2023018141 ELECTRONICALLY RECORDED Official Public Records 3/1/2023 4:04 PM



Jama Richard
Laura Richard, County Clerk
Fort Bend County Texas

Pages:

Fee: \$44.00



## APPLICABILITY OF SRA PURCHASING & CONTRACTING POLICY Sienna Community Association

STATE OF TEXAS

COUNTY OF FORT BEND

#### I. PURPOSE

The purpose of this Policy is to acknowledge that a certain policy, previously adopted by the Sienna Plantation Residential Association, Inc. (SPRAI) Board of Directors, applies to Owners and Occupants of Residential Lots within the Sienna Plantation Community Association, Inc. (SPCAI).

#### II. APPLICABILITY AND AUTHORITY

This policy pertains to the following entities and encumbers that property restricted by the SPCAI Covenant:

1. Sienna Plantation Community Association, Inc., sometimes doing business as Sienna Community Association ("SCA") as referenced in the Sienna Plantation Amended and Restated Master Covenant (Sienna Plantation Community Association, Inc.), filed under Clerk's File No. 2019035843 in the Official Public Records of Fort Bend County, Texas ("SCA Covenant"), as same has been or may be amended from time to time and any other property which has been or may be subsequently annexed thereto and made subject to the authority of SCA.

Any reference in this Policy to "Board", "Boards", "Association" or "Associations" applies to all of the above-mentioned entities. Any reference in this Policy to "Owner" has the corresponding meaning ascribed to that term in the SRA Declaration or the SCA Covenant, as applicable.

Invalidation of any one or more of the covenants, restrictions, conditions, or provisions contained in this Policy shall in no way affect any of the other covenants, restrictions, conditions, or provisions which shall remain in full force and effect.

### III. APPLICABILITY OF SRA PURCHASING & CONTRACTING POLICY

As indicated in the <u>Management Services Agreement by and between the Sienna Plantation Residential Association, Inc. and the Sienna Plantation Community Association, Inc.</u> executed on January 26, 2015, the <u>Purchasing & Contracting Policy</u>, recorded under Clerk's File No. 2021144171 in the Official Public Records of Fort Bend County, Texas, (exhibit A) adopted on July 26, 2021 by the SRA Board of Directors shall be binding on SCA.

## 2023018141 Page 2 of 8

Policy Name	Approved/Finalized	Revised
Applicability of SRA Purchasing & Contracting Policy-	January 26, 2023	
SCA		

[SIGNATURE PAGES FOLLOW]

## 2023018141 Page 3 of 8

## CERTIFICATION SIENNA COMMUNITY ASSOCIATION/TOLL-GTIS PROPERTY OWNER, LLC

I hereby certify that, as Preside Association, Inc., the foregoing Policy w 2023, at a meeting of the Board of Director	of the Sienna Plantation Community as approved on the 8th day of February s at which a quorum was present.
DATED, this the Stage of Feb	By: Jenkins  Print Name: Jimmie F. Jenkins  Title: President
STATE OF TEXAS	§ § §
COUNTY OF FORT BEND	
person whose name is subscribed to this in the same for the purposes herein expressed of said corporation.	ersonally appeared <u>Jimmie F. Jenkin</u> the emmunity Association, Inc., known by me to be the astrument, and acknowledged to me that s/he executed, in the capacity herein stated, and as the act and deed
DANA LYNN IPPOLITI  Notary Public, State of Texas  Comm. Expires 07-08-2025  Notary ID 125356755	the 8th day of <u>February</u> , 2023.  Adua Lippoliti  Notary Public – State of Texas
APPROVED, this the $8\%$ day of	February, 2023.
	TOLL-GTIS PROPERTY OWNER, LLC, a Texas limited liability company
	By: The Printed Name: Jimmie F. Jenkins
	Title: Authorized Representative
THE STATE OF TEXAS	
COUNTY OF FOY BEND §	
This instrument was acknowledged 2023, by Jimmle F. Jenkins, Av- LLC, a Texas limited liability company, or	l before me this 8th day of February, HOTZEA REP. of Toll-GTIS Property Owner, n behalf of said company.
DANA LYNN IPPOLITI Notary Public, State of Texas	Dana Spoliti
Comm. Expires 07-08-2025 Notary ID 125356755	Notary Public – State of Texas

