

LAKELAND HOUSING AUTHORITY**COMPREHENSIVE PROCUREMENT POLICY***FY 2027 Final Board-Ready Draft*

Policy Item	Information
Agency	Housing Authority of the City of Lakeland, Florida (Lakeland Housing Authority or LHA)
Principal Office	430 Hartsell Avenue, Lakeland, Florida 33815
Prepared For	Board of Commissioners
Prepared By	Carlos R. Pizarro, Senior Vice President
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Board Resolution	Resolution No. 26-1575
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Board Meeting Date	09/21/2026

POLICY STATUS

This final comprehensive draft consolidates the attached LHA procurement draft and the May 2026 housing agency sample policy. It removes sample comments and placeholders, adds BABA/BAP controls, updates 2 CFR Part 200 procedures, incorporates current HUD procurement practices, and adds Florida-specific compliance clauses. Counsel and the Contracting Officer should validate applicability of Florida provisions to each source of funds and project before Board adoption.

Approval	Signature / Date
Board Chair	David Samples Signature:  Date: 09/21/2026
Executive Director / CEO	Benjamin Stevenson Signature:  Date: 09/21/2026

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1. Purpose, Authority, Scope, and Order of Precedence

1.1 Policy Purpose

The purpose of this Policy is to establish a procurement system of quality, integrity, transparency, efficiency, and accountability; ensure fair and equitable treatment of vendors; maximize full and open competition; obtain supplies, equipment, services, professional services, and construction at fair and reasonable prices; protect public and federal funds; and ensure compliance with controlling requirements.

1.2 Governing Authority

- The United States Housing Act of 1937, applicable Annual Contributions Contracts, MTW agreements, grant agreements, notices of funding opportunity, award terms, and HUD program requirements.
- 2 CFR Part 200, including §§ 200.317 through 200.327 and Appendix II to Part 200.
- 2 CFR Part 184 and the Build America, Buy America Act, including HUD implementation guidance and waivers applicable to the award and project.
- HUD Procurement Handbook 7460.8 REV 3 as the principal HUD procurement practice guide for PHAs.
- 24 CFR Parts 75, 905, 990, and other program-specific rules, as applicable.
- Chapter 421, Florida Statutes, and other Florida laws applicable to LHA, the procurement, the contract, public construction, public records, ethics, licensing, prompt payment, professional services, and funding source.
- LHA Board resolutions, approved budgets, delegations, procedures, and local requirements.

1.3 Scope

This Policy applies to LHA and, when the applicable governing documents so provide, to its instrumentalities, affiliates, partnerships, and controlled entities. It applies to procurement of goods, supplies, equipment, construction, maintenance, consulting, professional services, social services, information technology, leases, and other services, regardless of funding source, unless a documented legal or program-specific exclusion applies.

1.4 Exclusions and Special Transactions

This Policy does not convert programmatic selections into procurement actions when federal program rules govern them differently. Examples may include selection of applicants under HCV/PBV, selection of PBV projects where governed by 24 CFR Part 983, execution of HAP contracts, real property acquisition or disposition governed by separate law, or transactions expressly excluded by controlling HUD guidance. The Contracting Officer shall document the authority for any exclusion.

1.5 Order of Precedence

30. Federal statute and controlling federal regulations.
31. Federal award terms, HUD program regulations, ACC/MTW agreements, and binding HUD notices.
32. Applicable Florida law and local law.
33. This Board-approved Policy.
34. LHA procurement procedures, solicitation terms, and contract terms.

When requirements conflict, LHA will follow the requirement that is controlling for the transaction. Where multiple requirements apply without direct conflict, LHA will follow the more restrictive requirement unless counsel determines otherwise.

1.6 Automatic Supersession and Controlled Updates

A later controlling law, regulation, HUD requirement, award term, or court order supersedes inconsistent language in this Policy to the extent of the inconsistency. LHA will document interim implementation and present material policy revisions to the Board as appropriate.

2. Definitions

Term	Policy Definition
BABA / BAP	Build America, Buy America Act and its Buy America Preference for covered federally funded infrastructure projects.
Contracting Officer	The Executive Director/CEO or a person with written delegated procurement authority.
Construction materials	Materials subject to 2 CFR Part 184 and applicable HUD BABA guidance.
Federal financial assistance	Assistance governed by a federal award, including grants and other covered assistance, as distinguished from procurement contracts directly entered by the Federal Government.
ICE	Independent Cost Estimate prepared before receipt of bids or proposals when required.
Infrastructure project	A project involving construction, alteration, maintenance, or repair of infrastructure in the United States, as determined under BABA, 2 CFR Part 184, and HUD guidance.
Micro-purchase threshold	The applicable threshold authorized by federal law and adopted by LHA, subject to any lower controlling state, local, award, or Board threshold.
Simplified acquisition threshold	The applicable FAR-linked threshold and LHA-adopted limit, subject to any lower controlling requirement.
Responsible contractor	A contractor with adequate resources, integrity, experience, controls, technical capacity, eligibility, licenses, and ability to perform.
Responsive bid/proposal	A submission that materially conforms to the solicitation requirements.
Section 3	Section 3 of the Housing and Urban Development Act of 1968 and 24 CFR Part 75.

