

County of Sonoma

Local Preference Policy for Services

I. Findings/Format

The County of Sonoma recognizes that strategies that promote the use of local vendors and services providers help create a sustainable economy and preserve local businesses. The use of local businesses helps retain local dollars within the community and strengthen employment.

II. Policy

It is the policy of the County to promote employment and business opportunities for local residents and firms on all contracts and give preference to local residents, workers, businesses and consultants to the extent consistent with the law and interests of the public.

A Local Service Provider is defined as a business or consultant who has a valid physical address located within Sonoma County from which the vendor or consultant operates or performs business on a day-to-day-basis, and holds a valid business license if required by a city within the jurisdiction of Sonoma County.

A Informal Procurement

Departments shall consider the locality of consultants or businesses and their sub-consultants when selecting providers for service contracts. If there is more than one service provider being considered and the providers are competitively matched in terms of other criteria, local service providers should be selected.

B. Formal Procurement – RFPs

For quantitative evaluations of proposals, the locality of the service provider shall be included as an evaluation criterion in RFPs. Extra percentage weighting of 5% shall be provided in the total rating score for local service providers. For qualitative evaluations of proposals, Departments shall consider the locality of consultants or businesses and their sub-consultants along with other criteria identified in the RFP. If there is more than one service provider being considered and the providers are competitively matched in terms of other criteria, local service providers should be selected.

C. Exceptions to Local Preference Policy

- 1) Services provided under a cooperative purchasing agreement.
- 2) Contracts which are funded in whole or in part by a governmental entity, and the laws, regulations, or policies governing such funding prohibit application of a local preference.
- 3) Contracts procured under authority which requires award to the lowest responsible bidder without an exception for a local preference criterion or which otherwise does not allow consideration of a local preference criterion.

- 4) Contracts let under emergency or noncompetitive situations.
- 5) Services with an estimated cost of \$5,000 or less.
- 6) Application of the local business preference to a particular contract for which the Purchasing Agent is the awarding authority may be waived at the Board's discretion.

D. Quality and Fitness

The preference established in this policy shall in no way be construed to inhibit, limit or restrict the right and obligation of the County or Purchasing Agent to compare quality and fitness for use of services proposed for purchase and compare the qualifications, character, responsibility and fitness of all persons, firms, or corporations submitting bids or proposals. Nor shall the preference established in this policy be construed to prohibit the right of the County from giving any other preference permitted by law.

No contract awarded to a local service provider or business under this policy 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.

In submitting a bid or proposal subject to this section, a business shall affirm it qualifies as a local business as defined above on a declaration form to be provided by the Purchasing Agent.

E. Verification of Local Business Preference Eligibility

Any vendor or consultant claiming to be a local business shall provide a signed declaration on a form provided by the Purchasing Agent. The Purchasing Agent shall not be required to verify the accuracy and shall have sole discretion to determine if a consultant meets the definition of "Local Business". The decision of the Purchasing Agent declaring that any person or business is not a local business shall be subject to appeal pursuant to the Section 25 of the County's Procurement of Goods and Equipment.

F. Disqualification

Any vendor falsely claiming to be a 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.