

8.1	Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> , form HUD-50075.1, for each current and open CFP grant and CFFP financing. ATTACHED
8.2	Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i> , form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan. ATTACHED
8.3	Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.
9.0	Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. <i>At the present time and for the past 5 years, we have not had a waiting list. Many elderly residents of our city can avail themselves of community based services provided by the Northwest Kansas Agency on Aging. This includes housekeeping help. Residents also can rely on county health. Most of the above mentioned persons go from their own homes into a nursing home. Once we have a vacancy, we are able to rent our units as soon as they are ready. With our stimulus money we are in the process of rehabbing another unit for the disabled.</i>

9.1	Strategy for Addressing Housing Needs. Provide a brief description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan. The waiting list is always open. The Atwood Housing Authority only has 2 units with 2 bedrooms. In Atwood, there is a need for housing that will accommodate lower income families.
10.0	Additional Information. Describe the following, as well as any additional information HUD has requested. (a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan. (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification” (a) <i>Since the last 5 year plan, the Housing Authority has reduced vacancies, improved units to become more energy efficient by installing new windows, replacing boilers and providing tenants with CFL’s for lighting. The Housing Authority has maintained its High Performer status, thus receiving more capital funds.</i> (b) <i>Substantial Deviation from the 5-Year Plan</i> <i>The City of Atwood Housing Authority will amend or modify its 5-Year Agency plan upon the occurrence of any of the following events during the term of an approved plan.</i> <i>1. A federal statutory or regulatory change is made effective and, in the opinion of the Authority, has either substantial programmatic or financial effects on the programs administered by the Authority, or creates substantial obligations or administrative burdens beyond the programs under administration at the start of the Plan year.</i> <i>2. Any other event that the Authority’s Board determines to be a significant amendment or modification of the approved annual plan.</i>

11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <ul style="list-style-type: none">(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.(g) Challenged Elements(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)
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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.
3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.
6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected.
7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any programs relating to services and amenities provided or offered to assisted families; **(2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**
8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
13. **Violence Against Women Act (VAWA).** A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

- (a) **Hope VI or Mixed Finance Modernization or Development.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: (1) A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm
Note: This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: 1) A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or

that the public housing agency plans to voluntarily convert; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>

- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

8.0 Capital Improvements. This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report. PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

- 1. At the end of the program year; until the program is completed or all funds are expended;
- 2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
- 3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

9.0 Housing Needs. Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

10.0 Additional Information. Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition of "significant amendment" and "substantial deviation/modification". **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)**

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. **(Note: Standard and Troubled PHAs complete annually).**

11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d) Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f) Resident Advisory Board (RAB) comments.
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.

Part I: Summary						
PHA Name: Atwood Housing Authority		Grant Type and Number Capital Fund Program Grant No: KS16P02250109 Replacement Housing Factor Grant No: Date of CFFP:			FFY of Grant: 2009 FFY of Grant Approval:	
Type of Grant <input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2009 <input type="checkbox"/> Final Performance and Evaluation Report						
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹		
		Original	Revised ²	Obligated	Expended	
1	Total non-CFP Funds					
2	1406 Operations (may not exceed 20% of line 21) ³					
3	1408 Management Improvements					
4	1410 Administration (may not exceed 10% of line 21)					
5	1411 Audit					
6	1415 Liquidated Damages					
7	1430 Fees and Costs					
8	1440 Site Acquisition					
9	1450 Site Improvement					
10	1460 Dwelling Structures	27,306.				
11	1465.1 Dwelling Equipment—Nonexpendable					
12	1470 Non-dwelling Structures					
13	1475 Non-dwelling Equipment					
14	1485 Demolition					
15	1492 Moving to Work Demonstration					
16	1495.1 Relocation Costs					
17	1499 Development Activities ⁴					

¹ To be completed for the Performance and Evaluation Report.

² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.

⁴ RHF funds shall be included here.

Part I: Summary						
PHA Name: Atwood Housing Authority		Grant Type and Number Capital Fund Program Grant No: KS16P02250109 Replacement Housing Factor Grant No: Date of CFFP:			FFY of Grant:2009 FFY of Grant Approval:	
Type of Grant						
<input type="checkbox"/> Original Annual Statement		<input type="checkbox"/> Reserve for Disasters/Emergencies		<input type="checkbox"/> Revised Annual Statement (revision no:)		
<input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2009				<input type="checkbox"/> Final Performance and Evaluation Report		
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹		
		Original	Revised ²	Obligated	Expended	
18a	1501 Collateralization or Debt Service paid by the PHA					
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment					
19	1502 Contingency (may not exceed 8% of line 20)					
20	Amount of Annual Grant:: (sum of lines 2 - 19)					
21	Amount of line 20 Related to LBP Activities					
22	Amount of line 20 Related to Section 504 Activities					
23	Amount of line 20 Related to Security - Soft Costs					
24	Amount of line 20 Related to Security - Hard Costs					
25	Amount of line 20 Related to Energy Conservation Measures	27,306.				
Signature of Executive Director			Date	Signature of Public Housing Director		
				Date		

¹ To be completed for the Performance and Evaluation Report.

² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.

⁴ RHF funds shall be included here.

Capital Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 Expires 4/30/2011

Part I: Summary						
PHA Name/Number Atwood Housing Authority KS022		Locality - Atwood Rawlins County, Kansas			<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
A.	Development Number and Name	Work Statement for Year 1 FFY 2010	Work Statement for Year 2 FFY 2011	Work Statement for Year 3 FFY 2012	Work Statement for Year 4 FFY 2013	Work Statement for Year 5 FFY 2014
B.	Physical Improvements Subtotal	Annual Statement	Replace bi-fold doors, start replacing Kitchen Cabinets	Finish Replacing Kitchen Cabinets	Remove & replace guttering & downspouts, replace soffets	Finish replacing soffets
C.	Management Improvements					
D.	PHA-Wide Non-dwelling Structures and Equipment					
E.	Administration					
F.	Other					
G.	Operations					
H.	Demolition					
I.	Development					
J.	Capital Fund Financing – Debt Service					
K.	Total CFP Funds					
L.	Total Non-CFP Funds					
M.	Grand Total					

Part II: Supporting Pages – Physical Needs Work Statement(s)						
Work Statement for Year 1 FFY 2010	Work Statement for Year FFY 2013			Work Statement for Year: FFY 2014		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
See	1460			1460		
Annual Statement	Remove & Replace Guttering/downspouts	9 Buildings	20,000.	Replace or wrap soffets	9 Buildings	30,000.
	Subtotal of Estimated Cost		\$	Subtotal of Estimated Cost		\$

Part III: Supporting Pages – Management Needs Work Statement(s)				
Work Statement for Year 1 FFY _____	Work Statement for Year _____ FFY _____		Work Statement for Year: _____ FFY _____	
	Development Number/Name General Description of Major Work Categories	Estimated Cost	Development Number/Name General Description of Major Work Categories	Estimated Cost
See				
Annual Statement				
	Subtotal of Estimated Cost	\$	Subtotal of Estimated Cost	\$

Part III: Supporting Pages – Management Needs Work Statement(s)				
Work Statement for Year 1 FFY _____	Work Statement for Year _____ FFY _____		Work Statement for Year: _____ FFY _____	
	Development Number/Name General Description of Major Work Categories	Estimated Cost	Development Number/Name General Description of Major Work Categories	Estimated Cost
See				
Annual Statement				
	Subtotal of Estimated Cost	\$	Subtotal of Estimated Cost	\$

