

Local Preference

Purchasing Division



CHARLOTTE COUNTY
FLORIDA

Local Preference

- Local business means the company has a valid Business Tax Receipt issued by Charlotte County, DeSoto County or Sarasota County at least six months prior to bid submission.
- Must have a physical location, post office boxes are not verifiable.

Local Preference Request for Bids

- Applies when a responsive, responsible non-local business submits the lowest price bid and a bid submitted by one or more responsive, responsible local business is within five percent of the price.
- The local bidder(s) are given the opportunity to submit a best and final bid equal to or lower than the non-local business.

AFFIDAVIT
Claiming Status as a Local Business

Bidder affirms that it is a local business as defined below and in accordance with the following: Ordinance 2009-005 adopted by the Charlotte County Board of Commissioners and filed with the Secretary of State on February 17, 2009; and Ordinance 2009-041 adopted by the Charlotte County Board of Commissioners and filed with the Secretary of State on October 19, 2009.

A. Local Business Definition:

Local business means the company has a valid Business Tax Receipt issued by Charlotte County, Sarasota County or DeSoto County for at least six months prior to the bid submission to do business within Charlotte County, Sarasota County or DeSoto County that authorizes the business to provide the services or goods, and a physical business address located within the limits of Charlotte County, Sarasota County or DeSoto County from which the business operates or performs business. Post Office Boxes are not verifiable and shall not be used for the purpose of establishing said physical address. In addition to the foregoing, a business shall not be considered having a "Local Business" unless it contributes to the economic development and well-being of these Counties in a verifiable and measurable way. Vendors shall affirm in writing their compliance with the foregoing at the time of submitting their bid to be eligible for consideration as having a "Local Business". A business that misrepresents the local preference status of its company in a bid to the County will lose the privilege to claim local preference for a one year period.

B. Competitive bid (local price match option):

Each formal competitive bid solicitation shall clearly identify how the price order of the bids received will be evaluated and determined. When a responsive, responsible non-local business submits the lowest price bid, and the bid submitted by one or more responsive, responsible local businesses, as defined below, is within five percent of the price submitted by the non-local business, each of the aforementioned local businesses shall have the opportunity to submit, a best and final bid equal to or lower than the amount of the low bid previously submitted by the non-local business within five days of being notified by the Senior Division Manager of Purchasing in writing. Contract award shall be made to the responsive, responsible business submitting the lowest best and final bid. In the case of a tie in the best and final bid between a local business and a non-local business, contract award shall be made to the local business.

If requested by the County, the bidder will be required to provide documentation substantiating the information given in this affidavit. Charlotte County reserves the right to request supporting documentation as evidence to substantiate the information given in this affidavit. Failure to do so will result in the bidder's submission being deemed non-responsive.

Company Name: _____

Signature: _____

Title: _____

Year Business Established: _____ Circle the appropriate County: Charlotte DeSoto Sarasota

State of Florida
County of _____

Sworn to and subscribed before me, a Notary Public, for the above State and County on this _____ day of _____, 20____.



Local Preference Cont'd

- Local Preference cannot be considered for any procurement that contains Federal Funding and various other grant funding also does not allow it.
- Local Preference is not supported by the National Institute of Governmental Purchasing

Local Preference Cont'd

- Fiscal Year 2017 and 2018
 - 139 Request for Bids were solicited
 - 8 Best and Final Offers were requested from the local bidder that was within the five percent
 - 7 local bidders submitted and were awarded the bid based on their Best and Final Offer
 - 1 declined the opportunity to submit a Best and Final Offer



[NIGP SourceBook](#) [Links](#) [Join NIGP](#) [Suppliers](#) [NIGP Store](#)

[Professional Development](#)

[Resource Center](#)

[Communities](#)

[Professional Services](#)

[NIGP Forum & Events](#)

[NIGP Positions](#)

[Position Papers](#)

[Resolutions](#)

Resolution 1016

PREFERENCE

Whereas, the National Institute of Governmental Purchasing, Inc. advocates the use of the free, open competitive process for public procurement, and

Whereas, the National Institute of Governmental Purchasing, Inc. supports all efforts to include everyone to participate on an equal basis in this process, and

Whereas, the practice of preference laws or regulations results in reduced competition and increased prices;

Now Therefore, BE IT RESOLVED that the National Institute of Governmental Purchasing, Inc. is opposed to all types of preference law and practice and views it as an impediment to cost effective procurement of goods, services and construction in a free enterprise system.

