




Procurement
Procurement Manual
POLICIES

This Virgin Islands Housing Finance Authority (VIHFA) manual provides guidance for VIHFA’s programs. Printed versions are considered uncontrolled. For controlled documents, please visit www.vihfa.gov for the latest version.

Policy Number:	PR0-GP-001
Effective Date:	Circa 2018
Version Number:	11.0
Revision Date:	Sep 22, 2025
Approved by:	 _____ Eugene Jones, Jr. Executive Director VIHFA
	_____ 10/6/2025 Date

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Version Control Table

MOC Number	Version Number	Date Revised	Description
-	1.0	Circa 2018 <small>Estimated based on earliest known reference</small>	VIHFA's Procurement Policy and Procedures
-	2.0	29Nov18	<ul style="list-style-type: none"> - Added Section Entitled Liquidated Damages on page 15. - Section 5.1 updated to reflect contracts funded by federal funds will include the applicable federal requirements and contract provisions required by HUD.
-	3.0	5May19	<ul style="list-style-type: none"> - Section 4 – Paragraph 3 requiring public notice before solicitation is issued was deleted. - Section 5: <ul style="list-style-type: none"> o Updated to establish criteria to determine the procurement policy a CDBG-DR sub-recipient shall utilize. o Updated to clearly adopt a \$5,000 small purchase threshold that requires the solicitation of three written quotes. o Updated to permit the solicitation of Architectural and Engineering Services under CDBG-DR through a Request for Proposal. o Updated to implement a blanket purchase order solicitation for office supplies/cleaning supplies and miscellaneous computer supplies up to a maximum of \$15,000 in any given year. o Updated to establish a mini-bid process to be utilized within the CDBG-DR program. - Section 8 – Updated to permit the pledging of assets adequate to protect the federal interest as part of the performance bond.
-	4.0	16Feb20	<ul style="list-style-type: none"> - Section 5: <ul style="list-style-type: none"> o Micro Purchases threshold from \$100.00 to \$15,000.

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MOC Number	Version Number	Date Revised	Description
			<ul style="list-style-type: none"> ○ Set Small Purchases threshold from \$15,000.00 to \$50,000. ○ Set Blank Purchase Order threshold to \$50,000.00. ○ Pre-Qualified Pool updated to permit unit pricing negotiations.
-	5.0	3Mar20	<ul style="list-style-type: none"> - Section 1 – Updated to reflect Board Resolution No. 013-2019_ that granted the Executive Director authorization to update the - Procurement Policy as needed to comply with federal procurement procedures required for the implementation and administration of the CDBG-DR Program.
-	6.0	28Apr20	<ul style="list-style-type: none"> - Section 5: <ul style="list-style-type: none"> ○ Reduced Micro Purchase maximum threshold from \$15,000.00 to \$3,000.00. ○ VIHFA Purchasing Methods – Paragraph 2 (iii) moved to this subheading from under Small Purchases subheading.
-	7.0	21Jun21	<ul style="list-style-type: none"> - Section 2 – Conflict of Interest Disciplinary disclosure for violation of Conflict of Interest. <ul style="list-style-type: none"> ○ Added clause to eliminate unfair competitive advantage. - Section 4 – hanged heading to Procurement & Contracting Manager Duties and Delegation of Contracting Authority: <ul style="list-style-type: none"> ○ Initiation of Procurement Action: added ICE to forms needed. ○ Unauthorized Obligations: changed Executive Director to Procurement & Contracting Manager - Section 5 – Federal Procurement: <ul style="list-style-type: none"> ○ Added clause for VIHFA to use its own procurement procedures. Added clause that for federally funded programs the most restrictive

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MOC Number	Version Number	Date Revised	Description
			<p>provision must prevail if conflict of policies.</p> <ul style="list-style-type: none"> - Section 5 – VIHFA Purchasing Methods <ul style="list-style-type: none"> o Added Credit Card Purchases, Blanket Purchases, Informal Procurement, Cooperative Purchasing/Intergovernmental Agreements o Petty Cash changed Contracting Officer to Petty Cash Custodian. o Blanket Purchases decreased amount from \$5,000 to \$250 per release. - Section 5 – Changed Procurement Actions to Formal Procurement. <ul style="list-style-type: none"> o Mistake on Bids changed signatory from Contracting Officer to Executive Director. o Evaluation added Conflict of Interest to Confidentiality Statement. o Added clause that Procurement & Contracting Officer may serve as committee chairperson. o Negotiation - Added clause that negotiations can only be initiated by Executive Director. o Award - Added clause that VIHFA reserves the right to enter a contract based on initial offers without further discussion of bids submitted. o Non-Competitive Proposal changed used to awarded. o Deleted - based on a good faith review, added clause emergency will not be permitted clause and deleted definition of what defines an emergency. o Justification changed approval of form from Contracting Officer to Executive Director. o Alternate Procurement Methods moved Cooperative Purchasing.

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MOC Number	Version Number	Date Revised	Description
			<ul style="list-style-type: none"> ○ Intergovernmental Agreements and Blanket Purchase Orders to VIHFA Purchasing Methods, - Section 6 – Changed Cost and Price Analysis to Independent Cost Estimate (ICE) & Cost/Price Analysis. <ul style="list-style-type: none"> ○ Credit (or Purchasing) Cards moved to VIHFA Purchasing Methods. - Section 8 – Bonding Requirements – changed amount from \$100,000.00 to \$500,000.00. - Section 11: <ul style="list-style-type: none"> ○ Contract Administration added clause that all required documents are submitted and current. ○ Changed the Executive Director to Procurement & Contracting Manager or Procurement Contracting Officer. - Section 13: <ul style="list-style-type: none"> ○ Formal Appeals Procedure added that bid protest shall be submitted in writing to Procurement & Contracting Officer who may at the decision of the Executive Director suspend... ○ Contract Claims changed decision on Contractor Claim from Contracting Officer to Executive Director. ○ Added Right to Reject Bid Packages ○ Added Right to Select Second Lowest Bidder - Section 16: <ul style="list-style-type: none"> ○ Documentation changed signatory from Contracting Officer to Executive Director. ○ Added clause on process to request procurement files. - Section 18 – Fixed Asset Disposal or Transfer - Section 19 – Subrecipients - Section 20 – Travel

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-	8.0	31Jan22	<ul style="list-style-type: none"> - Section 1 – Public Access to Procurement Information – added clause on solicitations becoming property of VIHFA and when they will become public - Section 5 – Negotiations – changed any to all negotiations are not needed with all of the offerors. - Section 7 – Method of Solicitation – added amendments to solicitations will be posted on VIHFA websites. - Section 8 – Bonding Requirements – changed to may be required - Section 20 – Omission, Errors and Lack of Process
-	9.0	10Feb23	<ul style="list-style-type: none"> - Section 1 – Public Access to Procurement Information – All material submitted becomes property of VIHFA, Procurement files remain confidential until a selection has been made, proprietary information subject to public disclosure. - Section 2 – Removed Prohibition Against Contingent Fees - Section 5 – Purchasing Methods – VIHFA may conduct its public procurements through the internet using e-procurement process, however, all e-procurements must otherwise be in compliance with local regulations and VIHFA’s policy. - Negotiations – Negotiations shall be conducted with offerors who submit a proposal determined to have a reasonable chance of being selected for an award, unless it is determined that negotiations are not needed. - Section 6 – Cost Price Analysis – When using outside parties, avoid conflict of interest, and ensure the outside party does not obtain a competitive advantage from assisting with the SOW or advance knowledge of the cost estimate.