List of Supporting Documents Available for Local Review

(Applicable to All PHA Plan Types)

Indicate which documents are available for public review by placing a mark in the “Applicable & On Display” column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

Applicable & On Display	Supporting Document	Applicable Plan Component
X	Form HUD-50077, <i>Standard PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual PHA Plans.</i>	Standard 5-Year and Annual Plans Streamlined 5-Year Plans
N/A	Form HUD-50076, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual PHA Plan, including required PHA certification and assurances for policy and program changes since last Annual Plan.</i>	Streamlined Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5-Year and Annual Plans 5-Year Streamlined Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5-Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments (AI) to Fair Housing Choice); and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	Streamlined Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan (TSAP) and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Deconcentration Income Analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. X Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents.X Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
N/A	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input type="checkbox"/> Check here if included in the Section 8 Administrative Plan.	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
X	Results of latest Public Housing Assessment System (PHAS) assessment (or other applicable assessment).	Annual Plan: Management and Operations
N/A	Follow-Up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary).	Annual Plan: Operations and Maintenance and Community Service and Self-Sufficiency
N/A	Results of latest Section 8 Management Assessment System (SEMAP).	Annual Plan: Management and Operations
N/A	Any policies governing any Section 8 special housing types <input type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Management and Operations

List of Supporting Documents Available for Local Review

(Applicable to All PHA Plan Types)

Indicate which documents are available for public review by placing a mark in the “Applicable & On Display” column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

Applicable & On Display	Supporting Document	Applicable Plan Component
X	Public housing grievance procedures <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Grievance Procedures
N/A	Section 8 informal review and hearing procedures <input type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement/Performance and Evaluation Report (form HUD-52837) for the active grant year	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (form HUD-52825) for any active CIAP grant	Annual Plan: Capital Needs
N/A	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
X	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See Notice 99-52 (HA).	
N/A	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
X	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the U.S. Housing Act of 1937, or Section 33 of the U.S. Housing Act of 1937.	Annual Plan: Conversion of Public Housing
N/A	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
N/A	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
N/A	Policies governing any Section 8 Homeownership program (Section ___ of the Section 8 Administrative Plan).	Annual Plan: Homeownership
X	Public Housing Community Service Policy/Programs X Check here if included in the public housing A & O Policy.	
X	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
X	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	
N/A	Most recent self-sufficiency (ED/SS, TOP, or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
X	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). X Check here if included in the public housing A & O Policy.	
X	The results of the most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Consortium agreements and certifications that agreements are in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection.	Joint PHA Plans for Consortia
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

HOUSING AUTHORITY OF THE CITY OF ATWOOD PEST CONTROL POLICY

The Housing Authority of the City of Atwood recognizes the importance of pest and vermin control in providing a living environment of adequate health and safety for its residents. To achieve this control the authority has adopted a pest control policy that will be implemented by the Executive Director.

PEST CONTROL AND EXTERMINATION

The Housing Authority of the City of Atwood will make all efforts to provide a healthy and pest-free environment for its residents. The Authority will determine which, if any, pests infest its properties and will then provide the best possible treatment for the eradication of those pests.

The Executive Director will determine the most cost-effective way of delivering the treatments whether by contractor or housing authority personnel.

The extermination plan will begin with an analysis of the current condition at each property. The Executive Director shall make sure that an adequate schedule for treatment is developed to address any existing infestation. Special attention shall be paid to cockroaches. The schedule will include frequency and locations of treatment. Different schedules may be required for each property.

Resident cooperation with the extermination plan is essential. The exterior of the buildings will be treated every two months during the season of March thru October. The interior of the apartments will be sprayed when evidence of infestation is observed. Residents will be notified when spraying will take place.

The Housing Authority of the City of Atwood will be enforcing lease provisions regarding resident responsibilities such as housekeeping, sanitation, and trash removal and storage.

NON-SMOKING POLICY

On June 22, 2009, the President signed a bill named “Family Smoking Prevention & Tobacco Control Act (PL 111-31). Because smoke can migrate between units in Public Housing, can cause respiratory illness, and other adverse health effects, the Atwood Housing Authority is adopting a non-smoking policy.

The term “smoking” means inhaling, exhaling, breathing, chewing, or carrying any lighted cigar, cigarette, or other tobacco product or similar lighted product in any manner or in any form.

Smoking is not permitted anywhere in the community building or in apartments, in accordance with the following guideline. Effective on October 31, 2009, all current residents, all employees, all guests, and all new residents of the Atwood Housing Authority will be prohibited from smoking anywhere in the buildings, or apartments belonging to the Atwood Housing Authority. For current smoking tenants a temporary smoking exemption may be allowed. **A temporary smoking exemption will not be issued to any tenant using oxygen.**

Applications for a temporary smoking exception will be available in the office during normal working hours. Applications must be filed before the effective date of this policy (October 31, 2009). Each application will be evaluated by the Executive Director. If a tenant wants to quit smoking, the Housing Authority will provide information on local programs. All tenants will be required to sign an amended lease that includes the non- smoking policy by January 1, 2010.

Any resident with an approved exemption must not smoke in any unit other than their own. Any resident with an approved exemption must not allow anyone not on their lease to smoke in their unit at any time; this includes guests and other residents. Any deviation from the smoke-free policy by any tenant, a member of their household, or their guest will be considered a lease violation. Three (3) violations will result in eviction.

The temporary exemption will be in effect until the tenant no longer resides in their current apartment in the Atwood Housing Authority, (If a resident changes to another apartment, the no smoking policy will be effect for the new apartment). At the time the last tenant with a temporary exemption moves out, the Atwood Housing Authority will become a smoke-free facility. If a resident smells tobacco smoke in any place at the Atwood Housing Authority, they are to report this to the office as soon as possible. Management will seek the source of the smoke and take appropriate action.

The Housing Authority will post NO SMOKING signs and a declaration of a “*smoke free facility*”.

As current tenants, with temporary exemptions, move out, the smoke-free policy will become effective for new tenants. Current tenants should be aware of the increase

NON-SMOKING POLICY

costs of cleaning their apartment that they are incurring by the continuation of smoking. When moving out, tenants that have been smoking will be required to wash the walls, pay for “*Kilz*” or other covering primer to be painted on the walls, from their security deposit. If the security deposit does not cover these costs, the tenant will be billed for the cost of covering primer, replacing carpet (if damaged or you can’t get the smoke smell out) and labor.

PROCUREMENT POLICY FOR THE ATWOOD HOUSING AUTHORITY

1.0 GENERAL PROVISIONS

1.1 PURPOSE

The purpose of this Policy is to help maintain the integrity of the Authority's procurement system; ensure that the Authority procures products and services effectively, efficiently and at the most favorable prices; and ensure that Authority purchasing actions are in full compliance with applicable federal standards, and State and local laws. This Policy was designed to comply with HUD's Annual Contributions Contract (ACC), Procurement Handbook for Public Housing Agencies (Handbook 7460.8. Revision 2), and the procurement regulations at 24 CFR 85.36.

1.2 DEFINITIONS

The following definitions shall be used in this Policy:

- A. *Procurement*: Refers to the purchasing, leasing or renting of goods (supplies, equipment and materials); construction and maintenance services; and architectural and engineering (A/E), legal, security, accounting, audit, social and other consulting services.
- B. *Contractor*: Refers to any business entity providing contracting, maintenance, consulting or social services.
- C. *Vendor*: Refers to any business entity that provides goods to the Authority who is not also hired as a contractor.