3. Procurement Authority and Administration

3.1 Board of Commissioners

- Adopts this Policy and material amendments.
- Approves procurements and contracts when required by Board resolution, delegation, funding documents, or law.
- Maintains policy-level oversight without directing evaluation outcomes or vendor selection except through authorized Board action.

3.2 Executive Director / CEO

- Serves as chief procurement authority unless the Board provides otherwise.
- May delegate procurement authority in writing, subject to dollar, type, duration, and funding limits.
- Ensures procurement staffing, training, internal controls, segregation of duties, and compliance monitoring.

3.3 Contracting Officer

- Determines procurement method, solicitation approach, competition, responsibility, price reasonableness, award, contract type, modifications, closeout, and file sufficiency.
- Ensures no obligation is made before funding and authority are confirmed.
- Documents deviations, emergencies, noncompetitive actions, rejected bids, protests, and corrective actions.

3.4 Evaluation Committees

Evaluation committees shall be appointed in writing. Members must sign conflict-of-interest and nondisclosure statements before receiving proposals. Evaluations must use only disclosed criteria and weights. Individual and consensus scoring, notes, clarifications, interviews, and recommendation reports must be retained.

3.5 Segregation of Duties

To the extent practicable, request, approval, solicitation, evaluation, award, receipt/inspection, invoice approval, payment, and reconciliation shall be assigned to different persons. Where staffing limits full segregation, the Executive Director shall establish and document compensating review controls.

4. Ethics, Conflicts, Gifts, and Organizational Conflicts

4.1 Written Standards of Conduct

No employee, officer, agent, commissioner, consultant, or evaluation committee member with a real or apparent conflict may participate in selection, award, or administration of a contract supported by federal funds. Covered persons must promptly disclose actual, potential, or apparent conflicts and recuse when directed.

4.2 No Gifts or Gratuities

LHA adopts a zero-gift procurement standard. Covered persons shall not solicit or accept gratuities, favors, meals, entertainment, discounts, travel, loans, promises of employment, or anything of monetary value from a current or prospective contractor, subcontractor, or party to a procurement, except unsolicited items of truly nominal promotional value if permitted by law and LHA ethics procedures. When uncertain, the item must be declined and disclosed.

4.3 Florida Ethics

LHA officials and employees shall comply with applicable Florida ethics laws, including restrictions on solicitation or acceptance of things of value intended to influence official action and restrictions on doing business with one's agency. LHA may impose standards stricter than state law.

4.4 Organizational Conflicts of Interest

Solicitations and contracts shall address organizational conflicts where a person or firm may have impaired objectivity, unequal access to nonpublic information, or an unfair competitive advantage from preparing specifications, statements of work, estimates, or procurement documents. LHA may require mitigation, recusal, information barriers, exclusion from competition, or other remedies.

4.5 Sanctions

Violations may result in removal from the procurement, discipline, cancellation, termination, disqualification, referral to oversight authorities, recovery of losses, or other remedies allowed by law.

5. Procurement Planning and Internal Controls

- Conduct annual and project-specific procurement planning tied to budgets, capital plans, grants, MTW activities, construction schedules, recurring contracts, option periods, and expiring agreements.
- Avoid unnecessary or duplicative purchases; consider consolidation or division into smaller components only when it improves economy, competition, or participation and does not evade thresholds.
- Perform lease-versus-purchase and life-cycle cost analysis when appropriate.
- Identify all funding sources before solicitation and map applicable rules, including BABA, Section 3, Davis-Bacon or HUD-determined prevailing wages, environmental review limitations, and grant special conditions.
- Do not solicit or award before required environmental clearance, funding authority, or Board approval.
- Maintain internal controls over vendor setup, banking changes, purchase cards, electronic approvals, invoice matching, and change orders.

5.1 Splitting Purchases Prohibited

Requirements shall not be divided to avoid competition, Board approval, the micro-purchase threshold, simplified acquisition threshold, BABA review, bonding, Section 3, or other requirements. Related needs reasonably known at the time of procurement shall be aggregated for method selection.

5.2 Procurement Lead Time

Departments shall provide sufficient lead time for specifications, ICE, legal review, advertising, evaluation, protest period, Board action, BABA sourcing, bonds, insurance, HUD approvals, and contract execution.

6. Procurement Methods and Thresholds

THRESHOLD CONTROL

As of the federal sources reviewed in August 2026, the FAR-linked micro-purchase threshold is \$15,000 and the simplified acquisition threshold is \$350,000. LHA adopts those ceilings unless the Board adopts lower limits or a lower state, local, award, program, or contract requirement controls. LHA may not use a higher micro-purchase threshold unless the conditions and documentation in 2 CFR 200.320 are satisfied and the Board expressly adopts it.

