



Corpus Christi  
**HOUSING**  
Authority & Affiliates

# PROCUREMENT POLICY

For the

Corpus Christi Housing Authority & Affiliates

Board Approved: February 22, 2023

## **1.0 INTRODUCTION**

- 1.1 The Housing Authority of the City of Corpus Christi (CCHA) is, pursuant to Chapter 392 of the Texas Local Government Code, the Housing Authority, for all purposes a unit of government and its functions are essential governmental functions. CCHA's primary function is the administration of HUD's Section 8 Voucher Program via contract with HUD. In order to accomplish that primary purpose, CCHA is comprised of a Section 8 department, which administers the Section 8 Program and a Central Office Cost Center, which provides administrative support to the Section 8 program.
- 1.2 In addition, CCHA serves as the Sponsor for non-profit Affiliates, including Bluebonnet Gardens, Thanksgiving Homes, Corpus Christi Finance Corporation, Royal Palm Gardens, Sea Breeze Senior Apartments, Corban Townhomes, and Hampton Port Apartments. All are collectively known as Corpus Christi Housing Authority and Affiliates (CCHAA). All entities are governed by the same Board of Directors and CEO, with responsibility and authority over the administration and operation of all business affairs of all entities.
- 1.3 Pursuant to HUD regulations both the Section 8 Program and the COCC are exempt from HUD or other federal procurement regulations. Similarly, as non-governmental entities, CCHA Affiliates are likewise not subject to HUD or other Federal government procurement regulations.
- 1.4 As a governmental entity, though not required to follow federal procurement rules. CCHA recognizes the importance of establishing and maintaining a procurement system that ensures value, transparency, ethical, and legal purchases. Such system is intended to apply equally and consistently to CCHA and to its Affiliates.

## **2.0 PROCUREMENT OBJECTIVES**

- 2.1 CCHAA shall:
  - 2.1.1 Procure goods, services and construction in an efficient, economical manner in compliance with all applicable procurement laws.

- 2.1.2 Provide for a fair and equitable and transparent procurement system that provides the best value to the CCHAA and fosters opportunities for vendors and contractors.
  - 2.1.3 Ensure systems are in place to maintain strict accountability for all expenditures.
  - 2.1.4 Promote opportunities for CCHAA residents and the local community to be awarded contracts and/or be hired by such awarded vendors and contractors, where possible.
- 2.2 APPLICATION: This Policy applies to all procurement activities of the CCHAA except for any Federal, State or Local mandated exclusions and Real Property transactions. To the extent allowed by law, the Chief Executive Officer (CEO) shall ensure purchases be made that are in the best interest of the CCHAA.

### **3.0 ETHICS IN PROCUREMENT**

- 3.1 Conflicts of Interest. No employee, officer, Board member, or agent of the CCHAA shall participate directly or indirectly in the selection, award, or administration of any contract, if a conflict of interest, either real or apparent, shall be involved in any way.
- 3.2 Conflicts of interest include direct involvement or other financial or beneficial gains. This also includes involvement by the following:
  - 3.2.1 An employee, officer, Board member, or agent involved the award selection or recommendation.
  - 3.2.2 His/Her relatives to the 3<sup>rd</sup> degree by consanguinity (blood) which includes parent, child, grandparent grandchild, brother/sister, great grandparent great grandchild uncle/aunt, and nephew/niece.
  - 3.2.3 His/Her relatives to the 2<sup>nd</sup> degree by affinity (marriage/adoption) which includes spouse, parent, child, grandparent, grandchild, brother/sister or his/her legal partner.

- 3.2.4 An organization which employees or is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.
- 3.3 Gratuities, Kickbacks, and Use of Confidential Information. No officer, employee, Board member, or agent of the CCHAA shall ask for or accept gratuities, favors or items of more than nominal value (i.e. promotional items less than \$25) from any contractor, potential contractor, or party to any subcontract, and shall not knowingly use confidential information for actual and anticipated personal gains.
- 3.4 Prohibition against Contingent Fees. Contractors must not hire a person to solicit or secure a contract for a commission percentage, brokerage, or contingent fee, except for bona fide established commercial selling agencies and insurance brokers.