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MOC Number	Version Number	Date Revised	Description
			<ul style="list-style-type: none"> - Section 7 – Solicitation and Advertising – Any amendments to formal solicitations will be posted on VIHFA websites. - Section 15 – Board Approval or Disapproval 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). The Board of Directors’ approval is not required unless a modification brings a consecutive series of modifications in the aggregate to an excess of Two Hundred-Fifty Thousand Dollars (\$250,000.00) or 25% of the total contract.
-	10.0	10Jan25	<ul style="list-style-type: none"> - Section 1 – Public Access to Procurement Information – Procurement files remain confidential until a selection has been made and approved. Added Authority, Documentation, Planning - Section 5 – Purchasing Methods – Approval Thresholds, Selection made by references for identical bids, Competitive Proposals – Conditions of Use if adequate SOW is not provided, Disciplinary actions for disclosing evaluation information, Best and Final Offers. - Section 6 – Solicitation and Advertising – Obtain permission to solicit with request for procurement form, use of procurement portal. Cancellation due to inactivity - Section 8 – Appeals and Remedies – Right to Reject Bid Package: state submissions contain proprietary information. - Section 20 – Travel deleted (refer to travel policy) - Section 20 – Omission, Errors and Lack of Process – VIHFA
010724-001	11.0	22Sep25	<ul style="list-style-type: none"> - Removed all references to procurement procedure.

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MOC Number	Version Number	Date Revised	Description
			<ul style="list-style-type: none"> - Corrected version numbering (1.0 to 10.0) - Section 1 – Added a definition for Emergency and Declared Emergency - Deleted Initiation of Procurement Action - Updated Section 4 Independent Cost Estimate (ICE) & Cost or Price Analysis policy - Section 5 – Purchasing Methods <ul style="list-style-type: none"> o Changed the threshold amount and approving employee o Removed the Petty Cash, Credit Card, Micro Purchase, Blanket, Small Purchase, Formal, IFB and RFP Procedures o Updated the Small Purchase Orders o Added Emergency Procurement Methods - Section 6 – Solicitation and Advertising <ul style="list-style-type: none"> o Cancellation of Solicitations A. – Removed No 3., 10 business days of inactivity from requesting department. o Cancellation of Solicitations B. – Removed No. 6, 30 business days of inactivity from requesting department. o Removed Procedure Section - Section 8 – Added Disqualification due to Litigation

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SECTION I: VERSION CONTROL AND GOVERNANCE

1.0 Version History

Version history is tracked in the table on the Version History page, with notes regarding version changes. The dates of each publication are also tracked in this table. The first version of this document is 1.0.

Substantive changes within this document that reflect a policy change will result in the issuance of a new version with an increase in the primary version number. Future policy changes will result in additional revision and the issuance of a new primary version number. Such changes would result in version numbers such as 2.0, 3.0, and so on.

Non-substantive changes such as minor wording and editing, or clarification of existing policy that do not affect the interpretation or applicability of the policy will be included in minor version updates denoted by a sequential number increase behind the primary version number. Such changes would result in version numbers such as 1.1, 1.2, and so on.

2.0 Policy Change Control Board

Policy review and changes for a program are considered through a change control process. When policy clarifications, additions, or deletions are needed to more precisely define the rules by which the program will operate, VIHFA staff will submit a Policy Change Request Form for internal review by the Policy Change Control Board (PCCB).

3.0 Governance

This document sets forth the policy governing the Procurement Department. These guidelines are intended to aid and provide guidance in implementation and should not be construed as exhaustive instructions. All activities must comply with the policies hereby stated. In addition, VIHFA staff must adhere to established program procedures and all federal and state laws and regulations in effect, as applicable, in the execution of program activities.

SECTION II: POLICY

1.0 Purpose

VIHFA shall:

- Provide for procurement system of quality and integrity
- Provide for the fair and equitable treatment of all individuals or firms involved in purchasing by VIHFA

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- Ensure that supplies and services (including construction) are procured efficiently, effectively, and at the most favorable prices available to VIHFA
- Promote competition in contracting
- Assure that VIHFA purchasing actions are in full compliance with applicable laws and regulations

VIHFA is committed to the stewardship of the environment and in this effort, will strive to reduce the adverse environmental impact of our purchasing decisions by buying goods and services from manufacturers and vendors who share our commitment to the environment.

1.1 Application

This policy applies to all procurement actions of VIHFA, regardless of the funding source. However, nothing in this policy shall prevent the VIHFA from complying with the terms and conditions of any grant, contract, gift or bequest that is otherwise consistent with the law. When procuring property and services under a grant, VIHFA will follow the same policies and procedures it uses for procurements from its non-federal funds. VIHFA will ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders and their implemented regulations.

1.2 Authority

The rules and regulations set forth in this manual are promulgated pursuant to the authority granted under the VIHFA's enabling statute, Title 21 V.I.C. § 103, et seq., Title 29 V.I.C. § 191d.

1.2.1 Changes in Laws and Regulations

In the event an application law or regulation is modified or eliminated, or a new law or regulation is adopted, the revised law or regulation shall, to the extent consistent with these policies, automatically supersede this policy.

Any material modification of any of the policies set forth in this policy must be approved by the VIHFA's Board of Directors (Board) except that the Executive Director is authorized to correct inconsistencies and to make other revisions to the Procurement policies and its procedures.

1.3 Public Access to Procurement Information

Most procurement information that is not proprietary is a matter of public record and shall be available to the public to the extent provided in the United States Virgin Island's Freedom of Information Act. All materials submitted in response to any solicitation will become property of VIHFA. Procurement files will remain confidential until a selection has been made and approved. Trade secrets and proprietary information submitted in connection with any response to VIHFA solicitations are not subject to public disclosure. Respondents must state that their submission contains

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trade secrets or proprietary information prior to or upon submission of materials in response to solicitation.

1.4 Documentation

VIHFA must maintain records sufficiently to detail the significant history of each procurement action. These records may include, but shall not necessarily be limited to:

- Rationale for the method of procurement (if not self-evident)
- Rationale of contract pricing arrangement (also if not self-evident)
- Reason for accepting or rejecting the bids or offers
- Basis on the contract price
- A copy of the contract documents awarded or issued and signed by the Executive Director or an approved member of the Executive Staff
- Basis on contract modifications
- Related contract administration actions

The documentation shall commensurate with the value of the procurement. The Procurement Department shall remain the custodian of all procurement records to include confidential vendor files. In the event of an audit or for monitoring purposes, any department requesting to review procurement files shall submit request in writing to procurement using the File Releases Form. The Procurement Department provides read only information to those who have been granted permission at the time. The permission is immediately revoked after the evaluation, audit, or monitoring is completed.