Method	Dollar Range / Trigger	Minimum Policy Standard
Petty cash	Up to \$500 per transaction, subject to Finance procedures	Authorized custodian; receipt; business purpose; reconciliation; no split purchases.
Micro-purchase	At or below \$15,000 unless a lower controlling limit applies	No competitive quotes required if price is reasonable; distribute equitably among qualified suppliers when practicable; document business purpose and reasonableness.
Simplified acquisition	Above micro-purchase threshold through \$350,000 unless a lower limit applies	Obtain quotations from an adequate number of qualified sources, normally at least three when practicable; document outreach, quotes, evaluation, responsibility, and price reasonableness.
Sealed bids / IFB	Formal procurements when selection is principally price and specifications are complete	Public advertisement; firm fixed price; public opening; award to lowest responsive and responsible bidder; document rejection of bids.
Competitive proposals / RFP	Formal procurements when factors other than price are material	Public notice; disclosed criteria and relative importance; written evaluation procedures; multiple qualified sources; award to most advantageous responsible offeror.
Qualifications-Based Selection / RFQ	A/E and services governed by applicable QBS law	Rank on qualifications; select most qualified firm; negotiate fair and reasonable compensation; do not use QBS for services outside authorized scope.
Noncompetitive	Only when a permitted condition exists	Written justification; applicable exception; price/cost analysis; required approval; limited scope and duration.
Cooperative / intergovernmental	When the underlying procurement permits use and is compliant	Due diligence, scope/term match, pricing reasonableness, authorization, no material change, and complete procurement file.

6.1 Micro-Purchases

The Contracting Officer may award a micro-purchase without soliciting competitive quotations when the price is reasonable based on research, experience, purchase history, catalog pricing, market information, or another documented basis. Purchase cards are a payment method, not a procurement method, and may be used only within approved limits and controls.

6.2 Simplified Acquisitions

LHA will request price or rate quotations from an adequate number of qualified sources. Three quotes are preferred when practicable. If fewer are received, the file must show the sources contacted, responses, follow-up, competition assessment, and independent basis for price reasonableness. Award may consider best value if the request disclosed the evaluation basis.

6.3 Sealed Bids

- Use complete, adequate, realistic specifications and a firm-fixed-price structure.
- Allow sufficient response time and publicly advertise.
- Open bids at the time and place stated in the IFB; prepare a bid tabulation.
- Award in writing to the lowest responsive and responsible bidder unless all bids are rejected for documented reasons.

- Resolve mistakes, withdrawal, equal low bids, or a single bid through a written Contracting Officer determination.

6.4 Competitive Proposals

- Identify all evaluation factors and their relative importance, including price or cost.
- Protect proposal confidentiality until award as permitted by law.
- Use written technical evaluation procedures and an appropriately appointed committee.
- Conduct clarifications or discussions fairly and prohibit auctioning or disclosure of another offeror's information.
- Prepare an evaluation and award report before contract execution.

7. Competition, Solicitation, Evaluation, and Award

7.1 Full and Open Competition

All procurement transactions shall provide full and open competition consistent with 2 CFR 200.319. LHA shall not impose unreasonable qualifications, require unnecessary experience or bonding, use noncompetitive pricing practices, permit organizational conflicts, specify brand names without salient characteristics, or apply prohibited geographic preferences where federal funds are involved unless authorized by law.

7.2 Specifications and Statements of Work

- Use clear performance or functional specifications whenever practicable.
- Describe minimum needs without unduly restricting competition.
- Use "brand name or equal" only when necessary and identify salient characteristics.
- Include accessibility, energy efficiency, recovered materials, domestic preference, BABA, cybersecurity, data ownership, insurance, licensing, and reporting requirements when applicable.

7.3 Advertising

Formal solicitations shall be publicly advertised through methods reasonably calculated to reach qualified sources. LHA may use its website, e-procurement platforms, newspapers, trade publications, direct notice, vendor lists, and outreach to small, minority, women-owned, veteran-owned, labor surplus area, and Section 3 businesses. Response periods shall be reasonable for the complexity and urgency of the procurement.

7.4 Vendor Communications

After release, vendors shall communicate only through the designated procurement contact. Material questions and answers shall be shared with all known interested parties through an addendum. Oral explanations do not modify a solicitation.

7.5 Cancellation and Rejection

LHA may cancel a solicitation or reject all submissions when requirements change, funds are unavailable, specifications are inadequate, prices are unreasonable, competition is compromised, or cancellation is otherwise in LHA's best interest. The rationale must be documented, and affected vendors notified.

7.6 Award and Notice

Award shall be made only to a responsive and responsible source at a fair and reasonable price and within available funds. The file shall include the award basis, required approvals, responsibility determination, exclusion check, conflict certifications, insurance/bonds, BABA and Section 3 determinations, and executed contract.

8. Independent Cost Estimate; Cost and Price Analysis

8.1 Independent Cost Estimate

LHA shall prepare an ICE before receiving bids or proposals for procurements above the simplified acquisition threshold and for competitive or noncompetitive proposals when required by HUD guidance, funding terms, complexity, or the Contracting

Officer. The estimate must be independent of vendor submissions and proportionate to the procurement's size and complexity.

8.2 Price Analysis

Price analysis may compare competing prices, catalog or published prices, market data, prior prices adjusted for current conditions, parametric measures, an ICE, or other reliable benchmarks. Adequate price competition generally supports price reasonableness.

8.3 Cost Analysis

Cost analysis is required when price competition is inadequate, for noncompetitive proposals when required, and for contract modifications or cost-reimbursement arrangements when individual cost elements must be evaluated. LHA will negotiate profit as a separate element when there is no price competition and cost analysis is performed.

