

RESOLUTION NO. 2005-02

TWIN RIVERS HOMEOWNERS ASSOCIATION
AS TRUSTEE FOR THE TWIN RIVERS COMMUNITY TRUST

PROCUREMENT POLICY

WHEREAS, the Board of Directors of the Twin Rivers Homeowners Association as Trustee for the Twin Rivers Community Trust (Trust), is responsible for the enforcement of the Articles of Incorporation, the Bylaws, the Declaration of Restrictions and Reservation of Easements and the Trust Indenture, which were filed as restrictions against all common and residential properties within the Twin Rivers Planned Unit Development; and

WHEREAS, the Board of Trustees is entrusted with adopting policies and procedures to carry out the provisions of the Articles of Incorporation, the Bylaws, the Declaration of Restrictions and Reservation of Easements and the Trust Indenture for the Twin Rivers Planned Unit Development as well as developing Rules and Policies and Procedures which are in the best interest of the community; and

WHEREAS, the Trust is responsible for the repair, maintenance and replacements of Trust owned properties; and

WHEREAS, the Trust is empowered to purchase goods and services to repair, maintain and replace Trust owned properties; and

WHEREAS, the Trust wishes to establish a policy for all procurements in order to maximize competition to obtain required goods and/or services for the lowest acceptable price and to control the expenditure of Trust funds; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Twin Rivers Homeowners Association as Trustee for the Twin Rivers Community Trust wishes to formalize its policy by adopting the following procurement policy and procedures.

BE IT FURTHER RESOLVED that in order to ensure the most effective use of resources, the following procurement approval levels and mandatory required bids are established.

1. Purchases of goods and services of less than \$2,000.00 do not require the Administrator to follow any formal bidding process, as long as the purchases are within budget.
2. Purchases of goods and services for a single commodity that exceeds \$2,000.00 but less than \$25,000.00 will require the Administrator to seek at least three qualified bids. Quotations for goods and services may be oral, written or taken from published price lists or catalogs. Quotations for goods and services received orally will be documented. The Trust is under no obligation to select the lowest bid or any bid. Purchases that are budgeted require the authorization of the Administrator. Purchases that exceed the

budgeted amount by 10% or that are unbudgeted, the Administrator will seek the approval of a simple majority of the Board of Directors for the additional funds.

3. Purchases of goods and services for a single commodity that exceeds \$25,000.000 will require the Administrator to seek at least three sealed bids. Sealed bids will be received and held at the Trust Office. A bidding committee that will include the Administrator, the Physical Properties Manager and a member of the Board of Directors will open the sealed bids at an open meeting. Notice of the open meeting will be published in Twin Rivers Today or any successor publication, the Trust Office and the Community Room. The bidding committee will evaluate the bids and make a recommendation. The bidding committee may negotiate for more favorable terms after opening all bids. The Trust is under no obligation to select the lowest bid or any bid. Purchases that are budgeted require the authorization of the Administrator. Purchases that exceed the budgeted amount by 10% or that are unbudgeted, the Administrator will seek the approval of a simple majority of the Board of Directors for the additional funds.

BE IT FURTHER RESOLVED, that the Trust will select the lowest evaluated bid representing the best combination of service and value from the group of qualified bidders. The Trust is under no obligation to select the lowest bid or any bid. A purchase order or check request must be used for all purchases.

BE IT FURTHER RESOLVED, that the following are exceptions that do not require following the bidding procedures.

1. Renewals of existing contracts for services, unless the price increase for the new contract exceeds 5% or CPI, whichever is higher. The Board of Directors will review all service contracts at least every five years.
2. Professional contracts for attorney, accountant, management or insurance. The Board of Directors will review all professional contracts at least every five years.

BE IT FURTHER RESOLVED, that this Resolution becomes effective January 1, 2006 and supersedes any previous Resolutions.

BE IT FURTHER RESOLVED that the printing of this Resolution in its entirety in Twin Rivers Today, or any successor publication, shall be deemed to be proper notice to all residents of the Twin Rivers development, and the said Resolution shall remain on record on the books of the Twin Rivers Community Trust.

ATTEST:

Duly approved by the Board of Trustees
at their meeting November 15, 2005

John Pagliarulo, Secretary/Treasurer