

County of Sonoma Local Preference Policy for Goods

1.0 Purpose

Recognizing that a sustainable economy is the result of a healthy local economy, the County of Sonoma will promote practices that help preserve local businesses and maintain our tax base.

2.0 Definitions

For the purposes of this policy “local vendor” shall mean any business which has the following:

- a. For businesses with a location in a city within Sonoma County, a valid business license if required by the city; and
- b. A principal business office, or a satellite office with at least one full-time employee, located in the County.

Vendors seeking recognition of local status will be required to sign a statement that the vendor meets the above qualifications either in the purchase order or other document.

3.0 Exceptions

The local preference policy is not applicable to construction agreements or other contracts required by state or federal statutes or regulations to be awarded to the “lowest responsible bidder.”

4.0 Award of Preference

- a. When competitive bidding is used pursuant to Sonoma County’s Procurement of Goods and Equipment Policy, and the lowest responsible bidder is not a local business, the Purchasing Agent shall provide the lowest responsible local business bidder, who is within 5% of the lowest responsible bidder, with notice and an opportunity to reduce its bid to match that of the lowest responsible bidder. Notice shall be by telephone and either facsimile or electronic mail. The local business shall have three business days after the date of such notice to match the lowest bid in writing. Should the local business so match, it will be deemed the lowest responsible bidder and receive the award.
- a. Should the lowest responsible local business bidder decline to match, the Purchasing Agent shall provide the next lowest responsible local bidder who is within five (5%) of the lowest responsible bidder with the same notice an opportunity to match the bid of the lowest responsible bidder as outlined in 4.a above. This process shall continue as necessary until an award is made either to a

responsible local business bidder who is within five (5%) of the lowest responsible bidder, or the lowest responsible bidder itself.

- b. In instances where a local business and a non-local business submit equivalent lowest responsible bids, the Purchasing Agent shall give preference to the local business.
- c. No contract awarded to a local business under this section shall be assigned or subcontracted in any manner that permits more than fifty (50) percent or more of the dollar value of the contract to be performed by an entity that is not a local business.
- d. In submitting a bid subject to this section, a local business shall affirm its compliance as defined in Section 2.0 on a declaration form to be provided by the Purchasing Agent.
- e. In the event the only bidders are local, the bid will be awarded to the lowest responsible bidder.
- f. In the event there are two or more local vendors within 5% of the lowest bid and whose bid is tied, the Purchasing Agent or designee shall determine the tie as referenced in Section 12 of the County's Procurement of Goods and Equipment Policy. The winner of the tie will be contacted with the option to match the lowest nonlocal bid per the process outlined in 4.b above. If they decline, the local vendor whose bid was tied will be contacted and given the opportunity to match the bid per 4.b above.

5.0 Disqualification

Any vendor falsely claiming to be local vendor as defined above will be subject to Debarment as outlined in the Section 24 of the County's Procurement of Goods and Equipment policy.