Records are to be retained for a period of 10 years after final payment and all matters pertaining to the contract are closed.

2.0 Ethics in Public Contracting

2.1 General

The VIHFA hereby establishes this code of conduct regarding ethical procurement and shall impose sanctions for violations of it. This code of conduct is consistent with applicable Territorial and federal laws.

2.2 Conflicts of Interest

No employee, officer, board member or agent of the VIHFA shall participate directly or indirectly in the selection, award, or administration of any contract if a conflict of interest, either real or apparent, is involved. This type of conflict would be when one of the people listed below has a financial or any other type of interest in a firm competing for the award:

- An employee, officer, board member, or agent is involved in making the award.
- A relative (including father, mother, son, daughter, brother, sister, uncle, aunt, cousin, nephew, niece, spouse, partner, father-in-law, mother-in-law, son-in-

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law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister)

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

Employees, officers, board members, or agents of VIHFA must continue to exercise due diligence in identifying, removing, or mitigating such conflict of interest or apparent conflict of interest in accordance with VIHFA's HR0-OP-001, Conflict of Interest Policy. Failure to notify the Authority of a conflict of interest will result in disciplinary action up to and including termination.

2.3 Gratuities, Kickbacks, and Use of Confidential Information

No officer, employee, Board member, or agent shall accept gratuities, favors, or items of more than \$25.00 in value from any developer, contractor, vendor, potential developer, contractor, vendor, or party to any subcontract, and shall not knowingly use confidential information for actual or anticipated personal gain.

2.4 Prohibition Against Contingent Fees

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

2.5 Procurement Planning

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

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

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

3.0 Independent Cost Estimate and Cost Price Analysis

3.1 Independent Cost Estimate

An independent cost estimate (ICE) must be conducted by the requesting department for all VIHFA procurement actions over the small purchase threshold of \$10,000 or \$2,000 for construction related projects. This includes contract cost modifications and informal procurements. The ICE must be prepared before solicitation issuance to

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provide budgetary guidance, support procurement method selection, and establish cost reasonableness. If market conditions change or if more than 120 days elapse, the ICE must be updated.

ICE Thresholds and Requirements

Procurement Type	Threshold	ICE Required	Documentation Level
Micro-purchase	≤ \$10,000	No	None
Small Purchase	\$10,001 – \$250,000	Yes	Basic (comparative pricing acceptable)
Sealed Bids Competitive Proposals	> \$250,000	Yes	Detailed line-item estimate with assumptions
Construction	≥ \$2,000	Yes	Detailed estimate with wage rates

3.2 Cost and Price Analysis

Before making an award, a cost or price analysis must support the award and demonstrate price reasonableness. Price analysis is appropriate when adequate competition exists. Cost analysis is required for sole source, change orders, or non-competitive procurements.

A Price Reasonableness Determination Form must document the analysis method, reference the ICE, summarize findings, and support the conclusion on price acceptability.

Cost and Price Analysis Threshold

Procurement Type	Threshold	Requirement
Micro-purchase	≤ \$10,000	Not required
Small Purchase	\$10,001 – \$250,000	Price analysis required
Sealed bids or Proposals	> \$250,000	Price or cost analysis, depending on competitive response
Sole source or Change Order	Any amount	Cost analysis required
Construction	≥ \$2,000	ICE + Price or Cost analysis

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4.0 Purchasing Methods

4.1 Purchasing Methods

VIHFA has five purchasing methods to procure goods and services:

- Petty Cash
- Credit Card
- Cooperative Purchasing – Intergovernmental Agreements and Formal Procurement
- Informal Procurement (electronic procurements or e-bids)
 - Service Agreements
 - Purchase Orders
 - Blanket Purchase Orders
- Formal Procurement
 - Invitation for Sealed Bids (IFB's)
 - Competitive Proposals – Request for Proposals (RFP's)
 - Request for Qualifications (RFQ's), Architectural & Engineering Services, Mini Bids
 - Non-Competitive Bids or Proposals (NCPs).

Purchases may be awarded in accordance with the procedures authorized in this Section. Requirements, services or materials shall not be artificially divided to constitute any purchase under this section or circumvent procurement. The practice of dividing purchases unnecessarily to force the use of any purchase procedure is prohibited.

VIHFA will not divide requirements that exceed the threshold for any purchasing method into multiple purchases below the applicable threshold solely to allow the use of alternative procurement procedures or to circumvent requirements associated with purchases exceeding a specific threshold.

VIHFA will honor quotes received within a 30-day period unless an expiration is stated.

4.1.1 Petty Cash

Petty cash is a small amount of money that VIHFA keeps on hand to pay for minor or incidental expenses. The maximum amount of each purchase shall not exceed \$100.

4.1.2 Credit Card

Credit cards can be used to purchase goods for VIHFA from vendors that do not accept VIHFA purchase orders.

According to the credit card policy, credit card purchases must exceed the petty cash threshold of \$100 and are permitted up to a maximum of \$5,000.

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4.1.3 Cooperative Purchasing, Intergovernmental Agreements and Memorandum of Understanding (MOU)

VIHFA may enter into territorial cooperative or intergovernmental agreements to purchase or use common supplies, equipment, or services. The decision to use an interagency agreement instead of conducting direct procurement shall be based on economy and efficiency. If used, the interagency agreement shall stipulate who is authorized to purchase on behalf of the participating parties and shall specify inspection, acceptance, termination, payment, and other relevant terms and conditions. VIHFA may use federal or territorial excess and surplus property instead of purchasing new equipment and property if feasible and if it will result in a reduction of project costs. For interagency agreements above the \$250,000 threshold, board approval or disapproval must be obtained.

4.1.4 Informal Procurement

Informal Procurement purchases range from any amount over \$100 and up to \$250,000. These transactions may lead to the issuance of micro purchase orders, small purchase orders, blanket purchase orders, or service agreements. It is essential that all e-procurements adhere to relevant regulations and this policy.

4.1.4.1 Micro-Purchase Orders

Micro purchases are for any amount over \$100 and up to \$10,000.

For micro purchases, VIHFA must obtain two quotes for goods and simple services that do not require trade certification to the greatest extent feasible. To promote free and open competition, micro purchases should be distributed among qualified sources. Quotes must be solicited in writing and only written responses on the company's letterhead will be accepted. An approved justification is needed if the required number of quotes is not received.

4.1.4.2 Small Purchase Orders

Small purchases are for any amount over \$10,000 and up to \$250,000.