1.3 APPLICATION

This Policy applies to the expenditure of funds or other commodities of monetary value by the Authority to secure goods and services. It shall apply to every expenditure of federal funds by the Authority for public purchasing, irrespective of the source of funds, including transactions that do not involve an obligation of funds (such as concession contracts). Nothing in this Policy, however, shall prevent the Authority from complying with the terms and conditions of any grant, contract, gift or bequest that is otherwise consistent with law.

1.4 CHANGES IN LAWS AND REGULATIONS

In the event that an applicable federal, state or local law, regulation or ordinance is modified or eliminated, or a new law, regulation or ordinance is adopted, the revised directive shall, to the extent more stringent than a corresponding provision of this Policy, shall automatically superseded the applicable provision.

1.5 PUBLIC ACCESS TO PROCUREMENT INFORMATION

Procurement information shall be a matter of public record to the extent provided in Kansas state law and shall be available to the public as provided by that statute.

1.6 EXECUTIVE DIRECTOR'S RESPONSIBILITIES

The Executive Director shall serve as Contracting Officer, and shall administer or oversee all procurement transactions. Any delegations of contracting authority by the Executive Director must be documented in writing. The Executive Director shall ensure that the following standards are implemented:

- A. Proposed purchases are subject to a planning process to assure efficient and economical purchasing;
- B. contracts, contract amendments and purchase orders are set forth in writing, and clearly specify the desired goods and services; procurement transactions are supported by sufficient documentation regarding the history of the procurement; and contracts, purchase orders and contract amendments are awarded or approved only by Authority employees designated in writing as having such authority;
- C. for procurements other than small purchases, public notice is given of each upcoming procurement, an adequate time period is provided for preparation and submission of bids or proposals, and notice of contract awards is made available to the public;
- D. solicitation procedures are conducted in full compliance with federal regulations set forth in 24 CFR 85.36, or State and local laws (where more stringent), provided they are otherwise consistent with 24 CFR 85.36;
- E. an independent cost estimate is prepared before each Invitation for Bids or Request for Proposals is issued, the estimate is appropriately safeguarded, and a cost or price analysis is conducted of the responses received for all procurements;
- F. award is made to: The responsive and responsible contractor or vendor providing the lowest bid (for sealed bid procurements); the contractor or vendor whose proposal offers the greatest overall value (for competitive proposal procurements); and the contractor or vendor whose quotation offers the greatest overall value, price and non-price factors considered (for small-purchase procurements). For sealed-bid and competitive proposals procurements, and in instances where contractor or vendors were required to submit quotations under small-purchase procurements, unsuccessful firms shall be notified within 14 calendar days after contract or purchase order award;
- G. work is inspected before payment, and payment is made promptly for contract work performed and accepted;
- H. the Authority complies with applicable HUD review requirements; and

- I. all procurements (including contract modifications) in excess of \$10,000 are reviewed and approved by the Board of Commissioners.

1.7 CONTRACTOR AND VENDOR RESPONSIBILITY

Procurements shall be conducted only with responsible contractors and vendors, i.e., those who have the technical and financial resources to provide the products and/or services, and have a satisfactory record of performance. The Authority shall review each proposed contractor's and vendor's ability to perform the contract successfully, considering factors such as the contractor's and vendor's integrity (including a review of the List of Parties Excluded from Federal Procurement and Nonprocurement Programs published by the U.S. General Services Administration), compliance with public policy, record of past performance (including contacting previous clients of the contractor, such as other Housing Authorities), and financial and technical resources. Awards shall not be made to debarred, suspended, or ineligible contractors or vendors.

1.8 QUALIFIED CONTRACTOR AND VENDOR LISTS

Interested businesses shall be given an opportunity to be included on a list of qualified firms used in the procurement of products and services. Such lists shall be kept current, and shall include enough qualified sources to ensure competition. Firms shall not be precluded from qualifying during the solicitation period. Solicitation mailing lists of potential contractors and vendors shall include, but not be limited to, such pre-qualified suppliers.

1.9 COOPERATIVE PURCHASING

The Authority may enter into State and local intergovernmental agreements to purchase or use common products and services. The decision to use an intergovernmental agreement or conduct a direct procurement shall be based on economy and efficiency. If used, the intergovernmental agreement shall stipulate who is authorized to purchase on behalf of the participating parties and shall specify inspection, acceptance, termination, payment, and other relevant terms and conditions. When using a cooperative purchasing plan, the housing authority shall ensure that the procurement process followed by the governmental entity was consistent with one of the four acceptable methods of procurement listed in Section 4.0. The Authority shall use federal or State excess and surplus property instead of purchasing new equipment and property whenever such use is feasible and reduces project costs.

2.0 ETHICS IN PUBLIC CONTRACTING

2.1 GENERAL

The Authority shall adhere to the following code of conduct and shall establish a system of sanctions for violations consistent with applicable State or local law.

2.2 CONFLICT OF INTEREST

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

- A. An employee, officer or agent involved in making the award;
- B. his/her relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister);
- C. his/her partner; or,
- D. an organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

2.3 GRATUITIES, KICKBACKS, AND USE OF CONFIDENTIAL INFORMATION

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

2.4 PROHIBITION AGAINST CONTINGENT FEES

The Authority shall not do business with Contractors who retain a person to solicit or secure an Authority contract for a commission, percentage, brokerage, or contingent fee, except for bona fide employees or bona fide established commercial selling agencies.

3.0 PROCUREMENT PLANNING

3.1 GENERAL

Planning is essential to properly managing the procurement function. Hence, the Authority 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 procurement costs; reduce administrative costs; and ensure that an adequate amount of supplies, equipment and materials are obtained under each procurement transaction, in order to minimize the need for frequent transactions. Consideration will be given to storage, security, and handling requirements when planning the most appropriate purchasing actions.

4.0 PROCUREMENT METHODS

4.1 SMALL PURCHASING

- A. **General.** Any routine maintenance, non-routine maintenance, construction, demolition, equipment, materials, supplies and professional services (including maintenance, security, architect/engineer, legal, accounting and management) not exceeding \$100,000 may be made in accordance with the small purchase procedures authorized in this section. Contract requirements shall not be artificially divided so as to constitute a small purchase

under this section (except as may be reasonably necessary to comply with Section 10.0 of this Policy).

