

PROCUREMENT POLICY

businesses owned by public housing residents or which otherwise meet the criteria of a Section 3 business concern. Pursuant to 24 CFR 135.36, efforts shall be directed to award Section 3 covered contracts, to the greatest extent feasible, to Section 3 business concerns in the order of priority listed in provision I.E.13.

7. Requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed in 1 through 6 above.

Anticipated levels of participation may periodically be established by HACLA for small, minority-owned and woman-owned business enterprises, labor surplus area businesses, and business concerns which are located in, or owned in substantial part by persons residing in, the area of the project, in HACLA's prime contracts and subcontracting opportunities.

B. IFB BID PREFERENCES FOR SECTION 3 BUSINESS CONCERNS

As authorized under 24 CFR 135 and as approved by the Board of Commissioners by Resolution No. 9122, HACLA has adopted Section 3 Business Concerns bid preferences for awarding IFBs issued for Covered Contracts. This bid preference does not apply to materials-only contracts.

The bid preference requires that the IFB be awarded to the qualified Section 3 Business Concern with the highest priority ranking and with the lowest Responsive bid if that bid meets the following:

When the lowest Responsive bid is:	Section 3 Business Concern bid is within lesser of
Less than \$100,000:	10% of that bid or \$9000
At least \$100,000, but less than \$200,000	9% of that bid, or \$16,000
At least \$200,000, but less than \$300,000	8% of that bid, or \$21,000
At least \$300,000, but less than \$400,000	7% of that bid, or \$24,000

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At least \$400,000, but less than \$500,000	6% of that bid, or \$25,000
At least \$500,000, but less than 1 million	5% of that bid, or \$40,000
At least \$1 million, but less than \$2 million	4% of that bid, or \$60,000
At least \$2 million, but less than \$4 million	3% of that bid, or \$80,000
At least \$4 million, but less than \$7 million	2% of that bid, or \$105,000
\$7 million or more	1 ½% of the lowest Responsive bid, with no dollar limit

IX. ETHICS IN PUBLIC CONTRACTING**A. WRITTEN STANDARDS OF CONDUCT**

1. This section sets forth HACLA's written standards of conduct covering conflicts of interest and governing the actions of HACLA officers, employees and agents engaged in the selection, award and administration of contracts. (2 CFR 200.318(c)(1))
 2. No HACLA officer, employee or agent shall participate in any decision related to the selection, award or administration of contracts if that individual has a prohibited conflict of interest arising from California's conflict of interest laws, including those set forth in the Political Reform Act (Government Code sections 81000 – 91014) and its implementing regulations. (2 Cal. Code of Regs. §§ 18110 – 18997)
 3. No HACLA officer, employee or agent shall participate in any decision related to the selection, award, or administration of a contract supported by a Federal award if a conflict of interest, real or apparent, would be involved. Such a conflict of interest would arise when the employee, officer, or agent, any members of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. (2 CFR 200.318(c)(1))
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