For small purchases, VIHFA must obtain three quotes for goods and simple services that do not require trade certification to the greatest extent feasible, distributed among qualified sources. Quotes must be solicited in writing and only written responses on the company's letterhead will be accepted. Should VIHFA decide to adopt a formal procurement approach—such as issuing an eBid, IFB, RFP, RFQ, or any other public solicitation—the formal process will satisfy the competitive requirement, and the necessity for obtaining three quotes will no longer be relevant. An approved justification is needed if the required number of quotes are not received and no formal solicitation has been issued.

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4.1.4.3 Blanket Purchase Orders

In the interest of economy and efficiency, the VIHFA will procure frequently purchased goods and supplies (e.g., emergency supplies, maintenance, repair and operations, advertisements, IT and office supplies) through blanket purchase orders for purchases over \$100 up to a maximum threshold of \$250,000 for a fiscal year.

Through the blanket purchase order system, VIHFA will establish charge accounts with qualified vendors for repetitive micro and small purchases. A release order shall not exceed \$9,000 for advertisements and \$250 for all other blanket purchases.

This process eliminates the administrative costs for issuing individuals purchase orders for these items. The authority to purchase items utilizing blanket purchase orders will be delegated to divisions with executive approval. VIHFA's policy is that vendors must have an applicable and current business license or authorization to transact business in the USVI before a blanket purchase order will be issued. Quotes must be solicited in writing and only written responses on the company's letterhead will be accepted.

Blanket purchase orders will be effective for one fiscal year: beginning October 1st through September 30th of the following calendar year.

4.2 Formal Procurement

All procurement actions over \$250,000.00 shall be conducted using purchasing methods, by sealed bids, competitive proposals, or non-competitive proposals where appropriate.

4.2.1 Invitation for Sealed Bids

Sealed bidding must be used for all contracts that exceed the small purchase threshold of \$250,000, VIHFA publicly solicits bids and awards a firm fixed-price contract (lump sum or unit price) to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for sealed bid (IFB), is the lowest in price.

Sealed bidding is the preferred method for procuring construction, supply, and non-complex service contracts that are expected to exceed \$250,000. For construction bids, it is important that A&E and environmental reviews are completed prior to the procurement as the design of the project may be dependent on factors identified in those assessments.

4.2.2 Competitive Proposals

Unlike sealed bidding, the competitive proposal method permits consideration of technical factors other than price; discussion with offerors concerning offers submitted; negotiation of contract price or estimated cost and other contract terms and conditions; and revision of proposals before the final contractor selection. Awards are normally made based on the proposal that represents the best overall value to

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VIHFA, considering price and other factors (e.g., technical expertise, experience, quality of proposed staffing) set forth in the solicitation and not solely the lowest price.

4.2.2.1 Conditions for Use

Where conditions are not appropriate for the use of sealed bidding, competitive proposals may be used. Competitive proposals are the preferred method for procuring professional services that will exceed the small purchase threshold if the following apply; a complete, adequate, and realistic statement of work, specification, or purchase description is not available; the contract cannot be awarded based on a firm fixed price; and the selection of the successful respondent cannot be made principally on the lowest price.

4.2.2.2 Solicitation and Receipt of Proposals

Competitive proposals shall be solicited through the issuance of a Request for Proposal (RFP). The RFP shall clearly identify the importance and relative value of each of the evaluation factors as well as any sub-factors and price. A criterion for fairly and thoroughly evaluating the technical and price proposals shall be established before the solicitation is issued. Proposals shall be handled to prevent disclosure of the number of offerors, identity of the offerors, and the contents of their proposals until after the award. VIHFA may assign the price a specific weight in the evaluation criteria or VIHFA may consider the price in conjunction with technical factors; in either case, the method for evaluating price shall be established in the RFP.

4.2.2.3 Evaluation

The proposals shall be evaluated only on the criteria stated in the solicitation. The criteria shall not be amended unless issued in an addendum prior to receiving the proposals. Where not apparent from the evaluation criteria, VIHFA shall establish an evaluation criterion for each solicitation request.

Generally, all solicitation requests shall be evaluated by an appropriately appointed Evaluation Committee Panel (ECP). ECP members shall complete a score card for each respondent. The ECP shall be required to disclose any potential conflicts of interest and to sign a Conflict of Interest and Confidentiality Statement. To effectively maintain the integrity of the procurement process, if the Procurement Department becomes aware that information about an evaluation has been disclosed, the solicitation will be voided and resolicited. Additionally, the employee who disclosed the information will be disqualified from serving on any committee panel for a 3 to 6-month period and may face disciplinary action to include suspension up to termination.

An evaluation report summarizing the results of the evaluation shall be prepared prior to the award of a contract. No information regarding the proposals received shall be disclosed until the evaluation is complete, and the recommended awardee has been approved. The evaluation summary shall be prepared by the committee chairperson for signatures by all members. All correspondence with contractors will be

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coordinated through the Procurement Contracting Officer. Contractors shall not to be contacted by any other member of the ECP. The ECP members are to adhere to the evaluation schedule provided by the Procurement Contracting Officer to avoid delays or cancelation of procurement.

4.2.2.4 Negotiations

Negotiations on behalf of the Authority shall only be initiated or authorized in writing by the Executive Director. Negotiations shall be conducted with offerors who submit a proposal determined to have a reasonable chance of being selected for an award, unless it is determined that negotiations are not needed. This determination is based on the relative score of the proposals as they are evaluated and rated in accordance with the technical and price factors specified in the RFP. These offerors shall be treated fairly and equally with respect to any opportunity for negotiation and revision of their proposals. No offeror shall be assisted in bringing its proposal up to the level of any other proposal. A common deadline shall be established for receipt of proposal revisions based on negotiations allowing respondents to submit their best and final offers. Negotiations are exchanges (in either competitive or sole source environment) between VIHFA and offerors that are undertaken with the intent of allowing the offeror to revise its proposal. These negotiations may include bargaining. Bargaining includes persuasion, alteration of assumptions and positions, give-and-take, and may apply to price, schedule, technical requirements, type of contract or other terms of a proposed contract.

4.2.2.5 Award

After evaluation of the best and final offers, if any, the contract shall be awarded to the responsive and responsible firm whose technical approach to the project, qualifications, cost, and any other factors considered are most advantageous to VIHFA provided that the cost is within the maximum project budgeted amount established for the specific property or activity. VIHFA reserves the right to:

- Enter into a contract based on the initial offers received without further discussion of the proposals submitted.
- Contract for all or a partial list of services offered. VIHFA reserves.
- Negotiate reduced payment terms with the awarded proposers.

4.2.2.6 Right to Select Second Highest Evaluated Bid or Proposal

VIHFA reserves the right to select the second highest evaluated proposal who submitted a response in the same solicitation after the awardee fails to submit corporate documents within specified timeframe, a contract has been canceled or voided. VIHFA will ensure that the second highest evaluated proposal follows all the requirements of the solicitation, and all required documents have been submitted and are current.

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4.3 Architectural and Engineering Services

The VIHFA must contract for architectural and engineering (A/E) services using qualification-based selection (QBS) procedures, utilizing a request for qualification (RFQ). Under QBS procedures, the competitor's qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation for fair and reasonable compensation. Price is not used as a selection factor under this method.