- B. Methods of Obtaining Price Quotes.** Quotes may be obtained by catalog, advertisement, brochure, web site, at point-of-sale, in-person, by telephone, by fax, or in writing, unless there is need to prepare a solicitation document, in which case the document would explain how price quotes are to be submitted.
- C. Petty Cash Purchases.** Small purchases of less than \$100.00 may be processed through the use of a petty cash account. The Contracting Officer shall ensure that the account is established in an amount sufficient to cover small purchases made during a reasonable period (e.g., one month), security is maintained, and only authorized individuals have access to the account. The account shall be periodically reconciled and replenished by submission of a voucher to the Authority's Executive Director and periodically audited by the Executive Director or designee to validate proper use and to verify that the account total equals cash on hand plus the total of accumulated vouchers.
- D. Small purchases of \$2,000 or less.** For small purchases below \$2,000, only one quotation need be solicited if the price received is considered reasonable. Such purchases must be distributed equitably among qualified sources. If practicable, a quotation shall be solicited from other than the previous source before placing a repeat order.
- E. Small purchases over \$2,000.** For small purchases in excess of \$2,000 but not exceeding \$100,000, no less than three price quotations shall be obtained where practicable. If cases where the housing authority has difficulty in obtaining an acceptable number of price quotes through direct solicitation of contractors and vendors, it shall publicly advertise the procurement, if there is reason to believe that the action would result in greater competition. Award shall be made to the offeror providing the lowest acceptable quotation, unless justified in writing based on both price and non-price factors. If non-price factors are used, they shall be disclosed to all those solicited. The names, addresses, and/or telephone numbers of the offerors and persons contacted, and the date and amount of each quotation shall be recorded and maintained as a public record.
- F. Review and Authorization by Board of Commissioners.** The Board of Commissioners shall authorize any procurement that entails an obligation of \$10,000 or greater, unless an emergency situation exists, as deemed by the Executive Director. In that case, the Executive Director shall take the necessary action to abate the emergency condition, and then advise the Board on the details of the procurement transaction at the next meeting of the Board of Commissioners.
- G. Solicitation Document.** When procuring services, the housing authority shall prepare a Request for Quotations (RFQ), which shall be furnished to all interested parties. The RFQ shall contain, at a minimum: Instructions for submitting offers; list of non-price factors (if any) to be considered; pre-contract conditions; wage determination (if applicable); contract form; contract general conditions; supplementary conditions (if

applicable); and technical requirements of products and services. The housing authority shall utilize HUD forms, where required, in its RFQs.

- H. **Prohibition Against Dividing Purchases.** The Authority shall not subdivide a procurement subject to either the sealed-bid or competitive proposals methods of procurement to permit the use of small-purchase procedures, or subdivide a small-purchase procurement to permit the use of micro-purchase procedures, unless the action is clearly aimed at affording small and minority-owned businesses the chance to compete for a contract or purchase order award.

4.2 SEALED BIDDING

- A. **Conditions for Use.** Contracts shall be awarded using sealed bid procedures if the following conditions are present: A complete, adequate, and realistic specification or purchase description is available; two or more responsible bidders are willing and able to compete effectively for the work; the procurement lends itself to a firm fixed price contract; and the selection of the successful bidder can be made principally on the basis of price. For physical improvement (non-routine maintenance and construction) projects and major equipment acquisition exceeding the small-purchase limit, sealed bidding shall be used. Sealed-bidding shall not be used for professional services.
- B. **Solicitation Document.** Under the sealed-bid method of procurement, the Authority shall prepare an invitation for bids (IFB). For procurements involving the provision of services (usually non-routine maintenance or construction), the IFB shall contain: (1) Instructions for submitting bids; (2) bid form; (3) pre-contract conditions; (4) wage determination (if applicable); (5) contract form; (6) contract general conditions; (7) supplementary conditions (if applicable; may be included by reference); and (8) technical requirements of products and services (e.g., specifications and drawings). For procurement of products only, e.g., items of equipment, the IFB shall contain: (1) Instructions for submitting bids; (2) sample purchase order form, with terms and conditions; bid form; and (3) technical requirements of products. The Authority shall utilize HUD forms, where required, in its IFBs.
- C. **Solicitation.** Notice of the IFB shall be published in a local newspaper of wide circulation; and the IFB shall be available through plan rooms if the nature of the work so warrants. Newspaper notices should run once each week for at least two consecutive weeks. In addition, notice of the IFB may be posted in public buildings, trade journals and publications; and shall be furnished to all interested parties, including those on the housing authority's list of qualified contractor's and vendors when appropriate. All advertisements/notices should state, at a minimum, the date, time and place the bids are due; the solicitation number; contact person and telephone or e-mail address; brief description of services/products needed; and an invitation to small, minority-owned, and Section 3 businesses, as well as women's business enterprises, to submit bids.

- D. **Receipt of Bids.** The IFB shall state the time and place for both the receipt of bids and the public bid opening. In general, bidders shall be provided a minimum of 30 calendar days to submit bids following first public notice. All bids received shall be time-stamped but not opened and shall be stored in a secure place until bid opening. A bidder may withdraw its bid at any time prior to bid opening.
- E. **Bid Opening and Award.** Bids shall be opened publicly, an abstract of bids shall be recorded, and the bids shall be available for public inspection. If equal low bids are received from responsible bidders, award shall be made by drawing lots or similar random method, unless otherwise provided in State or local law and stated in the invitation for bids. If only one responsive bid is received from a responsible bidder, award shall not be made unless a cost or price analysis verifies the reasonableness of the price.
- F. **Mistakes in Bids.** Correction or withdrawal of inadvertently erroneous bids may be permitted, where appropriate, before bid opening by written or telegraphic notice received in the office designated in the invitation for bids prior to the time set for bid opening. After bid opening, corrections in bids shall be permitted only if the bidder can show by clear and convincing evidence that a mistake of a nonjudgmental character was made, the nature of the mistake, and the bid price actually intended. A low bidder alleging a nonjudgmental mistake may be permitted to withdraw its bid if the mistake is clearly evident on the face of the bid document but the intended bid is unclear or the bidder submits convincing evidence that a mistake was made. All decisions to allow correction or withdrawal of bid mistakes shall be supported by a written determination signed by the Contracting Officer. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the Authority or fair competition shall be permitted.
- G. **Bid Guarantee.** For procurements of products and/or services whose value is estimated at over \$100,000, the bidder will be required to furnish a bid guarantee in an amount not less than 5 percent of the bid. The guarantee may be a certified check, bank draft, U.S. Government bonds at par value, or a bid bond.
- H. **Assurance of Completion.** In cases where the cost of the non-routine maintenance or construction is *estimated* to exceed \$90,000, the contractor will be required to furnish one of the following assurances of completion: (1) A performance and payment bond for 100% of the contract price; (2) separate performance and payment bonds, each for 50% or more of the contract price; (3) a 20% cash escrow; or (4) a 25% irrevocable letter of credit.
- I. **Bonds.** Bonds must be obtained from guarantee or surety companies acceptable to the U.S. Government and authorized to do business in the state where the work is to be performed. Individual sureties will not be considered.

4.3 COMPETITIVE PROPOSALS

- A. **Conditions for Use.** Competitive proposals (including turnkey proposals for development) may be used if there is an adequate method for technically evaluating proposals, and the Authority determines that conditions are not appropriate for the use of sealed bids. At least three proposals shall be obtained from qualified sources, where practicable.
- B. **Solicitation.** The request for proposals (RFP) shall clearly identify the relative importance of price and other evaluation factors, including the weight given to each. A mechanism for fairly and thoroughly evaluating the technical and price proposals (i.e., technical evaluation system) shall be established before the solicitation is issued. Proposals shall be handled so as to prevent disclosure of the number of offerors, identity of the offerors, and the contents of their proposals. The proposals shall be evaluated only on the criteria stated in the request for proposals.
- C. **Negotiations.** Unless there is no need for negotiations with any of the offerors, negotiations shall be conducted with offerors who submit proposals determined to have a reasonable chance of being selected for award, based on evaluation against the technical and price factors as specified in the RFP. Such offerors shall be accorded fair and equal treatment with respect to any opportunity for negotiation and revision of proposals. The purpose of negotiations shall be to seek clarification with regard to and advise offerors of the deficiencies in both the technical and price aspects of their proposals so as to assure full understanding of and conformance to the solicitation requirements. No offeror shall be provided information about any other offeror's proposal, and no offeror shall be assisted in bringing its proposal up to the level of any other proposal. Offerors shall not be directed to reduce their proposed prices to a specific amount in order to be considered for award. A common deadline shall be established for receipt of proposal revisions based on negotiations.
- D. **Award.** After evaluation of proposal revisions, if any, the contract shall be awarded to the highest ranking firm.
- E. **Architect/Engineer Services.** Architect/engineer services may be obtained by either the conventional form of the competitive proposals method or by the qualifications-based selection (QBS) form of the competitive proposals method, unless State law mandates QBS. Under QBS, competitor's qualifications are evaluated and the most qualified competitor is selected, subject to the negotiation of fair and reasonable compensation. Price is not used as a selection factor under this method. Qualifications-based selection procedures shall not be used to purchase other types of services even though architect-engineer firms are potential sources.
- F. **Technical Evaluation System and Rating Panel.** During the preparation of the RFP, the contracting officer shall develop a technical evaluation system; i.e., a system for technically evaluating proposals. The system will provide, for each evaluation factor, the