8.4 Modifications

Before executing a modification, LHA shall confirm scope, authority, funding, price reasonableness, applicable competition exception, BABA impact, Section 3/labor implications, time extension, bond and insurance coverage, and whether cumulative change creates a cardinal change requiring new competition.

9. Architect/Engineer and Other Professional Services

9.1 A/E Qualifications-Based Selection

Architectural, professional engineering, landscape architecture, and surveying/mapping services shall be procured through qualifications-based procedures when required by federal or Florida law. Price shall not be used as the initial selection factor in a QBS process. After ranking, LHA shall negotiate fair and reasonable compensation with the highest-ranked firm and proceed to the next-ranked firm if negotiations fail.

9.2 Florida CCNA

When section 287.055, Florida Statutes, applies to LHA or the procurement, LHA shall comply with the Consultants' Competitive Negotiation Act, including public notice, qualification evaluation, ranking, negotiation, statutory definitions, and continuing-contract limits then in effect. The Contracting Officer shall document statutory applicability before solicitation.

9.3 Other Professional Services

Legal, financial, development, consulting, insurance, audit, IT, and other professional services not legally subject to QBS shall be procured using the method appropriate to the value and circumstances. QBS shall not be used merely because an A/E firm can provide a service that is outside the legally authorized QBS scope.

10. Cooperative Purchasing, Piggybacking, and Intergovernmental Agreements

LHA may use a cooperative, intergovernmental agreement, state term contract, federal schedule where authorized, or another public entity's competitively procured contract when it produces economy and efficiency and all controlling requirements are met.

10.1 Required Due Diligence

- Verify the original solicitation used a method permitted for LHA's procurement and funding source.
- Confirm the original solicitation and contract expressly permit cooperative use or assignment where required.
- Confirm scope, specifications, pricing, term, options, geography, vendor eligibility, and contract clauses meet LHA's need.
- Determine that use will not materially change the original contract or extend beyond authorized scope or term.
- Document price reasonableness under 2 CFR 200.324.

- Complete SAM.gov/exclusion, responsibility, conflict, insurance, bonding, BABA, Section 3, public records, and Florida-law checks independently.
- Obtain any required consent from the originating entity and vendor.

LHA PRACTICE CONTROL

A cooperative or piggyback contract is not automatically compliant merely because another public entity awarded it. The LHA procurement file must independently establish authority, competition, suitability, fair and reasonable pricing, applicable federal clauses, and source-of-funds compliance.

11. Noncompetitive and Emergency Procurement

11.1 Permitted Conditions

- The aggregate amount does not exceed the micro-purchase threshold.
- The property or service is available only from a single source.
- A public exigency or emergency will not permit delay from public notice and competition.
- HUD, another federal agency, or a pass-through entity gives written authorization in response to LHA's written request.
- After solicitation of several sources, LHA determines competition is inadequate.

11.2 Written Justification

The justification must identify the need, funding source, applicable exception, unique facts, market research and competition efforts, proposed source, price reasonableness, period of performance, conflict review, approval, and steps to promote future competition. Poor planning, expiring funds, or administrative delay does not justify noncompetitive procurement.

11.3 Emergency Limits

Emergency procurement shall be limited to immediate actions necessary to protect life, safety, property, operations, or program integrity. LHA shall complete separable follow-on work as soon as conditions permit and report emergency actions to the Board when required by delegation or resolution.

12. Build America, Buy America and Domestic Preferences

12.1 Policy

For a covered infrastructure project funded by Federal financial assistance, LHA shall ensure that iron and steel, manufactured products, and construction materials incorporated into the project are produced in the United States as required by BABA, 2 CFR Part 184, the federal award, and HUD guidance, unless an applicable waiver or exemption applies.

12.2 Applicability Determination

35. Identify the federal award, obligation date, HUD program, amount, and terms.
36. Determine whether federal financial assistance supports a project involving construction, alteration, maintenance, or repair of infrastructure in the United States.
37. Determine whether the project includes buildings or real property subject to BABA under current HUD guidance.
38. Identify the product categories and HUD phased implementation date applicable to the award and procurement.
39. Check general waivers, project-specific waivers, de minimis treatment, small-grant/small-project waivers, exigent-circumstances waivers, and nonavailability waivers then in effect.
40. Document the determination before solicitation and update it when scope, funding, or products change.

12.3 Solicitation and Contract Requirements

- Include the BAP requirement, definitions, covered product categories, certification obligations, flow-down clause, records, access, audit, substitution, noncompliance, and waiver procedures.

- Require bidders to identify known non-domestic products and any anticipated waiver need before award when practicable.
- Require contractors and subcontractors to retain manufacturer certifications, mill certificates, bills of materials, invoices, origin records, and other evidence sufficient to establish compliance.
- Prohibit substitutions that affect BABA compliance without prior written LHA approval.
- Include BABA compliance in subcontracts and purchase orders at every tier.

12.4 Waivers

Only HUD or the authorized federal agency may approve a BABA waiver. LHA shall not promise or treat a waiver as approved before official approval. LHA will use HUD's designated waiver process, maintain the request and decision, and avoid ordering or incorporating noncompliant products unless the waiver is approved or another documented exception applies.