4.4 Non-Competitive Proposals

4.4.1 Conditions for Use

Procurement by non-competitive proposals may be awarded only when one of the following applies:

- The item is available only from a sole source.
- The public exigency or emergency will not permit a delay resulting from publicizing a competitive solicitation.
- After solicitation of several sources, competition is determined inadequate.

4.4.2 Justification

Each procurement based on non-competitive proposals shall be supported by a written justification. The justification must be approved in writing by the Executive Director. Poor planning or lack of planning is not a justification for emergency or non-competitive proposal action. The justification, to be included in the procurement file, must include the following information:

- Description of the requirement
- History of prior purchases and their nature (competitive vs. non-competitive).
- Statement as to the unique circumstances that require award by non-competitive proposals
- Description of the efforts made to find competitive sources (advertisements in trade journals or local publications, emails to suppliers, issuance of a written solicitation, etc.)
- Price Reasonableness. The reasonableness of the price for all procurements based on non-competitive proposals shall be determined by performing an analysis, as described in this policy

4.5 Alternative Procurement Methods

VIHFA may select contractors or vendors for any procurement activity from a pre-qualified pool (PQP) of approved contractors. Selection of contractors is based on qualifications utilizing an RFQ during the first phase and mini bids or RFP's during the second phase. Contracts shall not exceed the formal procurement threshold of \$250,000 without the Board of Directors' approval. Contractors with expired documents shall be removed from the PQP until updated documents are resubmitted. If a mini-bid process is utilized the contract award will be based on the lowest responsive bidder and the capacity to complete a project.

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VIHFA may elect to have qualifications submitted continuously, for an open period or in phases. When the procurement solicitation deadline is left open, qualifications will be reviewed as received or at specific intervals set forth by the Authority. When the solicitation submission deadline is broken into phases, qualifications received by the prescribed dates will be reviewed at specific intervals set forth by VIHFA based upon the corresponding dates outlined. Where a PQP has been established for a particular procurement, the solicitation of mini-bids or engagement of unit price negotiations need not be publicly advertised.

4.5.1 Emergency Procurement Methods

VIHFA may utilize noncompetitive procurement methods when a public exigency or emergency prevents the delay associated with competitive solicitation. Such emergencies include, but are not limited to declared, natural disasters, infrastructure failures, or any event posing an immediate threat to health, safety, property, or essential operations. Emergency procurement actions must be limited to the duration of the exigency and shall be approved by the Executive Director, Director of Procurement and Contracting, or their respective designee. All actions taken under this provision must be fully documented, including a description of the emergency, justification for the procurement approach, and a determination of cost reasonableness. Upon conclusion of the emergency, VIHFA shall resume standard procurement practices, and a post-event review will be conducted to ensure compliance.

4.6 Specifications

Specifications should promote economic procurement and competition. All specifications must be reviewed before solicitation to avoid undue restrictions or unnecessary duplication, with a preference for function or performance specifications. Procurement may be consolidated or separated to maximize cost-effectiveness, and lease-versus-purchase analysis is required for equipment.

To ensure fairness and prevent conflicts of interest, contractors involved in preparing specifications or related documents are prohibited from bidding on those procurements. Restrictive competition may arise from several situations, including but not limited to:

- Placing unreasonable requirements on firms for them to qualify to do business
- Requiring unnecessary experience and excessive bonding
- Noncompetitive pricing practices between firms or between affiliated companies
- Noncompetitive contracts to consultants that are on retainer contracts
- Organizational conflicts of interest
- Specifying only a brand name product instead of allowing an equal product to be offered and describing the performance or other relevant requirements of the procurement
- Any arbitrary action in the procurement process

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4.7 Approval Thresholds

The table below lists the dollar value thresholds and signatories.

Threshold	Signatory
≤ \$10,000	Director of Procurement
≤ \$50,000	COO, CFO, CDRO
≤ \$250,000 (Without BOD approval)	Executive Director

4.8 Federal Procurement

All procurements conducted by VIHFA and its subrecipients shall be conducted in a manner that provides full and open competition.

The procurement of services, supplies, equipment or construction to be funded with federal funds shall include the applicable federal requirements as denoted under the Code of Federal Regulations, contract provisions, any applicable terms from the associated grant agreement, and general provisions as required by the funding agency.

Below are the selection procurement procedures for subrecipients:

- Selection of Procurement Procedures
 - Agencies or entities that are statutorily created by the Virgin Islands Code shall be deemed state agencies who can elect to use their own documented procurement manual.
 - Other entities, including non-profits, will be required to utilize either VIHFA's documented procurement procedures, as listed on our website <https://vihfa.gov/>, or adopt to the Code of Federal Regulations (2 CFR 200.318 through 200.327).
- Cost Plus Percentage – VIHFA and its sub-recipients are prohibited from the use of cost plus a percentage of cost and percentage of cost pricing methods.
- VIHFA will follow its own procurement procedures to ensure compliance with applicable regulations and promote full and open competition. An evaluation of cost or price for federally funded procurements is included in these procedures. All subrecipients must adhere to these requirements as outlined for federally funded programs.
- In the event of any conflict between the provisions of federal and local procurement regulations and this policy, the one with the more restrictive provisions prevails.

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5.0 Solicitation and Advertising

5.1 Solicitation

The solicitation timelines must be adhered to or may result in solicitation being canceled and the Authority will need to re-solicit:

- Requesting department shall obtain written permission to solicit using the Request for Procurement Form where signatories are indicated based on threshold.
- Petty Cash, Credit Card and Informal Procurement – Quotes may be solicited through e-bid, including but not limited to electronic mail.
 - E-Procurement. VIHFA may conduct its e-procurements through the Internet. However, all e-procurements must in writing and in compliance with local requirements and VIHFA's policy.
- Formal Procurement - Solicitation must be done publicly using its procurement portal <https://vihfa.gov/procurement>. Providing that the method employed provides for meaningful competition, the VIHFA must use one or more of the following solicitation methods:
 - Advertising in newspapers or other print mediums of local or general publications.
 - Any amendments to formal solicitations will be posted on VIHFA websites.

Once a formal procurement request has been approved by the Executive Director, bids or proposals can be solicited to procure goods or services.

5.1.1 Preparation of Solicitation Packages

The Procurement and Contract Officer will prepare solicitation packages which include:

- Cover sheet (closing and opening date)
- Statement of work specifications or materials to be purchased
- For construction bids it is important that architectural and engineering along with environmental review be completed prior to the procurement as the design of the project may be dependent on factors identified in those assessments
- Minimum requirements to include type of business license needed to be awarded
- Evaluation criteria
- Work quality standards
- Proposal format
- Solicitation schedule
- Right of the agency to accept or reject all bids
- Period of contract
- Type of bonds to be considered (if necessary)

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5.2 Advertise

Procurement and Contract Officer shall:

1. Establish the solicitation timeframe with the assistance of the requester which includes:
 - Date and period for advertising
 - Date, period, location for the pre-bid and, if any, pre-proposal conference
 - Date for submission of questions
 - Date for responses to questions
 - Submittal deadline for bids or proposals
 - Bid opening date
2. Prepare the solicitation for publication and forward it to the Communication Department for advertising.
3. Retain a copy of the advertisement in a project folder or similar filing system.

