

# Local Vendor Preference Policy

## Section 1. Purpose

The Rockdale County Board of Commissioners hereby establishes a Local Vendor Preference Policy in recognition of the vital contribution made by local businesses by providing employment, and contributing to the local tax base.

## Section 2. Definitions

**County** - Shall mean Rockdale County, Georgia

**Out of Jurisdiction Vendor – (out of county)**- a vendor that does not have a physical presence within the geographic boundaries of Rockdale County, Georgia. Physical presence shall mean a business which owns, operates, or occupies office space, warehouse, or other physical business structure. A business that only maintains a post office box as its address does not qualify.

**Local Vendor** - shall mean a business which maintains a valid business license and a principal business office, or a satellite office with at least one full-time employee, located in the County.

**Responsible bidder** - a bidder who has the capability in all respects to perform fully the contract requirements, and the experience, integrity, perseverance, reliability, capacity, facilities, equipment, and credit which will assure good faith performance.

**Responsive bidder** – a bidder who has submitted a bid which conforms in all material respects to the requirements stated in the Invitation to Bid.

## Section 3. Invitation to Bid

- a. If the local vendor is responsible, responsive, and within five (5) percent of the lowest responsible, responsive bid submitted by any out-of-county vendor, the local vendor will be provided notice by the County and given the opportunity to reduce its bid to match the bid offered by the out-of-county vendor. The local vendor shall have three (3) business days after the date of such notice to match the lowest bid in writing. If such local vendor agrees to match the bid received from the out-of-county vendor within the time specified by the County, it will be deemed the lowest responsible bidder and receive the award.
- b. Should the lowest responsible local vendor decline to match the lowest bid in writing, the County shall provide the next lowest responsible local bidder who is within five (5) percent of the lowest responsible bidder with the same notice an opportunity to match the bid of the lowest responsible bidder as outlined in Section 4.a. above. This process shall continue as necessary until an award is made either to a responsible local vendor bidder who is within five (5) percent of the lowest responsible bidder, or the lowest responsible bidder itself.

- c. Preference shall be given to the local vendor in an instance where a local vendor and Out of Jurisdiction Vendor submit equivalent lowest responsible bids.
- d. Local vendor awarded any bid shall not assign or sub-contract more than (50%) of the dollar value of the contract to be performed by any entity that is not a local vendor as defined by this Policy.
- e. In the event the only bidders are local vendors, the bid shall be awarded to the lowest responsible bidder.
- f. In the event there are two or more local vendors within five (5%) percent of the lowest bid and/or whose bid is tied, the County shall determine first by the length of time the local vendor has been located within Rockdale County, Georgia, and then, if necessary, the previous experience with said local vendor.

#### **Section 4. Request for Proposal (RFP) or Request for Qualifications (RFQ).**

Where there is evaluation criteria established, local vendors will receive an additional five (5) points for proximity. Out of Jurisdiction vendors shall not receive the additional five (5) points.

#### **Section 5. Eligibility Requirements**

A local vendor shall only be eligible to receive the benefit of this preference if it meets each of the following requirements prior to any award of a contract or purchase:

- a. The business or supplier must operate and maintain a regular place of business within the geographical boundaries of Rockdale County, Georgia; and
- b. The local vendor must have a current Rockdale County Occupational License (Business License) and shall have been licensed in Rockdale County, Georgia for a minimum of one (1) year prior to the date of submittal of any bid or proposal; and
- c. Any and all taxes, and/or fees owed to the County shall be paid in full and shall not be delinquent; and
- d. The business or supplier must certify its compliance with the Georgia Security and Immigration Act; and
- e. Vendors claiming local vendor preference for any Invitation to Bid, Request for Proposal, or Request for Qualifications shall submit an Affidavit of Eligibility provided by the County with their bid, proposal or statement of qualifications response.

#### **Section 6. Disqualification**

Any vendor falsely claiming to be local vendor as defined in this Policy shall be ineligible to receive the preference outlined in this Policy.

**Section 7. Exceptions**

This policy is not applicable to construction contracts required by state or federal statutes or regulations to be awarded to the lowest responsible responsive bidder.

This policy shall not apply to any bid or proposal for material, equipment or services less than \$15,000.00 or in excess of \$100,000.00. In such cases, the bid award shall be subject to the competitive bidding as otherwise provided herein or general law.

This policy may not apply to Sole Source Purchases, Purchases from State and Federal Contracts, Cooperative Purchasing Agreements or "Piggy Back" contracting.

**Section 8. Amendments.**

The Board of Commissioners reserves the right to delete, modify, amend or terminate this Policy at any time without any prior notice. Future additions, rescissions, and amendments to this Policy shall also have the force and effect of law, upon approval by the Board of Commissioners. This Policy does not establish a contract between the County and any local vendor.

Approved this 26 day of March, 2013.

Rockdale County, Georgia  
Board of Commissioners

By: 

Richard A. Oden, Chairman

By: 

Oz Nesbitt, Sr.

Attest:

By: 

Jennifer Rutledge, County Clerk

By: 

Janice Van Ness