12.5 HUD Public Housing Guidance

LHA shall apply the current HUD PIH BABA notice and HUD BABA webpage for public housing, MTW, Choice Neighborhoods, Capital Fund, Operating Fund, and other covered PIH assistance. The Contracting Officer shall verify whether the project is covered, privately owned housing treatment applies, a phased implementation date controls, or a general waiver applies.

12.6 2 CFR 200.322 Domestic Preference

For procurements under a federal award, LHA shall provide a preference, to the greatest extent practicable and consistent with law, for goods, products, and materials produced in the United States. This domestic preference is separate from, and does not replace, mandatory BABA requirements for covered infrastructure projects.

12.7 Recovered Materials

LHA shall comply with 2 CFR 200.323 and applicable solid-waste procurement requirements for recovered materials when the conditions in those authorities apply.

13. Florida Law and Public Entity Requirements

13.1 Housing Authority Law

LHA is a Florida housing authority operating under Chapter 421, Florida Statutes. Procurement actions shall be consistent with LHA's statutory powers, Board authority, public purpose, and applicable contractual obligations.

13.2 Florida Procurement Law

Chapter 287, Florida Statutes, governs procurement by state agencies and contains provisions that may apply to LHA by statute, funding condition, incorporation, cooperative contract, or local requirement. Before applying a Chapter 287 process or preference, the Contracting Officer shall document its applicability to LHA and the transaction. LHA may use Chapter 287 practices as local best practices when not inconsistent with federal requirements.

13.3 Public Construction

- Apply section 255.05, Florida Statutes, when LHA is a covered public authority and the contract is a formal contract for construction, public work, or repair subject to that section.
- Require a payment and performance bond before work when the statute or funding terms require it; require the contractor to record the bond and provide a certified copy before payment where applicable.
- Apply Chapter 255 requirements concerning public construction bidding, bonds, prompt payment, retainage, licensing, and public works when applicable.
- Use the more protective bonding requirement when federal and Florida requirements both apply, unless counsel determines otherwise.

13.4 Prompt Payment

Contracts and payment administration shall comply with the Florida Local Government Prompt Payment Act in Part VII of Chapter 218 when applicable, including timely payment, invoice review, interest, change-order processing, and dispute procedures. Where federal funds control payment timing, LHA shall also follow applicable federal requirements.

13.5 Public Records

Procurements are subject to Chapter 119, Florida Statutes, including public access and applicable exemptions. Service contracts shall include the contractor public-records requirements and the statutory custodian notice in the form and type size required by section 119.0701 when applicable. LHA shall protect exempt, confidential, procurement-sensitive, cybersecurity, personal, and proprietary information as authorized by law.

13.6 Sunshine and Public Meetings

Board deliberations and meetings shall comply with applicable Florida public meeting requirements. Evaluation committee meetings shall be noticed and conducted as required by Florida law, recognizing any statutory exemption for portions involving sealed proposals, oral presentations, or negotiations.

13.7 Florida Ethics

Commissioners, employees, evaluation committee members, and agents shall observe Chapter 112, Part III, Florida Statutes, including gift, misuse-of-position, doing-business-with-one's-agency, voting conflict, disclosure, and procurement employee requirements that apply.

13.8 Licensing, E-Verify, Scrutinized Companies, and Other Certifications

Solicitations and contracts shall require contractor licensing, registration, E-Verify, scrutinized-company, foreign-country-of-concern, public-entity-crime, convicted-vendor, discriminatory-vendor, drug-free-workplace, and other certifications only when applicable under then-current Florida law, the funding source, or LHA policy. The procurement file shall identify the legal basis and verification performed.

13.9 Local and Funding-Specific Requirements

LHA shall comply with applicable City of Lakeland, Polk County, Florida Housing Finance Corporation, grant, lender, investor, tax-credit, bond, and development agreement procurement or contracting conditions to the extent they govern the transaction and do not conflict with controlling federal law.

14. Contractor Responsibility, Exclusions, and Certifications

- Adequate financial resources or ability to obtain them.
- Ability to meet schedule and performance requirements.
- Satisfactory performance, integrity, and business ethics.
- Necessary organization, experience, accounting and operational controls, technical skills, equipment, facilities, licenses, and insurance.
- Eligibility to receive federal and Florida public awards.
- No active exclusion, suspension, debarment, limited denial of participation, or other disqualification.

14.1 Exclusion Verification

Before award of a covered contract, LHA shall verify exclusion status using SAM.gov and any HUD or Florida system required for the procurement. Evidence of the search shall be retained. Contractors shall certify their eligibility and flow down applicable requirements to subcontractors.

14.2 Nonresponsibility

A written determination of nonresponsibility shall state the facts and be retained. The affected firm shall receive notice consistent with the solicitation and law.

14.3 Vendor Lists

Vendor lists shall be maintained as outreach tools, kept current, and not used to restrict competition. Interested qualified businesses shall have a reasonable opportunity to be included.

