these procedures to establish a Pre-Qualified Pool (PQP) of contractors/ vendors utilizing the RFQ process.

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(i) Mini-Bid

To facilitate a mini bid:

The following shall be submitted to Procurement Department before a CDBG-DR solicitation is prepared.

- Case Status Report with signatures from Case Management Reviewing Manager and CDBG-DR Program Director
- Final ECR with approval signatures from Construction Management Firm and P&C Director
- Environmental report with signatures from Environmental Manager and CDRO
- Bid Sheets from Construction Management Firm or requesting department
- Drawings from Architect if needed
- Walk-through schedule

Pre-solicitation documents will provide a general description of the project to include project requirements and deliverables (scope of work, timeframe, evaluation criteria, method of evaluation). The Procurement /Contracting Officer shall prepare solicitation package to include but not limited to:

- Bid Sheets
- Drawings if needed
- Green Building Retrofit Checklist
- Specified Construction Standards depending on funding source of project(s).
- Inquiry Request Form
- Pre-bid Conference / Site Visit Schedule
- Bid Sheet Summary
- Capacity Assessment Form
- Conflict of Interest Form
- Non-Collusive Affidavit
- Mini Bid Request Package

- Bid Sheets- will be prepared by Requesting Department or a hired Management Firm. Department Director and Firm will approve document for completeness of work to be performed.

- A&E Drawings- If needed, shall accompany all bid sheets with approval signatures from hired Management Firm and Division Director.

- Inquiry Request Form- Shall be used by all interested respondents to submit inquiries regarding the scope of work or clarity on the solicitation.

- Pre-Bid Conference / Site Visit Schedule – Will be completed by requesting department or hired Management Firm. Contractors/Vendors in the Pre-Qualified Pool will meet members of department and Firm at each site visit. While at site visits no contractor shall be given any

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scope modification forms to amend the approved bid sheet. Any inquiries regarding change to original bid sheet or clarity on project shall be submitted by deadline on the Inquiry Request form to the Authority's Contracting Officer noted in the Request Package.

- Bid Sheet Summary – will be prepared by requesting department to include a summary listing of all projects to be completed. This will allow contractors or vendors who has the capacity to bid on all projects show an overall cost.
- Procurement Contracting Officer will email the mini-bid package to all contractors in the Pre-Qualified Pool (PQP) listing to ensure the process is fair and open.
- Mini bids should be open for a period of at least fifteen days; or otherwise determined by Executive Director. Schedule of events will be noted in package and shall be followed unless otherwise authorized to change by Executive Director.

Solicitation Schedule shall include the following dates:

- Mini Bid Release Date
 - Mini Bid Question Deadline
 - Mini Bid Response Deadline
 - Mini Bid Submission Deadline
-
- Evaluation panel will recommend an awardee based on qualifications utilizing the RFP process which criteria should include (a) lowest responsive bidder; and (b) performance capacity to complete the job within the allotted timeframe

BID SOLICITATION

Once a Formal Procurement has been approved by the ED, bids can be solicited to procure goods or services. The following procedures shall apply:

A. Prepare Bid Package

The Procurement/Contract Officer will prepare the bid package which includes:

1. Cover sheet (closing and opening date).
2. Statement of work specifications or materials to be purchased.
 - a. For construction bids it is important that the Environmental Review be completed prior to the procurement as the design of the project may be dependent on factors identified in the environmental assessment.
3. Minimum requirements to include type of business license needed to be awarded
4. Evaluation criteria.
5. Work quality standards.

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6. Proposal format.
7. Sample contract including any requirements that the offers must meet whether territorial or federal.
8. Solicitation Schedule
9. Right of the agency to accept or reject all bids.
10. Period of contract.
11. Type of bonds to be considered.

B. Cost/ Price Analysis

A cost/price analysis shall be conducted for all procurements when using federal funds. This cost/price analysis must be done prior to making an award. VIHFA will support project awards by documenting the cost/ price for goods or services is reasonable. The Independent Cost Estimate (ICE) developed prior to issuing the solicitations should always be used as a reference.

The Contracting Officer or his designee will identify staff or others (Expert) with the expertise necessary to conduct a specific analysis.

1. The Authority will:
 - a. For construction projects review the designs and specifications of the scope of work.
 - b. Prepare an analysis using ICE developed prior to issuing the solicitation and compare with bids received to determine cost reasonableness.
 - c. Document the analysis in the procurement file,
 - d. Include final analysis in Evaluation Summary.

To complete a cost or price analysis the requesting department or identified experts shall:

Perform a comparison of cost received to the estimated amount on the ICE to determine reasonableness where competition is not easily established. However, where a sufficient number of bids are not received, VIHFA must conduct an analysis to ensure prices submitted are reasonable.