weighting of the factor compared to other factors; a description of the process for measuring the value of the factors (e.g., a point system); and clear and objective guidelines describing the specific qualities or features associated with each factor that will warrant a given rating. The contracting officer shall also set up a rating panel. The panel shall be comprised of at least three persons, each of whom is a PHA employee, board member or resident council (or equivalent organization) officer. Selection of participants shall be subject to the requirements of Section 2.0 of the Procurement Policy.

4.4 NONCOMPETITIVE PROPOSALS

- A. **Conditions for Use.** Procurements shall be conducted competitively to the maximum extent possible. Procurement by noncompetitive proposals may be used only when the award of a contract is not feasible using small purchase procedures, sealed bids, or competitive proposals, and one of the following applies:
- The item is available only from a single source, based on a good faith review of available sources;
 - An emergency exists that seriously threatens the public health, welfare, or safety; endangers property; or would otherwise cause serious injury to the Authority, as may arise by reason of a flood, earthquake, epidemic, riot, equipment failure, or similar event. In such cases, there must be an immediate and serious need for supplies, services, or construction such that the need cannot be met through any other procurement methods, and the emergency procurement shall be limited to those supplies, services, or construction necessary to meet the emergency;
 - HUD authorizes the use of noncompetitive proposals; or
 - After solicitation of a number of sources, competition is determined inadequate.
- B. **Justification.** Each procurement based on noncompetitive proposals shall be supported by a written justification, approved by the Contracting Officer, for using such procedures.
- C. **Price Reasonableness.** The reasonableness of the price for all procurements based on noncompetitive proposals shall be determined by performing a cost analysis, as described in Section 5.0 below.

5.0 SOLICITATION AND ADVERTISING

5.1 SMALL-PURCHASES

Quotes may be obtained by catalog, advertisement, brochure, web site, at point-of-sale, in-person, by telephone, by fax, or in writing, unless there is need to prepare a solicitation document, in which case the document would explain how price quotes are to be submitted.

Advertising in a local newspaper or using other public notice venues should be considered when an adequate number of reasonable quotes cannot be obtained.

5.2 SEALED-BIDS AND COMPETITIVE PROPOSALS

The Authority must use one or more following solicitation methods, provided that the method employed provides for meaningful competition: Advertising the notice of IFB/RFP in newspapers or other print mediums of local or general circulations for one day per week for at least two weeks; advertising the notice of IFB/RFP in various trade journals or publications; posting IFB in a plan room; posting the notice of the IFB/RFP in public buildings. In addition, the Authority shall be furnished to all interested parties, including those on the housing authority's list of qualified contractor's and vendors when appropriate. All notices should state, at a minimum, the date, time and place the bids are due; the solicitation number; contact person and telephone or e-mail address; brief description of services/products needed; and an invitation to small, minority-owned, and Section 3 businesses, as well as women's business enterprises, to submit bids.

5.4 TIME PERIOD FOR SUBMISSION OF BIDS AND PROPOSALS

Time Period for Submission of Bids. A minimum of 30 days shall generally be provided for preparation and submission of sealed bids and proposals. However, the Executive Director may allow for a shorter period under extraordinary circumstances.

5.5 VENDOR LISTS

All interested businesses shall be given the opportunity to be included on vendor mailing lists. Any lists of persons, firms, or products which are used in the purchase of supplies and services (including construction) shall be kept current and include enough sources to ensure competition.

6.0 CANCELLATION OF SOLICITATIONS

6.1 GENERAL

- A. An IFB or RFP must be cancelled before bids/proposals are due if:
 - The supplies, services or construction is no longer required;
 - the funds are no longer available;
 - proposed amendments to the solicitation are of such magnitude that a new solicitation would be best; or
 - other similar reasons.

- B. 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 to the Authority 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; or
 - for good cause of a similar nature when it is in the best interest of the Authority.
- C. The reasons for cancellation shall be documented in the procurement file and the reasons for cancellation and/or rejection shall be provided upon request.
- D. A notice of cancellation shall be sent to all bidders/offerors solicited and, if appropriate, shall explain that they will be given an opportunity to compete on any resolicitation or future procurement of similar items.
- E. If all otherwise acceptable bids received in response to an IFB are at unreasonable prices an analysis should be conducted to see if there is a problem in either the specifications or the Authority's cost estimate. If both are determined adequate and if only one bid is received and the price is unreasonable, the Contracting Officer may cancel the solicitation and either:
- Re-solicit using an RFP; or
 - complete the procurement by using the competitive proposals method. The Contracting Officer must determine, in writing, that such action is appropriate, must inform all bidders of the Authority's intent to negotiate, and must give each bidder a reasonable opportunity to negotiate.

7.0 COST AND PRICE ANALYSIS

7.1 GENERAL

Some form of cost or price analysis shall be performed for all procurement actions, including contract modifications, using the procedures described in HUD Handbook 2210.18. The method of analysis shall be determined as follows. The degree of analysis shall depend on the facts surrounding each procurement.

- A. **Price Estimate.** The Contracting Officer shall prepare a price estimate for all procurement transactions above the small-purchase threshold of \$100,000; and shall prepare an estimate for procurements below that threshold if he or she believes it is necessary to ensure the Authority is paying a reasonable price for goods and/or services.
- B. **Submission of Cost or Pricing Information.** If the procurement is based on a contract modification, noncompetitive proposal, or when only one offer is received in response to an IFB or RFP, the offeror shall be required to submit: (1) A cost breakdown showing projected costs and profit; (2) commercial pricing and sales information, sufficient to enable the Authority to verify the reasonableness of the proposed price as a catalog or market price of a commercial product sold in substantial quantities to the general public; or (3) documentation showing that the offered price is set by law or regulation. With respect to contract modifications, where the contract includes or consists of form HUD-

5370 or HUD-51915, the offeror shall be required to conform to the provision of the document governing contract modifications.