15. Contract Types, Clauses, Bonding, Labor, and Construction

15.1 Contract Types

LHA may use firm-fixed-price, fixed-price with economic price adjustment, time-and-materials, labor-hour, indefinite-delivery/indefinite-quantity, cost-reimbursement, or another lawful type appropriate to risk and circumstances. Cost-plus-a-percentage-of-cost and percentage-of-construction-cost contracts are prohibited. Time-and-materials contracts require a documented determination that no other contract is suitable and a ceiling price that the contractor exceeds at its own risk.

15.2 Options and Renewals

- State options and renewal terms in the solicitation and contract.
- Evaluate option pricing as part of the original competition.
- Exercise options only within the stated period, scope, term, and pricing method.
- Document funding, contractor performance, price reasonableness, continued need, and advantage over new competition.

15.3 Required Federal Clauses

Contracts funded in whole or part with federal funds shall include all applicable provisions in Appendix II to 2 CFR Part 200 and program-specific HUD clauses. LHA shall use current HUD forms appropriate to the procurement, including HUD-5369 series, HUD-5370 series, HUD-51915/51915-A, and other forms only when applicable and current.

15.4 Bonding

For federally assisted construction or facility improvement contracts exceeding the simplified acquisition threshold, LHA shall apply 2 CFR 200.326 unless HUD accepts LHA's bonding policy. LHA shall also comply with 24 CFR 905.316(d), HUD forms, and section 255.05, Florida Statutes, when applicable. Solicitation documents shall state bid, performance, and payment bond requirements.

15.5 Labor Standards

Contracts shall include Davis-Bacon, HUD-determined prevailing wage, Copeland Anti-Kickback, Contract Work Hours and Safety Standards, Florida wage, OSHA, and other labor requirements when applicable. The file shall identify the applicable wage decision and labor standards administration responsibilities.

15.6 Insurance and Indemnification

The Contracting Officer shall establish insurance requirements proportionate to risk, including workers' compensation, general liability, automobile, professional liability, cyber liability, builder's risk, pollution, crime/fidelity, or other coverage. Indemnification and liability provisions must comply with Florida law and LHA's risk guidance.

16. Section 3, Small Business, and Socioeconomic Outreach

LHA shall take all necessary affirmative steps required by 2 CFR 200.321 to assure that small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms are used when possible. LHA shall also comply with Section 3 and 24 CFR Part 75 when applicable.

- Include qualified firms on solicitation lists and conduct direct outreach.
- Divide requirements into smaller tasks or quantities when economically feasible and lawful.
- Establish delivery schedules that encourage participation.
- Use assistance from the Small Business Administration, Minority Business Development Agency, Florida Office of Supplier Diversity, and local resources.
- Require prime contractors to take affirmative steps when subcontracting is anticipated.
- Include Section 3 labor-hour benchmarks, reporting, certification, recordkeeping, and subcontractor flow-down requirements when applicable.

Preferences or set-asides shall not be used in a manner that violates federal competition rules, Florida law, or a funding-source restriction. Outreach does not guarantee award or excuse responsibility, responsiveness, price reasonableness, licensing, or compliance.

17. Contract Administration, Modifications, and Closeout

17.1 Administration Plan

Each material contract shall have an assigned contract administrator and, when appropriate, a written administration plan covering deliverables, schedule, inspection, acceptance, invoice review, performance reporting, insurance, bonds, labor standards, Section 3, BABA, cybersecurity, records, and closeout.

17.2 Monitoring

- Inspect and accept supplies, services, and construction before payment.
- Track milestones, deliverables, expenditures, retainage, subcontractors, warranties, claims, and corrective actions.
- Document performance issues and provide notice and cure opportunities when appropriate.
- Prevent payment beyond contract ceiling, period, scope, or available funds.

17.3 Changes

Only an authorized Contracting Officer may modify a contract. Staff shall not direct extra work or accept changed scope without written authority. Modifications must state scope, price, schedule, funding, legal authority, and all affected BABA, labor, bond, insurance, Section 3, and HUD requirements.

17.4 Closeout

- Confirm final delivery, inspection, acceptance, and payment.
- Resolve claims, change orders, retainage, liens/bond claims, and audit issues.
- Obtain warranties, as-builts, manuals, releases, certifications, BABA records, Section 3 reports, payrolls, and property records.
- Evaluate contractor performance and secure records according to retention requirements.

18. Protests, Claims, Appeals, and Remedies

18.1 Policy

LHA will resolve procurement issues promptly, fairly, and at the lowest appropriate administrative level. Solicitation documents shall state protest deadlines, filing location, required content, stay rules, decision authority, and appeal rights.

18.2 Bid Protests

A protest must be written, identify the solicitation or award, state the legal and factual grounds, include supporting documents, and specify the requested relief. Untimely protests may be rejected. The Contracting Officer shall issue a written decision. LHA may continue or suspend procurement based on urgency, public interest, funding, and risk.

18.3 Contract Claims

Contract claims shall be submitted and decided under the contract disputes clause. The written decision shall state the basis and any administrative appeal right. Mediation may be used when authorized.

18.4 HUD Review

LHA has primary responsibility for resolving protests and contract disputes. Matters shall be referred to HUD only as required by regulation, award terms, or HUD review authority and after LHA remedies are exhausted where applicable.