 $F\ SPCAI\ Policies\ and\ Procedures\ CURRENT\ POLICIES\ Applicability\ of\ SRA\ Purchasing\ and\ Contracting\ Policy-CURRENT23. docx$ 

-3-

### 2023018141 Page 4 of 8

#### ACKNOWLEDGEMENT BY SPRAI

WHEREAS, Board of Directors of SPRAI hereby acknowledges the applicability of the SRA Purchasing & Contracting Policy to the Owners and Occupants of Residential Lots.

DATED, this the 7th day of february. 2023. Print Name: Derek Goff

Title: Secretary

STATE OF TEXAS

COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared \_Derek Goff\_, the \_Secretary\_ of the Sienna Plantation Residential Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 7th day of February 20

DANA LYNN IPPOLITI Notary Public, State of Texas Comm. Expires 07-08-2025 Notary ID 125356755

After Recording, Return To: Dana Ippoliti 9600 Scanlan Trace Missouri City, TX 77459

### 2023018141 Page 5 of 8

2021144171 ELECTRONICALLY RECORDED Official Public Records 8/30/2021 9:20 AM



Jama Richard Laura Richard, County Clerk Fort Bend County Texas

Pages:

Fee: \$28.00



### **PURCHASING & CONTRACTING POLICY**

Sienna Residential Association

STATE OF TEXAS

8

COUNTY OF FORT BEND §

#### I. <u>PURPOSE</u>

To establish general parameters and requirements for all purchases (including those done with a credit card), leases, and contracts for SRA and the other Sienna Associations which contract with SPRAI, in order to maximize competition to obtain required goods and/or services while considering the price and quality of service to serve the association and compliance with the Texas Property Code.

#### II. APPLICABILITY AND AUTHORITY

This Policy applies to the following entities:

- 1. Sienna Plantation Residential Association, Inc., sometimes doing business as Sienna Residential Association ("SRA") as referenced in the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sienna Plantation (Sienna Plantation Residential Association, Inc.) recorded under Clerk's File No. 2012104699 in the Official Public Records of Fort Bend County, Texas (the "Declaration"), as same may be amended from time to time, and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Sienna Plantation Residential Association, Inc.
- 2. Through the Management Services Agreement the other Sienna Associations follow this same policy.

Any reference to "Board", "Boards", "Association" or "Associations" applies to all of the foregoing entities. Each Board is authorized by its respective dedicatory instruments to adopt policies pertaining to the governance of the Association that it serves. In the event of a conflict between the terms of this Policy and any previously adopted rules, regulations and/or policies addressing Purchasing & Contracting, this Policy will control.

#### III. AUTHORITY LEVELS

In order to ensure the most effective use of our resources the tables below outline the requirements and authority for purchasing and contracting. General Manager authority outlined in this policy, also applies to Community Manager in the absence of the General Manager. For a reserve item that is shown on the Reserve Study in the next 24 months, that item will be considered "budgeted" whether on the specific year's approved reserve budget or not.

F;\SPRAI\Policies and Procedures\CURRENT POLICIES\Purchasing & Contracting Policy-SRA-CURRENT21.doc

## 2023018141 Page 6 of 8 2021144171 Page 2 of 4

Annual Value	\$0-2,	499.99	\$2,500	-4,999.99	\$5,000-1	4,999.99
of Contract	Budgeted	Not Budgeted	Budgeted	Not Budgeted	Budgeted	Not Budgeted
Purchasing # of bids required Authority level	not required Supervisor/ Coordinator	not required Dept Mgr	not required Dept Mgr	not required  Dept Mgr	not required Gen Mgr	2 bids required Gen Mgr
Contracting Contract form Contract authority	not required N/A	not required	not required N/A	not required	not required Gen Mgr	not required Gen Mgr

Annual Value	\$15,000-49,999.99		\$50,000-\$199,999.99		\$200,000+	
of Contract	Budgeted	Not Budgeted	Budgeted	Not Budgeted	Budgeted	Not Budgeted
Purchasing # of bids required Authority level	3 bids Gen Mgr	3 bids Board	3 bids Gen Mgr	3 bids Board	3 bids Gen Mgr	3 bids Board
Contracting Contract form Contract authority	Contractor Gen Mgr	Contractor Gen Mgr	Association GM-Board Notice	Association GM-Board Notice	Association Board	Association Board

#### IV. **BIDDING**

Any maintenance or management service contract with a value over \$50,000 for the life of the contract, must go through a full bidding process at least every 3 years, unless the Board specifically approves otherwise.