- C. **Cost Analysis.** Cost analysis shall be performed if an offeror/contractor is required to submit a cost breakdown as part of its proposal. When a cost breakdown is submitted a cost analysis shall be performed of the individual cost elements, the Authority shall have a right to audit the contractor's books and records pertinent to such costs, and profit shall be analyzed separately. Costs shall be allowable only to the extent that they are consistent with applicable Federal cost principles (for commercial firms, Subpart 31.2 of the Federal Acquisition Regulation, 48 CFR Chapter 1). In establishing profit, the Authority shall consider factors such as the complexity and risk of the work involved, the contractor's investment and productivity, the amount of subcontracting, the quality of past performance, and industry profit rates in the area for similar work.
- D. **Price Analysis.** For competitive procurements in which cost information is not required of contractors and vendors, the Authority shall perform a comparison of prices received in relation to the independent cost estimate (where required), to ensure that the price being paid is reasonable.

8.0 TYPES OF CONTRACTS, CLAUSES, AND CONTRACT ADMINISTRATION

8.1 CONTRACT TYPES

Any type of contract which is appropriate to the procurement and which will promote the best interests of the Authority may be used, with the exception of the cost plus a percentage of cost, and percentage of construction cost contracts, which are prohibited. All procurements shall include the clauses and provisions necessary to define the rights and responsibilities of the parties. A cost reimbursement contract shall not be used unless it is likely to be less costly or it is impracticable to satisfy the Authority's needs otherwise; the proposed contractor's accounting system is adequate to allocate costs in accordance with applicable cost principles (for commercial firms, see HUD Handbook 2210.18); and the contractor is paid only allowable costs. A time and material contract may be used only if a written determination is made that no other contract type is suitable, and the contract includes a ceiling price that the contractor exceeds at its own risk.

8.2 OPTIONS

Options for additional quantities or performance periods may be included in contracts, provided that (1) the option is contained in the solicitation; (2) the option is a unilateral right of the Authority; (3) the contract states a limit on the additional quantities and the overall term of the contract; (4) the options are evaluated as part of the initial competition; (5) the contract states the period within which the options may be exercised; (6) the options may be exercised only at the price specified in or reasonably determinable from the contract; and (7) the options may be exercised only if determined to be more advantageous to the Authority than conducting a new procurement.

8.3 CONTRACT CLAUSES

In addition to containing a clause identifying the contract type, all contracts shall include any clauses required by Federal statutes, executive orders, and their implementing regulations, as provided in 24 CFR 85.36(i), such as the following:

- A. Termination for convenience.
- B. Termination for default.
- C. Equal Employment Opportunity.
- D. Anti-Kickback Act.
- E. Davis-Bacon Act.
- F. Contract Work Hours and Safety Standards Act (including a contractors Safety Plan).
- G. Reporting requirements.
- H. Patent rights.
- I. Rights in data.
- J. Examination of records by Comptroller General, and retention of records for three years after closeout.
- K. Clean air and water.
- L. Energy efficiency standards.
- M. Bid protests and contract claims.
- N. Value engineering.
- O. Payment of funds to influence certain federal transactions.
- P. Contractors Guarantee Process.
- Q. Building Materials list and Hazardous Materials register.

The Authority shall use those standards HUD forms incorporating the above clauses that are applicable to a given procurement transaction.

8.4 CONTRACT TERM LIMITS

The terms for service contracts (e.g., any contract for on-going services of a repetitive nature, such as janitorial maintenance, preventive maintenance, routine maintenance, lawn maintenance, legal, architect/engineer, accounting, security, and pest control) shall be limited to three years. The Authority may not award additional work/task orders to a contractor beyond the prescribed limit in the contract, although the contractor may complete existing work/task orders that extend beyond the contract term limit. Automatic renewal provisions are prohibited.

8.5 LIQUIDATED DAMAGES

A liquidated damages clause shall be enforced for all non-routine and construction contracts whose estimated cost exceeds \$100,000. The liquidated damage amount shall generally fall in the range of \$25 to \$200 per day, and be based on the costs reasonably borne by the housing authority due to failure of the contractor to complete the project on time. The liquidated damage rate will appear in the solicitation document.

9.0 CONTRACTOR QUALIFICATIONS AND DUTIES

9.1 CONTRACTOR RESPONSIBILITIES

PHAs shall not award any contract until the prospective contractor, i.e., low responsive bidder, or successful offeror, has been determined to be responsible. A responsible bidder/offeror must:

- A. Have adequate financial resources to perform the contract, or the ability to obtain them;
- B. be able to comply with the required or proposed delivery or performance schedule, taking into consideration all the bidder's/offeror's existing commercial and governmental business commitments;
- C. have a satisfactory performance record;
- D. have a satisfactory record of integrity and business ethics;
- E. have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them;
- F. have the necessary production, construction, and technical equipment and facilities, or the ability to obtain them; and
- G. be otherwise qualified and eligible to receive an award under applicable laws and regulations, including not be suspended, debarred or under a HUD-imposed LDP.

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.

9.2 SUSPENSION AND DEBARMENT

Contracts shall not be awarded to debarred, suspended, or ineligible contractors. Contractors may be suspended, debarred, or determined to be ineligible by HUD in accordance with HUD regulations (24 CFR Part 24) or by other Federal agencies, e.g., Dept of Labor for violation of labor regulations, when necessary to protect housing authorities in their business dealings.

10.0 CONTRACT ADMINISTRATION

10.1 GENERAL

A contract administration system, designed to ensure that contractors perform in accordance with their contracts, shall be maintained. The system shall include procedures for inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on construction contracts, and similar matters.

11.0 APPEALS AND REMEDIES

11.1 GENERAL

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

11.2 PROTESTS

Any actual or prospective contractor may protest the solicitation or award of a contract or purchase order for serious violations of the principles of this Policy. Any protest against a solicitation must be received before the due date for receipt of offers or proposals, and any protest against the award of a contract or purchase order must be received within ten (10) calendar days after contract award, or the protest will not be considered. All protests shall be in writing and submitted to the Contracting Officer or designee, who shall issue a written decision on the matter. The Contracting Officer may, at his or her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented.

11.3 WRITTEN PROCEDURES

The housing authority will develop a written procedure for handling all protests and complaints involving its procurement activities.

11.4 CONTRACTOR CLAIMS

All claims by a contractor relating to performance of a contract shall be submitted in writing to the Contracting Officer, or designee, for a written decision. The contractor may request a conference on the claim. The Contracting Officer's decision shall inform the contractor of its appeal rights to the Chief Executive Officer.

12.0 ASSISTANCE TO SMALL, MINORITY-OWNED, AND LOW-INCOME AREA (SECTION 3) BUSINESSES; AND WOMEN'S BUSINESS ENTERPRISES

12.1 REQUIRED EFFORTS

Consistent with Presidential Executive Orders 11625, 12138, 12432, and Section 3 of the HUD Act of 1968, the Authority shall make efforts to ensure that small and minority-owned businesses, women's business enterprises, and individuals or firms located in or owned in substantial part by persons residing in the area of an Authority development are used when possible. Such efforts shall include, but shall not be limited to the following:

- A. Including such firms, when qualified, on solicitation mailing lists;

- B. encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
- C. dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;
- D. establishing delivery schedules, where the requirement permits, which encourage participation by such firms;
- E. using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce;
- F. including in contracts a clause requiring contractors, to the greatest extent feasible, to provide opportunities for training and employment for lower income residents of the development area and to award subcontracts for work in connection with the project to business concerns which are located in, or owned in substantial part by persons residing in the area of the development, as described in 24 CFR 135; and
- G. requiring prime contractors, when subcontracting is anticipated, to take the steps listed in A through F above.