5.2.1 Pre-Award Conferences or Question & Answers

Procurement and Contract Officer with the assistance of the requester shall:

- Facilitate conference advertising date, time and location
- Create attendance sign in sheet
- Explain technical information at the conference
- State the deadline for request for information or clarification
- Receive written questions for information or clarification after the conference
- Any issuance of a written addendum will be posted on VIHFA's websites
- Record meeting for files

5.2.2 Timeframe

For purchases of more than \$250,000, the public notice must run no less than three days in a newspaper of general circulation in the Virgin Islands.

5.2.3 Form

Notices and advertisements should state, at a minimum, the place, date, and time that the bids or proposals are due, the solicitation number, the name and number or address of a contact person that can provide a copy of, and information about, the solicitation, and a brief description of the items needed to respond to the solicitation.

5.3 Time Period for Submission of Bids

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

5.3.1 Cancellation of Solicitations

A solicitation may be cancelled before bids or proposals are due if:

- The supplies and services (including construction) are no longer required.
- The funds are no longer available.

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- Proposed amendments to the solicitation are of such magnitude that a new solicitation would be best.
- Other similar reasons.

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

- The supplies or services (including construction) are no longer required.
- Ambiguous or otherwise inadequate specifications were part of the solicitation.
- All factors of significance in the solicitation of the VIHFA were not considered.
- 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 determined in open competition, may have been collusive or may have been submitted in bad faith.
- For good cause of similar nature when it is in the best interest of the VIHFA.

The reasons for cancellation shall be documented in the procurement file and the reasons for cancellation or rejection shall be provided upon request. A notice of cancellation shall be sent to all bidders or offerors solicited and, if appropriate, shall explain that they will be given an opportunity to compete on any re-solicitation or future procurement of similar items.

If all otherwise acceptable bids received in response to an IFB are at unreasonable prices, an analysis should be conducted to see if there is a problem with either the specifications or VIHFA's independent cost estimate. If VIHFA's specifications and cost estimate are determined adequate and the only bid received is unreasonable, the Executive Director may cancel the solicitation.

If problems are found with the specifications, VIHFA should cancel the solicitation, revise the specifications, and re-solicit.

5.4 Fixed Asset Disposal or Transfer

Before disposal or transfer of any fixed assets, the Division Director shall request the approval of the Executive Director. Once approved, the process will be recorded and forwarded to the Fixed Asset Department. Shall an auction be determined, the authority will advertise for no less than three days.

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6.0 Contractor Qualifications and Duties

6.1 Contractor Responsibility

VIHFA shall not award any contract until the prospective contractor, (e.g., low responsive bidder, or successful offeror) has been determined to be responsible. A responsible bidder or offeror must:

- Have adequate financial resources to perform the contract, or the ability to obtain them.
- Be able to comply with the required or proposed delivery or performance schedule, taking into consideration all the bidders or offers existing commercial and governmental business commitments.
- Have a satisfactory performance record.
- Have a satisfactory record of integrity and business ethics.
- Have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them.
- Have the necessary production, construction, and technical equipment and facilities, or the ability to obtain them.
- Be otherwise qualified and eligible to receive an award under applicable laws and regulations, including not being suspended or debarred.

6.2 Liquidated Damages

Construction contracts with liquidated damages provisions must describe the rate of liquidated damage assessed per day of delay. Solicitations should advise that liquidated damages will apply.

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

6.3 Suspension and Debarment

Contracts shall not be awarded to contractors debarred, suspended, or deemed ineligible by VIHFA.

6.4 Contract Options

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

- The option is contained in the solicitation.
- The option is a unilateral right of the Authority.
- The contract states a limit on the additional quantities and the overall term of the contract.
- The options are evaluated as part of the initial competition.
- The contract states the period within which the options may be exercised.
- The options may be exercised only at the price specified in or reasonably determinable from the contract.

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- The options may be exercised only if determined to be more advantageous to VIHFA than conducting a new procurement.

6.5 Contract Administration

VIHFA shall maintain a system of contract administration designed to ensure that contractors submit and maintain all required documents. The Director of Procurement & Contracting shall be responsible for monitoring the implementation of the procurement instrument and shall ensure the fulfillment of all its requirements.

6.6 Bonding Requirements

The standards under this section apply to construction contracts that exceed \$500,000. There are no bonding requirements for small purchases. VIHFA may require bonds in these latter circumstances when deemed appropriate. However, non-construction contracts should generally not require bid bonds.

6.6.1 Bid Bonds

For construction contracts exceeding \$750,000, bidders may be required to submit a bid guarantee equivalent to 5% of the bid price.

6.6.2 Performance and Payment Bonds

For construction contracts exceeding \$500,000, the successful bidder may be required to furnish an assurance of completion. This assurance may be any one of the following:

- A performance and payment bond in a penal sum of 100% of the contract price
- Separate performance and payment bonds, each for 50% or more of the contract price
- A 20% cash escrow
- A 25% irrevocable letter of credit
- A pledged asset that is adequate to protect the federal interest.

These bonds must be obtained from guarantee or surety companies authorized to do business in the territory where the work is to be performed. Individual sureties shall not be considered. US Treasury Circular Number 570 lists companies approved to act as sureties on bonds securing government contracts, the maximum underwriting limits on each contract bonded, and the state or territory in which the company is licensed or authorized to do business. Use of companies on this circular is mandatory.

7.0 Appeals and Remedies

7.1 Claims and Rights

All claims by a contractor relating to bid or contract performance shall be submitted in writing to the Authority for a written decision by the Executive Director.

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7.1.1 Bid Protest

Any protest must be filed with VIHFA within seven calendar days of the date of the occurrence of the event that is the subject of the protest. Such events include, but are not limited to:

- The opening of responses
- The award of a contract
- A determination that a respondent is not responsible
- A determination that a response is not responsive

Protests must be submitted in writing and addressed to the Director of Procurement and Contracts. Submissions may be made in either of the following ways:

- Electronic Submission
 - Protests may be submitted electronically via email to procurement@vihfa.gov.
- Hard Copy Submission
 - Protests may also be submitted in hard copy and delivered during the Authority's regular business hours to:

Virgin Islands Housing Finance Authority
 Attn: Director of Procurement and Contracts
 3202 Demarara Plaza, Frenchtown Plaza, Suite 200
 St. Thomas, VI 00802-6447
 TEL: (340) 777-4HFA (4432)

A protest is deemed received when it is delivered to the Authority—whether electronically or in hard copy—within the timeframe specified above. Late protests, regardless of method of delivery, will not be considered. No objections regarding the application, meaning, or interpretation of the specifications will be considered after the opening of the subject Solicitation.

