

**CONTRACT BID POLICY for the
ROYAL RIDGE PATIO HOMES ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

WHEREAS, all of the property located in the Royal Ridge Unit VI Subdivision (the “Subdivision”) is subject to that certain Declaration of Covenants, Conditions and Restrictions recorded as Document No. 681627, and as amended, in the Official Public Records of Bexar County, Texas, (the “Declaration”);

WHEREAS, in accordance with the Declaration, the Royal Ridge Patio Homes Association, Inc., a Texas nonprofit corporation (the “Association”) was created to administer the terms and provisions of the Declaration. Unless the Declaration or applicable law expressly provides otherwise, the Association acts through a majority of its board of directors (the “Board”);

WHEREAS, the Association is empowered to enforce the restrictive covenants, bylaws, or similar instruments governing the administration or operation of the Association (collectively, the “Dedictory Instruments”);

WHEREAS, Section 209.0052 of the Texas Property Code was amended effective September 1, 2021 to require the use of a bid policy established by the Association for proposed contracts for services that shall cost in excess of fifty thousand dollars (\$50,000.00); and

WHEREAS, the Board of the Association desires to hereby establish a Contract Bid Policy consistent with the provisions of Section 209.0052 of the Texas Property Code and to provide transparency and guidance to its membership.

NOW THEREFORE, the Board has duly adopted the following *Contract Bid Policy* (the “Policy”):

CONTRACT BID POLICY

Applicability. This Policy shall apply to all proposed Association contracts for services that shall cost in excess of fifty thousand dollars (\$50,000.00), including both onetime fixed-price contracts and term contracts. The value of a term contract shall be calculated by adding all of the payments due under the contract during the contract term. Nothing herein shall prohibit the Board, at its sole discretion, from utilizing this Policy for contracts for services that shall cost less than fifty thousand dollars (\$50,000.00).

Purpose. This Policy is intended to satisfy the Association’s obligation to establish a contract bid policy for proposed Association contracts for services that shall cost in excess of fifty thousand dollars (\$50,000.00) and to promote maximum competition in awarding contracts in order to obtain the best contract value for the Association.

Procedure. The Association shall issue a Request for Proposal (“RFP”) for all contracts subject to the terms of this policy.

A. Issuance of the RFP. A RFP shall generally include the following:

1. Subject. A general overview of the project, including an outline of the required services and information regarding how the Association expects the services to be performed;
2. Contact. Identify the Association’s point of contact where all correspondence concerning RFP should be directed;
3. Budget and Schedule. State the Association’s budget for the project and expected completion timeline;
4. Scope of Services. Identify the required scope of services the Association seeks to procure;
5. Vendor Questionnaire. A vendor questionnaire should be specific to the RFP to ensure a vendor is capable of providing the required services. When applicable to a particular project, it should require proof that all vendors are properly licensed, bonded, and insured;
6. Proposal Requirements. Identify the required form of responses;
7. Criteria for Selection. State what criteria and weights will be used to evaluate the RFPs;
8. Place and Date of Submission. Identify date, time, place, and manner of when and how proposals are due. No proposals are to be accepted after this time; and
9. Schedule. Include the Association’s internal proposed timeline for the review, evaluation and award of contract.

B. Release of the RFP.

1. Upon completion of the RFP, the Association shall release and distribute the RFP to as many potential proposers as reasonably practicable, but no less than three (3);
2. The Association shall ensure that sufficient time is given to potential proposers to prepare complete and comprehensive responses worthy of the Association’s consideration; and
3. Amendments or addenda to the RFP may be issued by the Association. Extending the due date of responsive proposals shall be considered if substantial changes are made to the RFP.

C. Mistakes, Errors, and Withdrawal of Proposals.

1. Any proposal, request for withdrawal, or modification of a responsive proposal that is not received by the designated date, time, place and in the manner prescribed by the RFP shall be deemed late and shall not be considered.

D. Negotiation.

1. At the sole discretion of the Board, negotiations may be held with entities that have responded to the RFP;
2. The Board may negotiate with entities it has deemed likely to be awarded a contract in light of responses received to the RFP;
3. All proposers shall be treated fairly in negotiations; and
4. During negotiations, the Association nor any of its agents shall disclose any information for a competing proposal or advise a proposer of its standing relative to another proposer.

E. Best and Final Offers.

1. Proposers may be requested to revise their proposals by submitting a Best and Final Offer (“BAFO”), as determined by the Association. The request can include one or multiple elements of the RFP;
2. The Association shall establish the date, time, place and manner of delivery required for the BAFO; and
3. A proposer’s previous offer shall be deemed final unless a modification or BAFO is submitted as requested.

Emergency Circumstances. An emergency circumstance is one that creates an immediate and serious need for services or goods to protect property or the health and safety of the Association’s members. In the event of an emergency circumstance that requires the Association to enter into a contract for services that may cost in excess of fifty thousand dollars (\$50,000.00), the Association is not required to comply with the terms of this Policy. In an emergency circumstance, the Association should attempt to contract with vendors for which it has had preexisting relationships and/or knowledge of the reputation of the vendor or the vendor’s goods or services. Emergency purchases shall be made on a competitive basis, if reasonably practicable.

Miscellaneous.

- a. Amendment. This Policy may be revoked or amended from time to time by the Board. This Policy will remain effective until the Association records an amendment to this Policy in the Official Public Records of Bexar County, Texas.
- b. Conflict. In the event of any conflict between this Policy and any Dedicatory Instrument of the Association, this Policy controls.
- c. Effective Date. This Policy is effective upon recordation in the Official Public Records of Bexar County, Texas.