12.2 DEFINITIONS

- A. A small business is defined as a business that is independently owned, not dominant in its field of operation, and not an affiliate or subsidiary of a business dominant in its field of operation. The size standards in 13 CFR 121 shall be used, unless the Authority determines that their use is inappropriate.
- B. A minority-owned business is defined as a business which is at least 51% owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51% of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans. The listing of minority-owned business may be obtained by utilizing the New York State approved Minority-owned (MBE) & Women-owned (WBE) register.
- C. A women's business enterprise is defined as a business that is at least 51% owned by a woman or women who are U.S. citizens and who also control or operate the business.
- D. A business concern located in the area of the development is defined as an individual or firm located within the relevant Section 3 covered development area, as determined pursuant to 24 CFR 135.15; listed on HUD's registry of eligible business concerns; and meeting the definition of small business above. A business concern owned in substantial part by persons residing in the area of the development is defined as a business concern

which is 51% or more owned by persons residing within the Section 3 covered project, owned by persons considered by the U.S. Small Business Administration to be socially or economically disadvantaged, listed on HUD's registry of eligible business concerns, and meeting the definition of small business above.

13.0 INSURANCE

13.1 GENERAL

The following standards shall pertain to all insurance policies required to be carried by contractors hired by the Authority:

- A. If any insurance is due to expire during the contract term, the contractor (including any subcontractors, as applicable) shall not permit the coverage to lapse and shall furnish evidence of coverage to the Authority. All certificates of insurance, as evidence of coverage, shall provide that no coverage may be canceled or non-renewed by the insurance company until at least 30 calendar days prior written notice has been given to the Authority.
- B. The Authority will consider ratings for companies providing insurance (i.e. Standard & Poor's, Moody's and AM Best).
- C. The Authority stipulates that all consultants, contractors and subcontractors working on site furnish certificates of insurance prior to commencing work, and that notification of insurance cancellation be received at least 30 days in advance.
- D. The Authority must ensure that insurance companies used are authorized to do business in the State.

13.2 CONSTRUCTION CONTRACTORS

Insurance shall be required of construction contractors (new construction, major demolition, and non-routine maintenance), regardless of the value of the contract. Before beginning work, the contractor and each subcontractor shall furnish the Authority with certificates of insurance showing that the following insurance is in force and will insure all operations under the contract. All insurance shall be carried with companies which are financially responsible and rated B+VI or higher by the A.M. Best Co. or equivalent and authorized to do business in the State in which the development is located. Contractor insurance shall include:

- A. Workers' Compensation, in accordance with State or Territorial Workers' Compensation laws, for all employees engaged under the modernization contract.
- B. Commercial General Liability which is comprehensive general liability insurance with bodily injury and property damage. The minimum amount of required coverage is \$500,000 per occurrence.

C. Automobile Liability on owned, non-owned and hired motor vehicles used on or in connection with the site(s) for a combined single limit for bodily injury and property damage of not less than \$500,000 per occurrence.

D. Builder's Risk

- This insurance is needed only for construction of a new building or a major addition to an existing building. If the contract involves installing equipment or materials in an existing building, the contractor should have in effect an "installation floater." Before beginning work, the contractor shall furnish the HA with a certificate of insurance evidencing that a builder's risk (property) is in force. The builder's risk insurance shall be for the benefit of the contractor and the HA as their interests may appear and each shall be named, in the policy or policies as an insured.
- The contractor is not required to carry builder's risk insurance on: excavations, piers, footings or foundations until such time as work on the superstructure is started; or work which does not involve structural alterations or additions and where the HA's existing policy will provide coverage.

Policies shall furnish coverage at all times for the full replacement cost of all completed construction, as well as materials in place and/or stored at the site(s), whether or not partial payment has been made by the HA. The contractor may terminate this insurance on buildings taken over for occupancy by the HA as of the date the buildings are taken over.

13.3 MAINTENANCE CONTRACTORS

Maintenance Contractors (repair work, preventive maintenance and cyclical maintenance – such as janitorial maintenance and mowing) shall provide the same insurance as set forth in Section 13.2 above with the exception of builder's risk insurance.

13.4 ARCHITECTS AND ENGINEERS

Required Insurance shall consist of the following insurance (minimum of \$500,000 per policy): Commercial or comprehensive general liability, and automobile.

13.5 CONSULTANTS (EXCEPT A/E)

If on-site work is involved, consultants shall furnish following insurance (minimum of \$500,000 per policy): Commercial or comprehensive general liability, and automobile.

14.0 SPECIFICATIONS AND STATEMENTS OF WORK

14.1 GENERAL

All specifications and statement of work (SOWs) shall be drafted so as to promote overall economy for the purpose intended and to encourage competition in satisfying Authority needs. Specifications and SOWs shall be reviewed prior to issuing any solicitation to ensure that they are not unduly restrictive or represent unnecessary or duplicative items.

14.2 STATEMENTS OF WORK

All SOWs shall incorporate a scope of work (a detailed description of the project for which the contractor/consultant will be providing services) and a scope of services (a detailed description of the services the contractor/consultant will provide relative to the project). All solicitation documents shall include the SOW. The Authority will include the SOW in the solicitation document and the contract documents. (In general, solicitation documents will be considered part of the contract documents.)

14.3 TECHNICAL SPECIFICATIONS

Technical specifications refer to either description of a manufactured good (i.e., supply, material or equipment) that the Authority intends to acquire; or description of a product the Authority intends to produce or construct (e.g., management system, report, building structure or fixture). When procuring goods, or hiring a contractor/consultant to produce or construct a product, the Authority will include technical specifications in the solicitation document and the contract documents. (In general, solicitation documents will be considered part of the contract documents.) If at all possible, technical specifications shall not be unduly restrictive of competition. Unless a manufactured good is truly proprietary, the Authority shall prepare specifications that include the salient design and/or performance parameters of the item. The Authority may include a list of at least three manufacturers (including model designations, if applicable) as part of the description, but must stress that the named items are only examples of items that meet the specifications.

14.4 DRAWINGS

Drawings shall be prepared for physical improvement projects where the complexity of the project warrants.

14.5 GEOGRAPHICAL PREFERENCES

The Authority cannot impose geographical limits on contractors/consultants except for architects and engineers – but only if those limits leave an adequate number of sources from which to obtain reasonable offers.

15.0 RECORDS

15.1 FILE DOCUMENTS

The Authority must maintain records sufficient to detail the significant history of each procurement action. These records shall include, but shall not necessarily be limited to, the following:

- A. Rationale for the method of procurement;
- B. rationale of contract pricing arrangement;
- C. reason for accepting or rejecting quotes, bids or proposals;
- D. basis for the contract price;
- E. copies of solicitation documents;
- F. bid tabulations;

- G. copies of written offers (including, where applicable, catalog pages, brochures, advertisements, web pages, etc.);
- H. transcript of offers where not in writing;
- I. copies of contract documents;
- J. copies of submittals received by the Authority (e.g., insurance certificates, payroll reports, shop drawings, payment requests, contract modification requests, requests for time extensions, etc.);
- K. basis for contract modifications;
- L. all directives issues by the Authority (e.g., notices-to-proceed, stop orders, change orders, approvals, designation of contracting officer forms, etc.);
- M. inspection reports generated by the Authority or consultant;
- N. certificates of completion;
- O. documentation describing disputes or protests; and
- P. warranty documentation.