7.1.2 Appeals During Contract Administration

During contract administration, a contractor may submit an appeal in writing to the Authority within five business days of receipt of notice from VIHFA regarding the matter under appeal. Upon timely receipt of an appeal, the respondent may request a conference with the Authority. The Authority shall schedule such conference within a reasonable time.

Following the conference, the Executive Director shall issue a written response informing the respondent of the Authority's final decision regarding the appeal. The Executive Director's decision shall constitute the Authority's final administrative action on the matter.

7.1.3 Contractor Claims

During contract administration, the contractor may submit an appeal in writing and request a conference to be held within five business days of notice to VIHFA. The

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Executive Director's response shall inform the contractor of the Authority's final decision regarding the appeal.

7.1.4 Right to Reject Bid Packages

VIHFA reserves the right to reject, without prejudice, all bids submitted in response to any solicitation. Further, submittals in response to any solicitation become the property of VIHFA. VIHFA may use any idea or concept in a submitted bid, regardless of whether that bid is selected for award. Respondents must state that their submission contains trade secrets or proprietary information prior to or upon submission of materials in response to solicitation.

8.0 Disqualification Due to Litigation

VIHFA reserves the right, at its sole discretion, to deem any respondent ineligible for participation in the procurement evaluation process if the respondent—either directly or indirectly through a parent, subsidiary, affiliate, or any other related entity—meets any of the following conditions:

- Is currently engaged in litigation with the Authority
- Has provided formal notice of intent to initiate legal proceedings against the Authority
- Has previously been involved in litigation against the Authority in connection with any contract for works or services

This disqualification may apply regardless of the outcome, status, or resolution of such litigation, and is intended to preserve the Authority's ability to conduct procurements without conflict or disruption.

9.0 Assistance to Small and Other Businesses

Every reasonable effort will be undertaken to ensure that small and minority-owned businesses, women-owned enterprises, and other entities or individuals based in, or predominantly owned by residents of the US Virgin Islands are engaged whenever practicable.

10.0 Board Approval of Procurement Actions

Approval from the Board of Directors is required to negotiate and execute contracts more than \$250,000 and contract modifications that are 25% of the total contract. The Board of Directors approval is not required unless a modification brings a consecutive series of modifications in the aggregate to an excess of \$250,000 or 25% of the total contract.

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11.0 Subrecipients

Departments, authorities, and agencies that are statutorily created by the Virgin Islands Code and deemed state agencies and who elect to use their own documented procurement policy and procedures shall submit said policy and procedures to VIHFA for review to ensure compliance with the terms and conditions of all federal awards and applicable sections of the Code of Federal Regulations during their capacity assessment.

The subrecipient shall submit to VIHFA a complete package for each procurement. Each procurement package must contain all items on the procurement checklist that are relevant to that procurement.

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

12.0 Omissions, Errors, and Lack of Processes

VIHFA recognizes that no manual can cover every circumstance at every point in time. When specific policies or procedures are lacking with respect to a specific problem, the Executive Director shall use his or her own judgement to remedy the issue based on general intent and the best benefit to the Authority.

SECTION IV: FEDERAL REQUIREMENTS

Federal statutes governing this policy are listed below. This list should not be perceived as exhaustive.

1.0 Cross Cutting

HUD's cross-cutting requirements refer to broad federal rules that apply across various HUD programs, ensuring compliance with essential regulations. These requirements cover areas such as:

- Non-discrimination and Equal Access – Ensuring fair treatment in housing programs.
- Employment and Contracting – Adhering to federal labor standards.
- Environmental Review – Compliance with environmental regulations.
- Site and Neighborhood Standards – Meeting specific location criteria.
- Relocation – Proper procedures for displacing residents.
- Lead-Based Paint – Addressing hazards related to lead-based paint.
- Procurement and Contracting – Addressing fair, transparent, cost-effective, ethics, and compliance to applicable laws and regulations.

These rules are crucial for maintaining program integrity and compliance with federal laws.

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1.1 Davis-Bacon Act

The Davis-Bacon Act and Related Acts (DBRA) applies to contractors and subcontractors carrying out certain federally funded or assisted construction contracts over \$2,000 and requires the payment of the prevailing wages (including fringe benefits) for corresponding work on similar projects in the area.

1.2 Section 3

Section 3 of the Housing and Urban Development Act of 1968 requires that grantees, subrecipients, contractors, and sub-contractors funded as a whole or in part by CDBG-DR funding, to the greatest extent feasible, extend economic opportunities such as hiring opportunities and contracts to Section 3-eligible residents and businesses. Section 3-eligible residents are low- and very low-income individuals who live in the metropolitan area or non-metropolitan county where a HUD-assisted project for housing or community development is located and people who live or reside in public or government-assisted housing.

2.0 Copeland Anti-Kickback Act

The Copeland Anti-Kickback Act (18 U.S.C. § 874 and 40 U.S.C. § 3145) prohibits contractors and subcontractors on federally funded projects from inducing employees to relinquish any portion of their wages, safeguarding laborers against unfair deductions and ensuring full payment for their work. In conjunction with these statutes, each provision reinforces ethical standards and compliance, creating a framework where workers' rights are protected and federal requirements are upheld throughout every phase of construction and community development activities.

3.0 Contract Work Hours and Safety Standards Act

The Contract Work Hours and Safety Standards Act (CWHSSA) sets labor standards for workers on federal contracts, particularly regarding overtime pay and jobsite safety.

Overtime provisions are as follows:

- Applicable to laborers and mechanics engaged on federal or federally funded contracts exceeding \$100,000.
- Mandate compensation at one and one-half times the regular rate of pay for hours worked more than 40 per workweek.
- Relevant to contracts governed by the Davis-Bacon Act, Service Contract Act, or related statutes.

Safety standards are established to ensure safe and healthy working conditions on construction sites. These standards are enforced collaboratively with the Occupational Safety and Health Administration (OSHA).

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4.0 Debarment and Suspension

Debarment is a formal exclusion from federal contracts, subcontracts, and financial assistance programs for a set period. VIHFA's LG0-OP-001, Debarment and Suspension Policy outlines this process.

5.0 Byrd Anti-Lobbying Amendment

The Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352) restricts the use of federal funds for lobbying activities.

Recipients of federal contracts, grants, loans, or cooperative agreements may not use appropriated funds to:

- Influence or attempt to influence:
 - Members of Congress
 - Federal agency officials
 - Congressional staff
- In connection with:
 - Awarding or modifying a federal contract, grant, loan, or cooperative agreement.
 - Disclosure and Certification Requirements

If the contract or agreement exceeds \$100,000, the recipient must:

- Certify that no prohibited lobbying has occurred (using a standard certification form).
- Disclose any lobbying activities funded with non-appropriated funds (e.g., profits) using Standard Form LLL.

