

2016 OA-050

AMENDING CHAPTER 25 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING LOCAL VENDOR PREFERENCES IN PURCHASING

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 25.06(7h) is amended to read as follows:

(7h) Locally Operated ~~Vendor~~ means a supplier or provider of equipment, materials, supplies or services which has an established place of business within the County of Dane and whose business is registered and authorized to do business in the State of Wisconsin. An established place of business means a physical office, plant or other facility. A post office box address does not qualify a vendor as a Locally Operated Vendor.

ARTICLE 3. Section 25.06(17h) is amended to read as follows:

(17h) Regionally-Locally Based and Owned Vendor means a supplier or provider of equipment, materials, supplies or services whose business or corporate headquarters is physically located in Dane County, ~~or the seven counties adjacent to Dane County (Columbia, Dodge, Green, Iowa, Jefferson, Rock or Sauk)~~ and whose owners or shareholders totaling more than 50% of ownership live in Dane County ~~or the aforementioned contiguous counties~~; and the business is registered and authorized to do business in the State of Wisconsin.

ARTICLE 4. Section 25.11(8)(b) is amended to read as follows:

(b) When using a request for proposals (RFP), the RFP shall specify that any Locally Operated Vendor ~~and Locally Based and Owned Vendor~~ will automatically receive five points in the evaluation scoring. Non-Locally Operated Vendors with an established place of business within one of the counties adjacent to Dane County in the Thrive 8 county region will automatically receive two points. Non-Locally Operated Vendors will receive zero points in that portion of the evaluation scoring.

ARTICLE 5. Sections 25.12(c) – (e) are amended to read as follows:

(c) If the Purchasing Manager, after reviewing the responses to a competitive solicitation under s. 25.11(6) or a sealed bid under s. 25.11(7), finds that a Regionally- Locally Based and Owned Vendor's price is within 15% of the lowest cost bid, the Purchasing Manager will contact the Regionally-Locally Based and Owned Vendor to determine if the Vendor is willing to meet the bid price offered by the most responsive bidder. If the Regionally- Locally Based and Owned Vendor is willing to meet the price offered by the most responsive bidder, then the Regionally-Locally Based and Owned Vendor shall be awarded the bid. If

47 | more than one Regionally-Locally Based and Owned Vendor has offered a price
48 | within 15% of the most responsive bidder, the Regionally-Locally Based and
49 | Owned Vendor with the lowest price will be contacted first. If the first Regionally-
50 | Locally Based and Owned Vendor declines to meet the price of the most
51 | responsive bidder, then the Purchasing Manager will contact the next highest
52 | Regionally-Locally Based and Owned Vendor to determine that vendor's interest
53 | in meeting the price offered by the most responsive bidder.

54 | **(d)** If after reviewing the responses to a competitive solicitation under s. 25.11(6)
55 | or a sealed bid under s. 25.11(7), the Purchasing Manager finds there is no
56 | Regionally-Locally Based and Owned Vendor within 15% of the lowest cost bid,
57 | or if there is a Regionally-Locally Based and Owned Vendor within 15% of the
58 | lowest cost bid, but that vendor is not willing to meet the bid price offered by the
59 | most responsive bidder in the process set forth in sub. (c), then the Purchasing
60 | Manager shall review the responses to determine if a Locally Operated Vendor's
61 | price is within 10% of the lowest cost bid. If so, the Purchasing Manager will
62 | contact the Locally Operated Vendor to determine if the Locally Operated
63 | Vendor is willing to meet the bid price offered by the most responsive bidder. If
64 | the Locally Operated Vendor is willing to meet the bid price offered by the most
65 | responsive bidder, then the Locally Operated Vendor shall be awarded the bid. If
66 | more than one Locally Operated Vendor has offered a price within 10% of the
67 | most responsive bidder, the Locally Operated Vendor with the lowest price will be
68 | contacted first. If the first Locally Operated Vendor declines to meet the price of
69 | the most responsive bidder, then the Purchasing Manager will contact the next
70 | highest Locally Operated Vendor to determine that vendor's interest in meeting
71 | the price offered by the most responsive bidder.

72 | **(e)** If after reviewing the responses to a competitive solicitation under s. 25.11(6)
73 | or a sealed bid under s. 25.11(7), the Purchasing Manager finds there is no
74 | Locally Operated Vendor within 10% of the lowest cost bid, or if there is a Locally
75 | Operated Vendor within 10% of the lowest cost bid, but that vendor is not willing
76 | to meet the bid price offered by the most responsive bidder in the process set
77 | forth in sub. (d), then the Purchasing Manager shall review the responses to
78 | determine if there is a Non-Locally Operated Vendor with an established place of
79 | business in one of the counties adjacent to Dane County in the Thrive 8 county
80 | region within 5% of the lowest cost bid. If the Purchasing Manager identifies such
81 | a vendor, the Purchasing Manager will contact the vendor to determine if the
82 | vendor is willing to meet the bid price offered by the most responsive bidder, then
83 | that vendor shall be awarded the bid.

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85 |
86 | *[EXPLANATION: This amendment revises the terminology for providing*
87 | *preferences in purchasing to local vendors.]*