#### **4.0 PROCUREMENT PLANNING**

- 4.1 General. Planning is essential to managing the procurement function properly. Hence, the CCHAA will periodically review its record of prior purchases, as well as future needs, to:
  - 4.1.1 find patterns of procurement actions that could be performed more efficiently or economically;
  - 4.1.2 maximize competition and competitive pricing among contracts and decrease the CCHAA's procurement costs;
  - 4.1.3 reduce CCHAA administrative costs;
  - 4.1.4 ensure that supplies and services are obtained without any need for re-procurement (i.e., resolving bid protests); and
  - 4.1.5 minimize errors that occur when there is inadequate lead time.

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

#### **5.0 PROCURMENT AUTHORITY**

- 5.1 All CCHAA procurement actions exceeding the Federal Simplified Acquisition Threshold require Board of Commissioners approval unless an emergency

requiring immediate attention and action exists. If such a condition exists, the CEO will notify the Board Chair of such action and will present the procurement action to the Board of Commissioners for ratification at the next Board meeting.

- 5.2 The CEO is authorized to approve purchases, enter into contracts and expend CCHAA funds up to the Federal Simplified Acquisition Threshold without prior approval from the Board of Commissioners.
- 5.3 The CEO may renew Board approved contracts in excess of the Federal Simplified Acquisition Threshold as specifically authorized by applicable Board resolution.
- 5.4 The CEO may further delegate purchasing authority below the Federal Simplified Acquisition Threshold, as appropriate, to create procurement efficiencies to meet operational needs. All purchasing authority delegated by the CEO shall be in writing.
- 5.5 The CEO shall either serve as Contracting Officer (CO) or may designate a CO for certain procurement actions.

## **6.0 PROCUREMENT METHODS:**

- 6.1 **Simplified Acquisition Methods:** For purchases under the Federal Simplified Acquisition Threshold, the CEO shall establish the appropriate purchasing method to be used. Routine authorized purchases such as gasoline may be purchased at any retailer even though the annual aggregate expenditure exceeds the Federal Simplified Acquisition Threshold.
- 6.2 **Purchasing Methods:** The CCHAA may make purchases through any legal method of procurement that yields the best value for the organization considering price, quality, availability, fair treatment to vendors and transparency.
- 6.3 **Cooperative Purchasing/Intergovernmental Agreements.** The CCHAA may enter into State and/or local cooperative or intergovernmental agreements to purchase or use supplies, equipment, or services. The decision to use an interagency local agreement instead of conducting a direct procurement shall be based on economy and efficiency.

6.4 **Small Business Development Initiatives:** The CCHAA may create small business development initiatives or programs outside procurement procedures that promote opportunities for small businesses to participate in contract awards. Such initiatives may include Small Builder Program or Make Read Vendor Pool Program where the contract specifications and prices are established by the CCHAA.

## **7.0 CREDIT CARDS**

7.1 Credit card usage is only authorized by those employees as deemed appropriate by the CEO. Expenditure thresholds shall be established to limit the purchasing authority at appropriate levels. Authorized purchases include travel, continuing education, professional memberships, duty related supplies and services where the issuance of a purchase order or check is not practical, and any other purchases deemed appropriate by the immediate supervisor. Employees who use CCHAA credit cards must obtain all receipts and related documentation to show proof of purchase to report on an expense report as required.

## **8.0 CONTRACT ADMINISTRATION**

8.1 The CCHAA shall maintain a system of contract administration designed to ensure that Contractors perform in accordance with their contracts. These systems shall provide for inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on major projects including construction contracts, and similar matters.

## **9.0 APPEALS AND REMEDIES**

9.1 General. It is CCHAA policy to resolve all contractual issues informally and without litigation.

9.2 All protests or disputes for solicitations/contracts under Federal Simplified Acquisition Threshold shall be in writing to the Contracting Officer who will make the final determination. Written protests for solicitations must be received before due date of solicitation. Written protests for contract award must be received

within ten (10) days of contract award date. The Contracting Officer will issue a written decision within 15 days of the receipt of protest.

#### **10.0 DISPOSITION OF SURPLUS PROPERTY**

10.1 General. Property no longer necessary for the CCHAA purposes (non-real property) shall be transferred, sold, or disposed of, at CEO discretion, in a reasonable manner in accordance with applicable laws and regulations.

#### **11.0 FUNDING AVAILABILITY**

11.1 General. Before initiating any contract, the CCHAA shall ensure that there are sufficient funds available to cover the anticipated cost of the contract or modification.

#### **12.0 REAL PROPERTY**

12.1 Purchases and sale of Real Property are governed by Board approved Bylaws and are not addressed in this policy.