

## LOCAL PREFERENCE

### **Sec. 30-86. Local preference in competitive procurement awards.**

- (a) *Purpose and findings.* The city annually spends significant dollars on purchasing goods and services, including for the construction of real property or existing structures. The dollars used in making those purchases are derived, in large part, from taxes, fees, and utility revenues paid by businesses located within the corporate city limits, and the city commission has determined that funds generated in the community should, to the extent possible, be placed back into the local economy. Therefore, the city commission has determined that it is in the best interest of the city to give a preference to local businesses in making such purchases whenever the application of such a preference is reasonable in light of the dollar-value of proposals received in relation to such expenditures. (*Changes to the previous draft presented at 2/1/2012 City Commission meeting are highlighted by underlining additions and striking through deletions*)
- (b) *Competitive bids.* Where the lowest responsive bid by a responsible bidder is submitted by a non-local vendor, and the lowest responsive bid submitted by a responsible local vendor is within ten percent of that bid, then such local vendor and such non-local vendor each will have the opportunity to submit, within five working days of the bid opening, a best and final bid equal to or lower than the amount of the original low bid. The bid will be awarded to the bidder submitting the lowest responsive bid or final bid. In case of a tie between a responsible local vendor and a responsible non-local vendor, the bid will be awarded to the local vendor.
- (c) *Competitive sealed proposals.* Where proposals submitted for a negotiated purchases are rated by a point system, a local vendor may be granted a preference of up to ten percent of the total available points. Where the contract is for the purchase of labor or services, the exact percentage awarded may be adjusted based on the extent of work to be subcontracted to non-local vendors. If the ranked list of the most highly qualified firms does not include a local vendor, then the highest ranked local vendor will be included on the list of firms with whom the city manager negotiates. All firms on the resulting list will be given the opportunity to submit a best and final fee proposal when the evaluation includes price. Best and final fee proposals will be evaluated and the final ranking will be based upon that final evaluation.
- (d) *Local preference not required.* This section will not be deemed to require the granting of a local preference, and nothing herein prohibits the award of a contract to a non-local vendor where such award is in the public interest.