19. Records, Public Access, Retention, and Cybersecurity

19.1 Procurement File

LHA shall maintain records sufficient to detail the history of each procurement, including need, funding, method, thresholds, ICE, solicitation, outreach, bids/proposals/quotes, evaluation, conflicts, responsibility, exclusion checks, price/cost analysis, award, contract, modifications, invoices, performance, claims, BABA, Section 3, labor standards, closeout, and approvals.

19.2 Retention

Federal award procurement records shall be retained for the period required by 2 CFR 200.334, generally three years from the applicable financial report or other start date, and longer when litigation, claims, audits, findings, real property, equipment, tax-credit, bond, Florida records schedules, or award terms require. LHA shall apply the longest controlling period.

19.3 Public Access

LHA shall provide public access to nonexempt procurement records under Chapter 119, Florida Statutes, and applicable federal rules. Proposal confidentiality, trade secrets, security information, personal information, and other exemptions shall be handled under law, not vendor labels alone.

19.4 Cybersecurity and Data

- IT and data contracts shall address security standards, access controls, encryption, incident notification, subcontractors, data location, ownership, retention, return/destruction, audit rights, business continuity, and breach responsibility.
- Vendor banking changes require independent verification and dual approval.
- Procurement files and electronic approvals shall be protected from unauthorized alteration or deletion.

20. Surplus Property and Disposition

LHA shall transfer, sell, recycle, donate, trade in, or dispose of surplus personal property in accordance with 2 CFR Part 200 property standards, HUD requirements, Florida law, Board authority, and source-of-funds restrictions. The method, condition, value, proceeds, purchaser, approval, and disposition shall be documented. Real property disposition is governed by separate federal and state requirements and is not authorized solely by this section.

21. Board Approval, Delegations, and Funding Availability

21.1 Board Approval

Board approval thresholds and categories shall be established by Board resolution or delegation schedule. Unless a controlling requirement provides otherwise, no employee may divide, stage, renew, or modify a procurement to avoid Board approval.

21.2 Delegation

Delegations must be written and identify the official, authority, dollar limit, procurement types, funding limits, duration, and any excluded actions. A delegate may not redelegate unless expressly authorized.

21.3 Funding Certification

Before award or modification, Finance shall confirm sufficient, allowable, and available funds. Multi-year contracts must include nonappropriation or funding-contingency language when required.

22. Training, Monitoring, and Policy Maintenance

- Procurement, finance, project, maintenance, resident services, development, and evaluation staff shall receive role-appropriate training.
- Training shall cover 2 CFR Parts 184 and 200, HUD Handbook 7460.8 REV 3, BABA, Section 3, Florida ethics/public records/public construction, conflicts, cost/price analysis, contract administration, and cybersecurity.
- LHA shall perform periodic procurement file reviews and corrective action.
- The Contracting Officer shall review this Policy at least annually and propose revisions when laws, HUD guidance, thresholds, local delegations, or practices change.

22.1 No Blanket Self-Certification

This Policy does not constitute a blanket certification that every LHA procurement or procurement system is fully compliant. Compliance must be established transaction by transaction through documented procedures, review, approvals, and corrective action. Any HUD self-certification will be made only when specifically authorized, factually supported, and approved by the appropriate official.

Appendix A. Procurement Threshold and Method Matrix

Level	Current Policy Ceiling	Competition	Core File Documents
Petty cash	\$500	Not applicable; Finance controls	Receipt, business purpose, custodian approval, reconciliation
Micro-purchase	\$15,000 unless lower requirement controls	One source permitted if reasonable; equitable distribution practicable	Request, price reasonableness, approval, receipt
Simplified acquisition	\$15,000.01 to \$350,000 unless lower requirement controls	Adequate number of qualified sources; normally three quotes where practicable	Scope, outreach, quotes, evaluation, responsibility, price reasonableness, award
Formal procurement	Above \$350,000 or when required	Public IFB/RFP/RFQ	Planning, funding, ICE, advertisement, solicitation, addenda, bids/proposals, evaluation, award, clauses, contract
Noncompetitive	Any amount only under authorized condition	No competition or inadequate competition; written exception	Justification, exception, market research, cost/price analysis, approval, contract
Cooperative/piggyback	Any amount if authorized	Underlying competition plus independent due diligence	Original solicitation/contract, authorization, scope/term match, price reasonableness, compliance checks

Thresholds are ceilings, not entitlements. A lower threshold or more formal method applies when required by Florida law, HUD, a grant, the Board, a lender/investor, or project circumstances.