15.3 FILING SYSTEM

The Authority shall maintain one file folder for procurement transactions under \$2,000; and at least two file folders (one set for the planning and solicitation processes; and a second set for contract award and administration processes) for all procurement transactions over \$2,000. All paperwork shall be neatly filed and in chronological order. Multi-leaf folders shall be used when the size of the contract warrants it.

15.4 RECORD RETENTION

Records are to be retained for a period of five years after final payment, or all matters pertaining to the contract are closed, whichever is longer.

16.0 SPECIAL PROVISIONS ASSOCIATED WITH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

16.1 GENERAL

The following provisions pertain only to procurement transactions paid with Capital Fund Recovery Grants (CFRGs) funded under the American Recovery and Reinvestment Act of 2009 (ARRA).

- A. **Origin of Manufactured Products.** All products (supplies, materials and equipment) secured under individual procurement transactions exceeding \$100,000 must be manufactured in America. The Authority will retain on file evidence demonstrating compliance with this provision.
- B. **Inapplicability of State and local laws.** State and local laws do not apply to procurement transactions under this section.
- C. **Use of the Non-Competitive Method of Procurement.** The need to expend grant funds is considered a public exigency by HUD; and the Authority may use this declaration as

the basis for using the non-competitive proposals method of procurement in accordance with the standards set forth under Section 4.4 of this Policy.

- D. **Eligibility of Expenses.** The Authority may not use grant funds to support housing operations. Prohibited purchases include, but are not necessarily limited to: Management improvements, including training, travel, salary costs, maintenance programs, occupancy programs, social services, consulting services (other than architectural, engineering and other types of services related to physical improvements); office equipment and furniture; and maintenance equipment.

Date Policy was adopted: November 23, 2009

ATWOOD HOUSING AUTHORITY

PET POLICY

REVISED

1.1 *EXCLUSIONS*

This policy does not apply to animals that are used to assist persons with disabilities. Assistive animals are allowed in all public housing facilities with no restrictions other than those imposed on all tenants to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

1.2 *PETS IN PUBLIC HOUSING*

The Atwood Housing Authority allows for pet ownership in its developments with the written pre-approval of the Housing Authority. Residents are responsible for any damage caused by their pets, including the cost of fumigating or cleaning their units. In exchange for this right, resident assumes full responsibility and liability for the pet and agrees to hold the Atwood Housing Authority harmless from any claims caused by an action or inaction of the pet.

1.3 *APPROVAL*

Residents must have the prior written approval of the Housing Authority before moving a pet into their unit. Residents must request approval on the Authorization for Pet Ownership Form that must be fully completed before the Housing Authority will approve the request. Residents must give the Housing Authority a picture of the pet so it can be identified if it is running loose.

1.4 *TYPES AND NUMBER OF PETS*

The Atwood Housing Authority will allow only common household pets. This means only domesticated animals such as a dog, cat, bird, or fish in aquariums will be allowed in units. Common household pets do not include reptiles (except turtles). If this definition conflicts with a state or local law or regulation, the state or local law or regulation shall govern.

All dogs and cats must be spayed or neutered before they become six months old. A licensed veterinarian must verify this fact.

Only **One (1)** pet per unit will be allowed according to this schedule.

Unit Size Pets Zero Bedroom-**One**, One Bedroom-**One**, Two Bedrooms -**One**.

Any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs, will not be allowed.

No animal may exceed Twenty (20) pounds in weight projected to full adult.

1.5 *INOCULATIONS*

In order to be registered, pets must be appropriately inoculated against rabies, distemper and other conditions prescribed by state and/or local ordinances. They must comply with all other state and local public health, animal control, and anticruelty laws including any licensing requirements. A certification signed by a licensed veterinarian or state or local official shall be annually filed with the Atwood Housing Authority to attest to the inoculations.

1.6 *PET DEPOSIT*

A pet deposit of **\$100.00** is required at the time of registering a pet. **The deposit is non-refundable.** Additional charges may be made when the tenant vacates the apartment depending on damages. Those tenants with pets, who have paid \$100.00 deposit prior to March 19, 2009, will receive their deposit refunded if all other conditions are met.

1.7 *FINANCIAL OBLIGATION OF RESIDENTS*

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any damages caused by the pet. Also, any **pet-related insect infestation** in the pet owner's unit will be the financial responsibility of the pet owner and the Atwood Housing Authority reserves the right to exterminate and charge the resident.

1.8 *NUISANCE OR THREAT TO HEALTH OR SAFETY*

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas.

Repeated substantiated complaints by neighbors or Atwood Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance may result in the owner having to remove the pet or move him/herself.

Pets who make noise continuously and/or incessantly for a period of 10 minutes or intermittently for one half hour or more to the disturbance of any person at any time of day or night shall be considered a nuisance.

1.9 DESIGNATION OF PET AREAS

Pets must be kept in the owner's apartment or on a leash at all times when outside the unit (no outdoor cages may be constructed). Pets will be allowed only in designated areas on the grounds of the property. Designated area for pets is in the rear yard of the individual apartment. Pet owners must clean up after their pets and are responsible for disposing of pet waste.

With the exception of assistive animals, no pets shall be allowed in the community room, community room kitchen, laundry rooms, public bathrooms, lobby, beauty shop, hallways or office in any of our sites.

To accommodate residents who have medically certified allergic or phobic reactions to dogs, cats, or other pets, those pets may be barred from certain buildings in our development. This shall be implemented based on demand for this service.

1.10 MISCELLANEOUS RULES

Pets may not be left unattended in a dwelling unit for over 12 hours. If the pet is left unattended and no arrangements have been made for its care, the HA will have the right to enter the premises and take the uncared for pet to be boarded at a local animal care facility at the total expense of the resident.

Pet bedding shall not be washed in any common laundry facilities.

Residents must take appropriate actions to protect their pets from fleas and ticks.

All dogs must wear a tag bearing the resident's name and phone number and the date of the latest rabies inoculation.

Pets cannot be kept, bred or used for any commercial purpose.

Residents owning cats shall maintain waterproof litter boxes for cat waste. Refuse from litter boxes shall not accumulate or become unsightly or unsanitary. Litter shall be disposed of in a closed plastic bag.

A pet owner shall physically control or confine his/her pet during the times when Housing Authority employees, agents of the Housing Authority or others must enter the pet owner's apartment to conduct business, provide services, enforce lease terms, etc.

If a pet causes harm to any person, the pet's owner shall be required to permanently remove the pet from the Housing Authority's property within 24 hours of written notice from the Housing Authority. The pet owner may also be subject to termination of his/her dwelling lease.

Visiting pets are prohibited in any apartment.

A pet owner who violated any other conditions of this policy may be required to remove his/her pet from the development within 10 days of written notice from the Housing Authority. The pet owner may also be subject to termination of his/her dwelling lease.

The Housing Authority's grievance procedures shall be applicable to all individual grievances or disputes arising out of violations or alleged violations of this policy.

1.11 REMOVAL OF PETS

The Atwood Housing Authority, or an appropriate community authority, shall require the removal of any pet from a project if the pet's conduct or condition is determined to be a nuisance or threat to the health or safety of other occupants of the project or of other persons in the community where the project is located.

In the event of illness or death of pet owner, or in the case of an emergency which would prevent the pet owner from properly caring for the pet, the Atwood Housing Authority has permission to call the emergency caregiver designated by the resident or the local Pet Law Enforcement Agency to take the pet and care for it until family or friends would claim the pet and assume responsibility for it. Any expenses incurred will be the responsibility of the pet owner.