Price Analysis is a simple comparison of prices when competition is adequate. It is typically used for micro or small purchases, sealed bids and simple competitive proposals when only the price paid is the determining factor and fair competition is present.

Cost Analysis is required when price is not the determining factor for the award, or there is no competition in the marketplace, or there is inadequate competition or alternative means cannot be

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used.

C. Advertise

Procurement/Contract Officer shall:

1. Establish the solicitation timeframe with the assistance of the Requesting Department which includes:
 - a. Date and time period for advertisement.
 - b. Date, time period and location for the pre-bid conference.
 - c. Date for submission of questions.
 - d. Date for responses to questions.
 - e. Closing date for receipt of bids/proposals.
 - f. Opening date of bids/proposals.
2. Procurement Contracting Officer prepares the solicitation for publication and on-line e-procurement services if applicable and acquire the cost of advertisement from sources.
3. Send edited/approved copy back to newspaper and file a copy in the procurement file.
4. Receive invoice from newspaper and create purchase order for payment.
5. Create a check request for the invoice and attach to initiate for payment processing.
6. Secure actual advertisement once the ad has posted in the newspaper(s) or on-line services.
7. Retain copy of advertisement in project folder or similar filing system.
8. Designated staff will make reasonable efforts to engage Minority and Women-Owned Businesses (MWBE)

D. Pre-bid Conference or Question & Answer (Q&A) (As applicable)

Procurement/Contract Officer with the assistance of the project manager shall:

1. Facilitate a pre-bid conference.
 - a. Set up the physical location with tables, chairs and AV equipment to be used.
 - b. Or establish a conference call in number and have conferencing equipment available at the site.
 - c. Create online meeting and record procurement files.
2. Provide sign-in sheet for bidder's conference and ensure all individuals sign. Or print attendance of online meeting.

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3. Explain technical and bid information at the bidder's conference.
4. State the deadline for request for information or clarification.
5. Log request for information or clarification at the Pre-Bid Conference.
6. Record minutes of Pre-Bid Conference.
7. Receive written request for information or clarification after the Pre-Bid Conference.
8. Provide an addendum to all registered bidders which lists any request or questions posed by a bidder and the answer/response given.
9. Conduct site visit/inspection as required.
10. Retain the sign-in sheet and questions raised during the meeting for inclusion in the procurement file.

E. Receipt of Bids /Proposals

The Procurement Contracting Officer may receive electronic bids from contractors and will keep secured until time of bid opening the following procedures should be conducted by staff upon receipt of bids and/or proposals:

Receptionist/Administrative Assistant shall:

1. Prepare a bid sign-in sheet.
2. Receive bid from contractor or from mail delivery.
3. Verify that bid is sealed.
4. Stamp sealed bids with date and time received.
5. Log all sealed bids/proposals into the bid/proposal sign in sheet.
6. Secure all bid packages until closing time of bid.
7. Upon closing time of bid, transmit all bid packages to the Procurement Department.

Procurement/Contract Officer will ensure that:

1. Bids/proposals will be maintained in a secured location until time of opening.
2. Contractors of bids received/submitted after closing date, will be notified via email with a letter of explanation as to the reason it was rejected.

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EVALUATION AND SELECTION PROCEDURES FOR AWARDING BIDS/PROPOSALS AND CONTRACTS

A. Criteria and Requirements

The Authority shall:

1. Establish minimum requirements.
 - a. The VIHFA shall make awards only to responsible contractors possessing the ability to perform successfully under the terms and conditions of proper procurement.
 - b. Minimum requirements cannot be unreasonable or excessive.
 - c. All procurement actions over \$250,000.00 shall be conducted using formal procurement methods, by sealed bids, competitive proposals or non-competitive proposals where appropriate. Sealed bidding shall be used for all contracts that exceed the small purchase threshold and that are not competitive proposals (non-competitive proposals) as these terms are defined in this Policy. Sealed bidding is the preferred method for procuring construction, supply, and non-complex service contracts that are expected to exceed \$250,000.00.
2. Establish evaluation criteria, if applicable to add to solicitation.
3. Prepare evaluation score card.

B. Establish an Evaluation Committee Panel

Procurement/Contract Officer shall:

1. Suggest an Evaluation Committee Panel and forward to the Executive Director for approval.
2. Develop scoring sheets based on the evaluation criteria identified in the solicitation with the assistance of the requesting department or identified staff with the necessary expertise.
3. Conduct bid opening (public or private). Ensure that for public bid opening, the bid amounts are announced and recorded during the opening.
4. Once proposals are received, notify committee members and forward Conflict of Interest and Confidentiality Agreement form for signatures with an expected returned date. Committee members will not be granted access to bid documents unless form is received by Procurement Department. The Contracting Officer will assign or serve as the Committee Chairperson on each evaluation committee.