Appendix B. BABA/BAP Applicability and File Checklist

- ☐ Federal award and assistance listing identified
- ☐ Award obligation date documented
- ☐ Infrastructure project analysis completed
- ☐ HUD program and PIH/CPD guidance identified
- ☐ Building/private housing analysis completed
- ☐ Covered product categories identified
- ☐ Phased implementation date confirmed
- ☐ General waiver analysis documented
- ☐ Project-specific waiver required/not required
- ☐ BABA clauses inserted in solicitation and contract
- ☐ Bidder/contractor certifications obtained
- ☐ Manufacturer/mill/origin documentation retained
- ☐ Substitution controls applied
- ☐ Subcontractor flow-down confirmed
- ☐ Final BABA compliance certification completed

Appendix C. Required Federal and HUD Contract Clauses Checklist

Clause / Requirement	When Applicable
Remedies for breach	Contracts above the federal simplified acquisition threshold or as required by Appendix II
Termination for cause and convenience	Contracts above \$10,000 or as otherwise required
Equal Employment Opportunity	Federally assisted construction
Davis-Bacon / prevailing wages	Covered construction
Copeland Anti-Kickback	Covered construction or repair
Contract Work Hours and Safety Standards	Covered contracts exceeding applicable threshold
Rights to inventions	Covered research/development awards
Clean Air Act / Federal Water Pollution Control Act	Contracts/subawards exceeding \$150,000
Debarment and suspension	Covered transactions
Byrd Anti-Lobbying	Awards/contracts exceeding \$100,000
Recovered materials	Covered purchases under 2 CFR 200.323
Domestic preference	Federal award procurements under 2 CFR 200.322
BABA / Buy America Preference	Covered infrastructure projects
Access to records / audit	Federal award and HUD requirements
HUD forms 5369/5370/51915 series	When the specific procurement and HUD program require the current form
Section 3	Covered HUD financial assistance
Public records	Florida service contracts when section 119.0701 applies

Appendix D. Florida Compliance Checklist

- ☐ Chapter 421 authority confirmed
- ☐ Chapter 287 applicability documented
- ☐ CCNA applicability and current thresholds confirmed
- ☐ Section 255.05 bond applicability confirmed
- ☐ Chapter 218 prompt payment applicability confirmed
- ☐ Chapter 119 public records clause inserted
- ☐ Sunshine/evaluation meeting requirements addressed
- ☐ Florida ethics/conflict disclosures completed
- ☐ Licenses and registrations verified
- ☐ E-Verify requirement determined
- ☐ Public entity crime / convicted vendor requirements determined

- ☐ Scrutinized company and foreign country certifications determined
- ☐ Drug-free workplace preference determined
- ☐ Florida/local preference screened for federal compatibility
- ☐ Local and funding-specific conditions documented

Appendix E. Procurement File Checklist

- ☐ Requisition and need
- ☐ Funding certification and source map
- ☐ Procurement method determination
- ☐ Threshold determination
- ☐ ICE
- ☐ BABA applicability determination
- ☐ Section 3 and labor standards determination
- ☐ Conflict/NDA forms
- ☐ Solicitation and public notice
- ☐ Vendor outreach
- ☐ Addenda and questions
- ☐ Quotes/bids/proposals
- ☐ Bid opening/tabulation
- ☐ Evaluation records
- ☐ Cost/price analysis
- ☐ Responsibility and SAM.gov checks
- ☐ Florida certifications
- ☐ Award approval/Board action
- ☐ Executed contract and clauses
- ☐ Insurance and bonds
- ☐ Notice to proceed
- ☐ Contract administration records
- ☐ Invoices and acceptance
- ☐ Modifications

☐ Closeout and performance evaluation

☐ Retention classification

Appendix F. Sample Certifications and Determinations

F.1 Procurement Method Determination

Field	Entry
Requirement / Project	
Funding Source(s)	
Estimated Value	
Selected Method	
Authority / Threshold	
Competition Plan	
BABA / Section 3 / Labor / Florida Requirements	
Contracting Officer Determination	
Signature / Date	

F.2 Noncompetitive Procurement Justification

Field	Entry
Applicable exception under 2 CFR 200.320(c)	
Description of need and urgency	
Why competition is not feasible	
Market research / sources contacted	
Proposed contractor	
Cost/price analysis	
Scope and duration limitation	
Future competition plan	
Approvals	

F.3 Cooperative/Piggyback Determination

Field	Entry
Originating entity and contract	

Original solicitation and method	
Authority for cooperative use	
Scope/specification match	
Term/options remaining	
Price reasonableness	
Federal/HUD clauses	
BABA/Section 3/Florida review	
Contracting Officer approval	

Appendix G. Regulatory Crosswalk and Source Notes

Authority	Policy Application
2 CFR 200.317-200.327	Documented procedures; oversight; conflicts; competition; methods; socioeconomic outreach; domestic preference; recovered materials; cost/price; federal review; bonding; clauses.
Appendix II to 2 CFR Part 200	Required contract provisions.
2 CFR Part 184 / BABA	Buy America Preference for covered infrastructure projects.
PIH Notice 2025-06	HUD PIH implementation guidance for BABA in public housing and related PIH programs.
HUD Procurement Handbook 7460.8 REV 3	PHA procurement planning, authority, methods, documentation, thresholds, ICE, cost/price analysis, contracting, and administration practices.
24 CFR Part 75	Section 3 requirements.
Chapter 421, Florida Statutes	LHA housing authority powers and governance.
Section 287.055, Florida Statutes	CCNA qualifications-based professional services when applicable.
Section 255.05, Florida Statutes	Payment and performance bond requirements for covered public construction.
Chapter 218, Part VII, Florida Statutes	Local Government Prompt Payment Act when applicable.
Chapter 119, Florida Statutes	Public records and contractor records clauses.
Chapter 112, Part III, Florida Statutes	Ethics and conflicts for public officers and employees.