

RESOLUTION OF
WESTFIELD VILLAGE COMMUNITY IMPROVEMENT ASSOCIATION, INC.
*Regarding Ratification of Contractor Bidding Policy
for the Purpose of Filing in the County Real
Property Records*

DATED: February, 18, 2022.

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Gaylene Wier, the VP-operations of WESTFIELD VILLAGE COMMUNITY IMPROVEMENT ASSOCIATION, INC. (the "Association"), do hereby certify that at a regular meeting of the Board of Directors of the Association held on February 11e, 2022, with a quorum present and remaining throughout, and being duly authorized to transact business, the following resolution for the ratification of the Contractor Bidding Policy for the purposes of filing in this County's Real Property Records, was duly made and approved.

WHEREAS, the Association is a Texas non-profit corporation governed by the Texas Property Code;

WHEREAS, the Contractor Bidding Policy attached hereto as Exhibit "A", is hereby ratified for the purpose of filing in this County's Real Property Records;

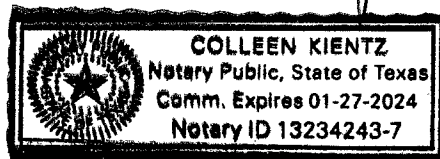
IT IS, HEREBY, RESOLVED that WESTFIELD VILLAGE COMMUNITY IMPROVEMENT ASSOCIATION, INC. adopts this formal resolution for the purpose of filing the aforementioned document in this County's Real Property Records.

Dated: February 18, 2022 Gaylene Wier
 VP-operations, Westfield Village CIA

STATE OF TEXAS §
 § ACKNOWLEDGMENT
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 18 day of February, 2022, by Gaylene Wier as VP-operations of WESTFIELD VILLAGE COMMUNITY IMPROVEMENT ASSOCIATION, INC., on behalf of said corporation.

Colleen Kientz



RP-2022-207586

EXHIBIT "A"

CONTRACTOR BIDDING POLICY

I. Bidding Process Generally

- 1.1 **Authority.** The Association may solicit bids for contractor / vendor work to be performed within the Association, either through its Board of Directors or any other duly authorized agent of the Association. No agent or individual member of the Board of Directors may enter into any binding contract on behalf of the Association without first receiving written approval of the Board of Directors.
- 1.2 **Three Bids.** The Association shall obtain at least three (3) bids for all work anticipated to cost more than \$5,000.00. In the event of an emergency, this requirement may be waived by the Board of Directors. Vendors who have an established relationship with the Association (e.g. a history of scheduled services in excess of one year, more than three contracts in any five year period, warranties still active) may be exempted from this requirement by the Board of Directors.
- 1.3 **Small Projects.** For routine repairs and other matters anticipated to cost less than \$1,000.00, the Association need not solicit bids as provided above. The Association or its Agent(s) may simply retain and compensate a vendor at their discretion.
- 1.4 **High and Low Bids.** The Board of Directors determines which vendor it will choose, not the comparative bid costs. Low bids are not guaranteed to be chosen. High bid are not guaranteed to be rejected. Rather, the Board of Directors will also consider such factors the vendor's history, warranties, insurance, equipment, and staffing.

II. Bidder Requirements

- 2.1 **Bid Package.** All vendors / contractors must submit the following information for their bid to be considered:
- (1) Scope of Work to be performed;
 - (2) An anticipated completion date;
 - (3) An itemized list of materials and labor necessary to complete the project;
 - (4) A copy of current liability insurance coverage (including worker's comp. coverage) and/or bonding;

RP-2022-207586

- (5) A copy of all applicable and necessary State and Local licenses and permits; and
- (6) A list of references (new vendors only)

III. Conflicts of Interest

3.1 The Association may only enter into an enforceable contract with a current Board member of the Association, a person related to a current Board member of the Association within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, a company in which a current Board member of the Association has a financial interest in at least 51 percent of profits, or a company in which a person related to a current Board member of the Association within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, has a financial interest in at least 51 percent of profits, if the following conditions are satisfied:

- (1) The Board member, relative, or company bids on the proposed contract and the Association has received at least two other bids for the contract from persons not associated with the Board member, relative, or company, if reasonably available in the community;
- (2) The Board member:
 - (A) is not given access to the other bids;
 - (B) does not participate in any board discussion regarding the contract; and (C) does not vote on the award of the contract;
- (3) The material facts regarding the relationship or interest with respect to the proposed contract are disclosed to or known by the Association board and the board, in good faith and with ordinary care, authorizes the contract by an affirmative vote of the majority of the Board members who do not have an interest governed by this subsection; and
- (4) The Association board certifies that the other requirements of this subsection have been satisfied by a resolution approved by an affirmative vote of the majority of the Board members who do not have an interest governed by this subsection.

RP-2022-207586

RP-2022-207586
Pages 4
04/20/2022 01:19 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$26.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2022-207586