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5. Coordinate meeting for committee to:
 - a. Independently Evaluate bids/proposals for compliance with all requirements, and for federally funded procurement, check all bid respondents against System for Award Management (SAM) at <https://www.sam.gov/SAM/> for suspension or debarment prior to the evaluation committee meeting. Print off the page for the check of each contractor and file them in the procurement file.
 - b. Collaboratively Conduct a Cost or Price analysis for all federally funded procurement actions above the Simplified Acquisition Threshold to determine Cost Reasonableness.
6. Assist committee with preparation of Evaluation Summary with signatures from all committee members of points/costs for all the responsive bidders.
7. Forward all correspondences to respondents if needed. No committee member shall make direct contact with respondents. Summary will be forwarded to Legal Department to review for sufficiency and signature then returned to Procurement with drafted contract to be forwarded to Executive Director for signature.
8. Obtain Board Approval, if necessary, per VIHFA By-laws by submitting the following to the Executive Director:
 - a. Request for Board Action
 - b. Drafted Contract
 - c. Selected Vendor corporate documents, proposal and copy of solicitation.

C. Selection of Winning Bid

Procurement/Contract Officer shall:

1. Send notice signed by ED to the contractor of the winning bid and secure the following information:
 - a. Certification of insurance, if applicable adding the Authority as an additional insured.
 - b. IRS W-9 Form and Vendor set up form for new vendors.
2. Submit bid documents, evaluation and contract requirements along with approval to Legal Counsel for contract draft request.
3. Secure contractor's signature on contract.
4. Contract forwarded to ED for execution with applicable supporting documentation.
5. Provide written notification to unsuccessful bidders.

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6. If only one response is received, VIHFA may re-solicit for the goods and/or services if the estimated cost exceeds the competitive threshold of \$3,000,000.00.
7. If responses received do not meet the minimum requirements per the solicitation, the evaluation committee shall determine next steps including whether to cancel and/or re-solicit. This shall be documented in the evaluation memo.

APPEALS AND REMEDIES

A. Bid Protest

A bidder may appeal in writing, before the due date for the receipt of bids or proposals or within five (5) business days of the notification of the contract award. The Procurement Contracting Officer:

- A. Inform the Division Director of the issue who shall notify Procurement on his/her suggestion within three (3) business days.
- B. Procurement will forward to Executive Director for final decision.
- C. At the decision of the Executive Director, suspend the procurement pending resolution of the protest if the facts presented has merit.
 1. The bid protest has no merit, and the contractor is notified in writing of this decision.
 2. The bid protest has merit, and the procurement is suspended. If suspended the Procurement Contracting Officer notifies all bidders of the suspension.

If a procurement is suspended the Procurement/Contract Officer works with the ED and Division Director to determine next steps.

B. Contractor Claims

A contractor shall submit any claim in writing to the Project Coordinator.

The Project Coordinator shall:

- A. Inform the Division Director of the claim who shall notify Procurement and Legal on his/her suggestion within three (3) business days.
- B. Legal Department will forward suggestion from Division Director to Executive Director for final decision.
- C. At the decision of the Executive Director, Legal will inform Procurement and the Division Director of the next steps.

BONDING REQUIREMENTS

The standards under this section apply to construction contracts that exceed \$500,000.00. (Section 8 of the Procurement Policy.) Only bonds obtained from guarantee or surety companies authorized

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to do business in the Territory where work is performed will be accepted. Individual sureties shall not be considered. U. S. Treasury Circular Number 570 list companies approved to act as sureties on bonds securing Government contracts.

BOARD APPROVAL OF PROCUREMENT ACTIONS

Approval from the Board of Directors is required to negotiate and execute contracts in excess of Two Hundred-Fifty Thousand (\$250,000.00) Dollars and contract modifications that are 25% of the total contract (Section 15 of the Procurement Policy).

SUBRECIPIENT PROCUREMENT REVIEW

The Subrecipient shall submit to VIHFA a complete package for each procurement. Each procurement package must contain all items on the procurement checklist under the pre-procurement section that are relevant to that procurement, see Exhibit A.

The subrecipient shall make available for VIHFA review, all procurements prior to issuance.

The subrecipient shall submit to VIHFA, all the required documentation on the procurement checklist under the pre-award section for review prior to issuing an award, see Exhibit A.

The subrecipient will submit to VIHFA for approval any change order that deviates from the original contract.

As Project Agreements are executed the VIHFA will conduct the procurement training with the Subrecipients who utilize the VIHFA Procurement Policy. Any existing Subrecipient utilizing VIHFA's Procurement Policy with an executed Project Agreements will be trained on this policy.

Training to Subrecipients

VIHFA's staff will provide training to each subrecipient on how to perform Independent Cost Estimates, Cost and or Price Analysis.

Assistance Related to Procurement Matters:

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