

**WHITEWATER SPRINGS POA BOARD OF DIRECTORS MEETING
OCTOBER 25, 2016**

**AGENDA ITEM XIV
RESOLUTION CONCERNING COMPETITIVE**

RESOLUTION NO. 102516
WHITEWATER SPRINGS POA BOARD OF DIRECTORS
RESOLUTION REGARDING COMPETITIVE BIDDING

WHEREAS, Whitewater Springs Subdivision Property Owners Association is responsible for the operation, maintenance and management of the Whitewater Springs Subdivision as set forth in the Declaration of Covenants recorded in the Official Records of Burnet County, Texas; and

WHEREAS, the Board of Directors ("Board") of the Association is responsible for the day to day administration of the affairs of the Association; and

WHEREAS, the Board's duties include the enforcement of the Declaration of Covenants and Restrictions ("Declaration"), Articles of Incorporation, By-Laws, Policies and Regulations promulgated thereto (collectively the "Governing Documents") and all amendments thereto; and

WHEREAS, the Board desires to adopt procedures requiring competitive bids from contractors and/or third party vendors (collectively "Contractors") to maintain or repair current Whitewater Springs assets and/or to construct new capital improvements within the Whitewater Springs Subdivision.

NOW THEREFORE, it is resolved by the Board of Directors of the Whitewater Springs Property Owners Association as follows:

Section 1: Recitals. The above recitals are true and correct and are incorporated into this Resolution for all purposes.

Section 2: Competitive Bids. The Board will seek to obtain three (3) bids from qualified Contractors for all work or projects that cost more than \$10,000 (defined as a "Major Project"). The Board is not required to award a contract to the lowest bidder and may award a contract to the most qualified and responsive bidder, as determined by the Board. The Board may waive the requirement for three (3) competitive bids depending on the circumstances, including but not limited to, whether the work is an emergency, the Association has a long-standing relationship with a particular Contractor who is especially knowledgeable about the Major Project, changing Contractors would disrupt existing warranties, and/or other Contractors are not willing to bid on the Major Project.

Section 3: Specifications. For Major Projects, the Board will have plans and specifications prepared by a qualified professional or individual. The Board shall review and approve project specifications prior to seeking competitive bids.

Section 4. Sealed Bids. For Major Projects, Contractors shall be required to submit sealed bids to the Association that will be opened and read aloud in a Board meeting. The Board may, at its option, review and discuss bids in Executive Session. However, the Board may only award or reject any bid in Open Session.

Section 5. Effective Date. The Effective Date of this Resolution will be date of signing by the Board President.

PASSED AND APPROVED this ____ day of _____, 20__ with ____ votes for and _____ votes against.

President, Board of Directors

Date

ATTEST:

Secretary, Board of Directors

Date

DRAFT