Professional services (attorneys, PEO, CPA, etc.) should be bid at least every 5 years, unless the Board specifically approves otherwise.

Once a bid has been accepted and the project begun, additional expenses incurred due to unforeseen circumstances cannot exceed 10% of the original bid unless approved by the General Manager.

#### V. **PURCHASES & CONTRACTING**

The SPRAI will select the bid representing the best combination of service and value from the group of qualified bidders. The SPRAI is under no obligation to select the lowest bid.

# 2023018141 Page 7 of 8 2021144171 Page 3 of 4

#### VI. PURCHASING FROM AN EXISTING CONTRACTOR

If the purchase is related to a service an existing contractor is providing, bids are only required if the purchase is over \$15,000. However, if the current contract includes unit pricing for extra services, no additional bids are required.

#### VII. SOLE SOURCE PURCHASING

It is recognized that in some few purchases, obtaining competitive bids may not be practical. On this basis, a purchase may be obtained from a Sole Source only if a written Sole Source justification is submitted to the General Manager by the responsible Department Manager that requires the purchase.

#### VIII. EMERGENCY PURCHASES

If an emergency purchase is required and the General Manager is not available, the Community Manager, then Finance Director may act as the authorizing official. All emergency authorizations must be produced in writing within five (5) business days after the purchase is made.

If the Emergency Purchase is in excess of \$50,000 the General Manager has authority to proceed provided the appropriate Board is notified within 5 days of the purchase.

#### IX. CONTRACTING

In order to have a valid Certificate of Insurance, there must be a contract regardless of contract value. The contract may be a form presented by the contractor or the Association's form.

As indicated above, a contractor's form may be used if the contract value is between \$15,000 and \$49,999.99 but the Association's Addendum to Contractors Proposal must be used along with the contractor form to supplement indemnification and insurance provisions.

Depending on the purchase or service, the Association form may be a Master Service Agreement (MSA) for routine type services or construction projects.

Where specified on the prior tables, "GM-Board Notice", the General Manager has the authority to contract but needs to formally notify the Board; however, if the low bid is not the desired contractor, then the Board must approve prior to contracting.

Policy Name	Approved/Finalized	Revised
Purchasing and Contracting Policy		July 26, 2021
Purchasing and Contracting Policy		June 25, 2012
Purchasing Policy		February 21, 2008
Purchasing Policy	January 23, 2006	

#### [SIGNATURE PAGE FOLLOWS]

# 2023018141 Page 8 of 8 2021144171 Page 4 of 4

## <u>CERTIFICATION</u> <u>SIENNA RESIDENTIAL ASSOCIATION</u>

	of the Sienna Plantation Residential
Association, Inc., the foregoing Purchasing a	and Contracting Policy was approved on the 26 TV
day of JUIU, 2021, in person o	r electronically by a quorum of the Board of
Directors.	1
with 1	4
DATED, this the 26 day of Ju	<u>les</u> , 2021.
	() A=
	By:
	Print Name: Derek Goff
	Title: Secretary
STATE OF TEXAS	§
	§
COUNTY OF FORT BEND	§ § §
	y appeared DETEK GOFF, the
BEFORE ME, on this day personally	appeared being the
	dential Association, Inc., known by me to be the
	trument, and acknowledged to me that s/he executed
the same for the purposes herein expressed,	in the capacity herein stated, and as the act and deed
of said corporation.	
	-1+67
Given under my hand and seal this the	he 26 day of JUUL, 2021.
·	Days In the
	HUM Slopetu
	Notary Public – State of Texas
	DANA LYNN IPPOLITI
	Notary Public, State of Texas
	Comm. Expires 07-08-2025
	Notary ID 125356755