The above resolution was adopted by the Board of Directors of the National Institute of Governmental Purchasing at its official meeting on the 7th day of March, 1987.

I certify that the above resolution was reviewed and ratified by the Board of Directors of the National Institute of Governmental Purchasing, Inc. at its official meeting on the 11th day of November, 1985.

J. E. Brinkman, CPPO
Executive Vice President and Secretary



CHARLOTTE COUNTY
FLORIDA

Local Preference

- City of Punta Gorda rescinded their Local Preference Policy in 2015
- Lee County rescinded their Local Preference Policy about 6 months ago
- Manatee County, Sarasota Manatee Airport Authority and Charlotte County Airport Authority do not have local preference policies
- Sarasota County and DeSoto County currently have some form of local preference policy in place

Local Preference Request for Proposal

- Local Preference is considered in Request for Proposal (RFP) by awarding additional points in the scoring of the RFP

IV. LOCATION/FACILITIES OF WORKING OFFICE(S)
THAT WILL PROVIDE STAFF FOR THIS PROJECT

A. Length of time "Local Office" established

15, 10, 5 or 0 Points

B. Location of "Local Office"

20, 15 or 0 Points

C. Residencies of personnel which live in Charlotte, Sarasota or DeSoto Counties

5, 3, 2 or 0 Points

D. Use of local sub-consultants

10, 10 or 0 Points

** See Affidavit for detail of criteria and point association.



AFFIDAVIT

Proposer affirms that information provided as it relates to Location & Facilities of Working Office is true and meets the definition and criteria as defined below:

Local office means the company has a valid Business Tax License issued by Charlotte County, Sarasota County or DeSoto County for at least 6 months prior to the proposal submission to do business within Charlotte County, Sarasota County or DeSoto County that authorizes the business to provide the services, and a physical business address located within the limits of Charlotte County, Sarasota County or DeSoto County from which the company operates or performs business. Post Office Boxes are not verifiable and shall not be used for the purpose of establishing said physical address. In addition to the foregoing, a company shall not be considered having a "Local Office" unless it contributes to the economic development and well-being of Charlotte County, Sarasota County or DeSoto County in a verifiable and measurable way (as identified by the criteria below). Also, companies must demonstrate and document the in-County/in-office capability and availability of the personnel working in the local office and the type of services performed at this location that is pertinent to the type of project. Companies shall affirm in writing their compliance with the foregoing at the time of submitting their proposal to be eligible for consideration as having a "Local Office". A company who misrepresents the local preference status of its company in a proposal to the County will lose the privilege to claim local preference for a one year period.

Please identify below by placing a checkmark next to the appropriate criteria and related points. Also, provide any documentation that substantiates the information given in this affidavit. Charlotte County reserves the right to request supporting documentation as evidence to substantiate the information given in this affidavit. Failure to do so will result in the proposer's submission being deemed non-responsive.

Location & Facilities of Working Office:

Length of time "Local Office" established:

- | | |
|---|-----------|
| <input type="checkbox"/> Local Office has been established more than 3 years | 15 Points |
| <input type="checkbox"/> Local Office has been established between 1 to 3 years | 10 Points |
| <input type="checkbox"/> Local Office has been established between 6 months to 1 year | 5 Points |
| <input type="checkbox"/> Local Office has been established less than 6 months | 0 Points |

Location of "Local Office":

- | | |
|--|-----------|
| <input type="checkbox"/> Headquarters located within the boundaries of Charlotte, Sarasota, or DeSoto County | 20 Points |
| <input type="checkbox"/> Satellite office located within the boundaries of Charlotte, Sarasota, or DeSoto County | 15 Points |
| <input type="checkbox"/> No local office presence | 0 Points |