These forms must be submitted:

- With each request for federal funding
- Upon award of the contract or agreement
- At the end of any quarter in which lobbying activity changes materially

6.0 The System for Award Management

The System for Award Management (SAM) is the official United States government website that oversees the federal award process. It is available at no cost and acts as a centralized resource for businesses, nonprofits, and individuals seeking to engage with the federal government. Contractors and vendors wishing to work with VIHFA are required to register with SAM.gov and obtain a unique entity ID (UEI).

Policy Ends

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APPENDICES

1.0 References

Reference	Purpose	Link
<input type="checkbox"/> HR0-OP-001, Conflict of Interest Policy	Ensures all affiliated individuals at VIHFA act in the organization's best interest by preventing personal interests from interfering with professional duties.	
<input type="checkbox"/> FN0-GP-001, Financial Management	Establishes a robust framework for managing financial operations across all programs, ensuring compliance, accountability, and operational efficiency.	
<input type="checkbox"/> LG0-OP-001, Debarment and Suspension Policy	Ensures VIHFA only works with responsible vendors and contractors by excluding those involved in fraud, misconduct, or poor performance.	
<input type="checkbox"/> HUD Laws and Regulations Portal	HUD's central hub for accessing laws, regulations, and policies that govern its programs and contracts.	Laws and Regulations HUD.gov / U.S. Department of Housing and Urban Development (HUD)
<input type="checkbox"/> 2 CFR Part 200, including Appendix II	Uniform Guidance is a set of OMB rules that govern how non-federal entities—like states, local governments, tribes, nonprofits, and schools—manage federal awards.	eCFR :: Appendix II to Part 200, Title 2 -- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards
<input type="checkbox"/> Equal Employment Opportunity	Ensures fair treatment in employment, prohibiting discrimination based on race, sex, religion, age, disability, or other protected traits. It applies to hiring, promotions, pay, and more.	Home U.S. Equal Employment Opportunity Commission

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<input type="checkbox"/> Davis-Bacon Act	Ensures contractors and subcontractors on federally funded or assisted construction projects over \$2,000 pay workers at least the local prevailing wages and benefits for similar work.	Davis-Bacon and Related Acts U.S. Department of Labor
<input type="checkbox"/> Housing and Urban Development Act of 1968 – Section 3	Ensures that jobs, training, and contracts from HUD-funded projects benefit low-income individuals and Section 3 businesses. It applies when HUD funding exceeds \$200,000 or contracts exceed \$100,000, requiring recipients to prioritize local hiring and business engagement.	Section 3 Guidebook: Welcome - HUD Exchange
<input type="checkbox"/> Copeland Anti-Kickback Act	Protects workers on federally funded construction projects from being coerced into giving up part of their wages.	Copeland "Anti-Kickback" Act U.S. Department of Labor
<input type="checkbox"/> Contract Work Hours and Safety Standards Act	Sets labor standards for workers on federal contracts, particularly regarding overtime pay and jobsite safety.	Contract Work Hours and Safety Standards Act (CWHSSA) U.S. Department of Labor
<input type="checkbox"/> Clean Air Act	Regulates air emissions from stationary and mobile sources to protect public health and the environment.	Overview of the Clean Air Act and Air Pollution US EPA
<input type="checkbox"/> Federal Water Pollution Control Act	Regulates discharges of pollutants into U.S. waters and sets water quality standards.	Summary of the Clean Water Act US EPA

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<input type="checkbox"/> Byrd Anti-Lobbying Amendment	Bans the use of federal funds for lobbying Congress or federal agencies. Entities receiving over \$100,000 must certify compliance and disclose any lobbying with non-federal funds using Form SF-LLL.	Byrd Amendment Implementation Statement FDIC.gov
<input type="checkbox"/> Procurement of Recovered Amendment	Ensures that recipients of federal funds must purchase EPA-designated items with the highest practicable amount of recycled content when purchases exceed \$10,000. They must also have a program in place to ensure compliance and prioritize environmentally sustainable products.	eCFR :: 2 CFR 200.323 -- Procurement of recovered materials.
<input type="checkbox"/> System for Award Management (SAM)	Site for managing federal awards. It's free and required for businesses, nonprofits, and individuals seeking federal contracts. To work with VIHFA, contractors must register on SAM.gov and obtain a Unique Entity ID (UEI).	Home SAM.gov

2.0 Glossary of Terms

2.1 Acronyms

Term	Descriptor
AFWA	Anti-fraud, Waste, and Abuse
AMI	Area Median Income
CDBG	Community Development Block Grant

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Term	Descriptor
CDBG-DR	Community Development Block Grant – Disaster Recovery
CDBG-MIT	Community Development Block Grant- Mitigation
CFR	Code of Federal Regulations
DRGR	Disaster Recovery Grant Reporting System
ECR	Estimated Cost of Repair
EEO	Equal Employment Opportunity
EFL	Educational Functioning Levels
FEMA	Federal Emergency Management Agency
FLSA	Fair Labor Standard Acts of 1938
GVI	Government of the Virgin Islands
HUD	Department of Housing and Urban Development
MBE	Minority-owned Business Enterprise
MOU	Memorandum of Understanding
MSR	Monthly Status Report
MWBE	Minority and Women-owned Business Enterprises
O&M	Operation and Maintenance
OIG	HUD Office of Inspector General
OMB	Office of Management and Budget
PCCB	Policy Change Control Board
PII	Personally Identifiable Information
QA	Quality Assurance
QC	Quality Control
QPR	Quarterly Performance Report
QSR	Quarterly Status Report

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Term	Descriptor
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SRA	Subrecipient Agreement
USC	United States Code
USVI	United States Virgin Islands
VIHFA	Virgin Islands Housing Finance Authority
WBE	Women-Owned Business Enterprise

2.2 Definitions

Cost Plus Percentage. A method of pricing contractors use when drafting contracts with clients when they cannot provide a final cost at the time of the contract.

Declared Emergency. An emergency formally declared by the Governor of the Virgin Islands or authorized federal officials that may trigger the use of emergency procurement procedures.

Emergency or Public Exigency. A situation that poses an immediate threat to public health, welfare, property, or operations of VIHFA, requiring urgent procurement of goods or services to prevent or minimize harm.

Minority-Owned Business. A business which is at least 51% owned by one or more minority group members; or, in the case of a publicly owned business, one in which at least 51% of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, Asian Indian Americans, and Hasidic Jewish Americans.

Procurement. The procuring, purchasing, leasing or renting of: goods, supplies, equipment, materials, construction and maintenance, consultant services, architectural and engineering (A/E) services, social services, and other services.

Small Business. A business that is: independently owned; not dominant in its field of operation; and not an affiliate or subsidiary of a business dominant in its field of operation.

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Subgrantee. Non-Federal entities to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided.

Subrecipient. A public or private nonprofit agency, authority, or organization, or a for-profit entity authorized under 570.201(o), receiving CDBG funds from the grantee or another subrecipient to undertake eligible activities.

Women-Owned Business Enterprise. A business that is at least 51% owned by a woman.