

Central Purchasing

Title: **Local Vendor Preference**

Effective Date: 07/07/09      Supersedes Date: N/A

**Procedure No: CP-050**

**I. PURPOSE:**

The City annually spends significant amounts in purchasing personal property, materials, and contractual services and in constructing improvements to real property or to existing structures, etc. As these purchases are in large part funded from funds generated in the community, the City Council has determined that it is in the best interest of the City to keep those funds in the City by instituting a local vendor preference.

**II. DEFINITION OF LOCAL VENDOR:**

A local vendor:

- (1) is a person, firm, corporation or other business entity that has its headquarters, a manufacturing facility, a locally-owned franchise, or an operating branch physically located within the boundaries of Marion County.
- (2) has been in operation for a minimum of one (1) year prior to the issuance of any City of Ocala formal solicitation.
- (3) has paid business or real property tax due to the City or County for the most recent tax year.
- (4) if using subcontractors, will use only subcontractors who meet the criteria of (1), (2), and (3) above.

**III. LOCAL VENDOR PREFERENCE POLICY:**

In purchasing of, or letting of contracts for procurement of personal property, materials, and contractual services and in constructing improvements to real property or to existing structures, etc., the City Council, or other purchasing authority, may give a preference to local businesses in making such purchase or awarding such contract:

- (1) in an amount not to exceed five percent (5%) for purchases between \$35,000.00 and \$250,000.00;
- (2) in an amount not to exceed three percent (3%) for purchases between \$250,000.01 and \$500,000.00.
- (3) In an amount not to exceed two percent (2%) for purchases over \$500,000.01. Cost differential will not exceed \$25,000.00 for any City contract. Total bid price shall include not only the base price but also all alterations to that base bid price resulting from alternates which were both part of the bid and actually purchased or awarded by the City Council or other purchasing Authority.

**IV. EXCEPTIONS:**

Exceptions to this policy shall include, but are not limited, to the following:

- (1) purchases or contracts with an estimated value of \$35,000.00 or less;
- (2) purchases that are funded in whole or in part by assistance from any federal, state, or local agency that disallows local preference;
- (3) purchases made through a cooperative agreement (i.e., one or more agencies combining requirements in order to benefit from discounts that may be obtained through volume purchasing);
- (4) purchases made from another agency's agreements or contracts (i.e., piggybacking);
- (5) purchases subject to Section 287.055 Florida Statutes, the Consultant's Competitive Negotiations Act (CCNA), as amended;
- (6) procurements subject to formal proposal (RFP, ROQ, ITN) versus a straight bid (ITB) where price may or may not be part of the evaluation criteria.

**IV. ELIGIBILITY:**

Under any applicable solicitation, vendors desiring to receive local vendor preference under this policy, must submit a Local Vendor Preference Affidavit affirmatively demonstrating that they satisfy all pertinent requirements. Vendors must submit this documentation with each bid submittal. This affidavit is good for one (1) year and would have to be resubmitted annually.

**V. TERM:**

This policy shall sunset at the end of each fiscal year. The policy may be re-instated by City Council by majority vote at any publicly announced council meeting.

**CITY OF OCALA - LOCAL VENDOR PREFERENCE**  
**AFFIDAVIT OF ELIGIBILITY**

This form is to be completed in its entirety by the prime vendor and submitted with your bid. Incomplete forms will be rejected for preference evaluation.

In addition, each vendor shall submit a separate form for each major subcontractor the vendor proposes to employ. A major subcontractor is defined as a subcontractor whose subcontract constitutes five percent (5%) or more of the total contract price. In order for a vendor to be considered for local vendor preference, all major subcontractors must also qualify. Copy this form if additional forms are required and attach as submittals to each bid.

1. Legal Name of Firm: \_\_\_\_\_

Mailing Address:	Physical Address (if different):
_____	_____
_____	_____
_____	_____

2. Date your business was established in City of Ocala: \_\_\_\_\_  
or  
Date your business was established in Marion County: \_\_\_\_\_

3. Did you pay business or real property tax to either the City or the County for the most recent tax year? Yes \_\_\_\_\_ No \_\_\_\_\_

4. Are you planning to employ any major subcontractors? Yes \_\_\_\_\_ No \_\_\_\_\_

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Under penalty of perjury, the undersigned states that the forgoing statements are true and correct. The undersigned also acknowledges that any person, firm, corporation or entity intentionally submitting false information in an attempt to qualify for local vendor preference shall be prohibited from bidding on City of Ocala products and services in accordance with CP-161 of the City of Ocala's Purchasing and Procedures manual.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_ Phone: \_\_\_\_\_

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State of: \_\_\_\_\_

County of: \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Personally known \_\_\_\_\_ or Produced Identification \_\_\_\_\_  
(Specify Type of Identification)

\_\_\_\_\_  
Signature of Notary

My Commission Expires \_\_\_\_\_