Residencies of personnel which live in Charlotte, Sarasota or DeSoto County and are employed with the Prime Firm's Office; the Prime Firm's Office is defined as the office performing the services for this project:

- | | |
|---|----------|
| <input type="checkbox"/> 50 % or more live in Charlotte, Sarasota or DeSoto County * | 5 Points |
| <input type="checkbox"/> 25 % to 49 % live in Charlotte, Sarasota or DeSoto County * | 3 Points |
| <input type="checkbox"/> Up to 25 % live in Charlotte, Sarasota or DeSoto County * | 2 Points |
| <input type="checkbox"/> None of the personnel live in Charlotte, Sarasota or DeSoto County | 0 Points |

*Personnel Affidavit attached to be completed by each person living in Charlotte, Sarasota or DeSoto County.

NAME OF FIRM _____
(This form must be completed and returned)



Affidavit Cont'd:

Use of Local Sub-Consultants (Sub-Consultants meeting "Local Office" definition):

- Local Sub-Consultants on team with Prime 10 Points
- Local Prime is performing all services in-house 10 Points
- No local Sub-Consultants on team 0 Points

Sub-Consultant Name: _____

Address: _____

Company Name: _____

Signature: _____

Title: _____

Year Business Established: _____ Circle the appropriate County: Charlotte DeSoto Sarasota

State of Florida
County of Charlotte

Sworn to and subscribed before me, a Notary Public, for the above State and County on this _____ Day of _____, 20____.

Notary Public

Commission Expiration

(Affix Official Seal)

The signee of this Affidavit guarantees, as evidenced by the sworn affidavit required herein, the truth and accuracy of this affidavit to interrogatories hereinafter made.

(This form must be completed & returned)



File #	File Title	Local Bidder	Non-Local Bidder	Non-Local Bidder's Location	Non-Local Bidder's Bid	Local Bidder's Bid	Original Difference
17-148	Purchase of Air Compressors with Trailers	Chenango Supply Co. Inc.	Pinnacle Central Co. Inc.	Polk City, FL	\$ 40,664.00	\$ 41,400.00	\$ (736.00)
18-590	Purchase of Air Compressors with Trailers	Chenango Supply Co. Inc.	Pinnacle Central Co. Inc.	Pok City, FL	\$ 20,564.00	\$ 21,349.00	\$ (785.00)
17-097	Purchase of Double Eage Rye Seed	SiteOne Landscape Supply	Hancock Seed Co.	Dade City, FL	\$ 15,400.00	\$ 16,157.50	\$ (757.50)
17-381	Placida Boat Ramp Washout Repairs	TSI Disaster Recovery LLC	Kelly Brothers	Fort Myers, FL	\$ 74,799.00	\$ 78,000.00	\$ (3,201.00)
17-395	Landscape Maintenance - County Facilities Parade Circle Pathway Extension - Inner Circle Connection	Brightview Landscape Services LLC	Prime-Scape Services	Clearwater, FL	\$ 56,775.00	\$ 58,073.00	\$ (1,298.00)
17-398	Connection	A2 Group, Inc.	Pavement Maintenance, LLC	Fort Myers, FL	\$ 275,534.70	\$ 279,890.56	\$ (4,355.86)
17-333	South Gulf Cove Sidewalks - Phase II	Fredrick Derr & Company, Inc.	Cougar Cutting, Inc.	Fort Myers, FL	\$ 1,189,036.66	\$ 1,208,213.58	\$ (19,176.92)
18-149	Firing Range Facility	A2 Group, Inc.	Stellar Development Inc.	Sarasota, FL	\$ 4,988,222.00	\$ 4,997,836.93	\$ (9,614.93)
							\$ (39,925.21)



Discussion

- Board discussion on Local Preference
 - Keep Local Preference Policy in place as it currently has been established
 - Remove Local Preference from Request for Bids
 - Remove all Local Preference Policy
 - Modify Local Preference Policy to include Lee County to make it a regional policy