

CALHOUN COUNTY

ORDINANCE NO. 2018-04

AN ORDINANCE ADOPTING PURCHASING PROCEDURES FOR CALHOUN COUNTY, TO PROVIDE FOR LOCAL BIDDER PREFERENCE; PROVIDING FOR REPEALER AND SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners for Calhoun County, Florida, expressly finds, as a matter of fact in policy, that the providing of a preference for local bidders will enhance local employment, increase the local tax base and generally enhance the economy of Calhoun County;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calhoun County, Florida, that:

Section 1. Local Bidder Preference:

The basis of an award of a bid contract for goods or services, if let, will be to the best bidder, as determined by the Board of County Commissioners, and subject to the provisions in the County Procurement Policy . In keeping with the County's policy of considering all appropriate contributing factors, including, but not limited to, prior history of supplying of goods and services to the County, residence and place of business of the contractor, subcontractor, and suppliers, the County reserves the right to award any bid to other than the lowest bidder at the County's discretion on those items and services (other than road construction and other items and services which are required by law to be awarded to the lowest bidder) as to which bids are awarded by the Board of County Commissioners or by County staff, as follows. As to bids awarded or to be awarded under county ordinance by the Board itself or staff, the bid of a resident of Calhoun County, Florida **MAY**(in the sole discretion of the Board) be granted a five percent (5%) preference over bids submitted by any non-resident, provided that in awarding the bid, the local bidder shall be required to match the low bidder's bid amount. A resident shall mean an individual or corporation whose primary residence or place of business is within Calhoun County, Florida, a partnership whose principals are all residents of Calhoun County, Florida, or another business entity whose principal place of business is within Calhoun County, Florida, or which maintains a full time business office open to the public (and having at least one full-time employee) within Calhoun County, Florida.

The preference may be awarded in the disposition of County surplus property as well as the purchase of good or services.

Section 2. Repealer:

All prior ordinances or portions of ordinances enforced at the time this amendment becomes effective which are in conflict with the provisions of this ordinance, shall be deemed to have been repealed and are repealed to the extent of any such conflict, otherwise to remain in full force and effect). In particular this ordinance shall replace ordinance number 2000-01.

Section 3. Severability:

If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is held, for any reason, to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 4. Effective date.

This ordinance shall take effect upon its passage by a majority vote of the Board of County Commissioners in and for Calhoun County, Florida, after due notice and publication, in the regular meeting on the 27th day of February 2018.

ADOPTED THIS THE 27th DAY OF February 2018, BY A VOTE OF 5
TO 0.

BOARD OF COUNTY
COMMISSIONERS, CALHOUN
COUNTY, FLORIDA

BY: Danny Ray Wise
Danny Ray Wise, Chairman

ATTEST:

Carla A Hand
Carla A Hand, Clerk