

STATE OF GEORGIA
COUNTY OF CLAYTON

ORDINANCE NO. 2017-29

AN ORDINANCE TO AMEND THE *CODE OF CLAYTON COUNTY, GEORGIA*, AS AMENDED, SPECIFICALLY TO AMEND PART I, CHAPTER 2 “ADMINISTRATION”, ARTICLE IV “PURCHASES AND PROPERTY DISPOSITION”, DIVISION 3 “PURCHASING PROCEDURES” BY ADDING SECTION 2-145.2.5 “CLAYTON COUNTY FIRST INITIATIVE – LOCAL VENDOR PREFERENCE”; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED

Section 1. The *CODE OF CLAYTON COUNTY, GEORGIA*, as amended, is hereby further amended by amending, Part I, Chapter 2 “Administration”, Article IV “Purchases and Property Disposition”, Division 3 “Purchasing Procedures”, by adding Section 2-145.2.5 “Clayton County First Initiative – Local Vendor Preference” to read as follows:

“

- (1) Purpose. There is established in Clayton County, a local vendor preference. The County has a significant interest in encouraging the creation of employment opportunities for its residents and for businesses located within the County. As a purchaser of goods and services, the County will benefit from expanded job and business opportunities for its residents and businesses through additional revenues generated by its activities. It is in the interest of the County and its residents to give preference to vendors who have direct physical and economic relationships with the County. More specifically, bids or proposals awarded to local vendors contribute to the local tax base and local vendors will therefore be given special consideration when bidding against vendors outside of the geographic boundaries of Clayton County.
- (2) Preference. Except as may otherwise be required by applicable state or federal law, in the contracting for goods and services of all kinds and descriptions, when such goods or services are to be obtained, whether through bids or proposals, bids or proposals received from local vendors will be given preference if such bid or proposal is responsive and within five (5) percent of the low bid submitted by any out-of-county bidder. In such instance, the local

vendor will be given the opportunity to match the low bid offered by the out-of-county vendor. If such local vendor agrees to match the lowest bid received from the out-of-county vendor within the time specified by the county, the bid shall be awarded to the local vendor.

- (3) Local Vendor Eligibility. A local vendor shall only be eligible to receive the benefit of this preference if it meets each of the following requirements, as verified by the Central Services Department, prior to any award of a contract or purchase:
- a) The business or supplier must operate and maintain a staffed, fixed, physical place of business within Clayton County, and must have held a valid business license from Clayton County or a city located within Clayton County for at least one year prior to the date of the submission of its proposal or bid, as applicable; and
 - b) The business or supplier must provide a copy of a current business license and/or occupational tax certificate; and
 - a) The business or supplier must have paid all real and personal taxes owed to Clayton County; and
 - b) The business or supplier must certify its compliance with the Georgia Security and Immigration Act; and
 - c) The business or supplier must certify is compliance with the Georgia Secretary of States registration requirements.

Section 2. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

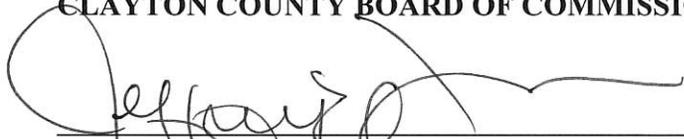
Section 3. If any part of this Ordinance shall be declared unconstitutional by the valid judgment of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

Section 4. This Ordinance shall become effective on immediately upon its approval by the Board of Commissioners. The Central Services Department will have forty-five (45) days from the effective date of this Resolution to implement the Clayton County First Initiative –

Local Vendor Preference program.

SO ORDAINED, this the 2nd day of May, 2017.

CLAYTON COUNTY BOARD OF COMMISSIONERS



JEFFREY E. TURNER, CHAIRMAN



MICHAEL EDMONDSON, VICE CHAIRMAN



SONNA GREGORY, COMMISSIONER

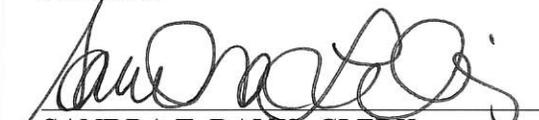


GAIL B. HAMBRICK, COMMISSIONER



FELICIA FRANKLIN WARNER, COMMISSIONER

ATTEST:



SANDRA T. DAVIS, CLERK

PART I - RELATED LAWS PERTAINING TO CLAYTON COUNTY
Chapter 2 - ADMINISTRATION
ARTICLE IV. - PURCHASES AND PROPERTY DISPOSITION
DIVISION 3. - PURCHASING PROCEDURES

Sec. 2-145.2.5 Clayton County First Initiative – Local Vendor Preference.

- (1) Purpose. There is established in Clayton County, a local vendor preference. The County has a significant interest in encouraging the creation of employment opportunities for its residents and for businesses located within the County. As a purchaser of goods and services, the County will benefit from expanded job and business opportunities for its residents and businesses through additional revenues generated by its activities. It is in the interest of the County and its residents to give preference to vendors who have direct physical and economic relationships with the County. More specifically, bids or proposals awarded to local vendors contribute to the local tax base and local vendors will therefore be given special consideration when bidding against vendors outside of the geographic boundaries of Clayton County.
- (2) Preference. Except as may otherwise be required by applicable state or federal law, in the contracting for goods and services of all kinds and descriptions, when such goods or services are to be obtained, whether through bids or proposals, bids or proposals received from local vendors will be given preference if such bid or proposal is responsive and within five (5) percent of the low bid submitted by any out-of-county bidder. In such instance, the local vendor will be given the opportunity to match the low bid offered by the out-of-county vendor. If such local vendor agrees to match the lowest bid received from the out-of-county vendor within the time specified by the county, the bid shall be awarded to the local vendor.
- (3) Local Vendor Eligibility. A local vendor shall only be eligible to receive the benefit of this preference if it meets each of the following requirements, as verified by the Central Services Department, prior to any award of a contract or purchase:
 - a) The business or supplier must operate and maintain a staffed, fixed, physical place of business within Clayton County, and must have held a valid business license from Clayton County or a city located within Clayton County for at least one year prior to the date of the submission of its proposal or bid, as applicable; and
 - b) The business or supplier must provide a copy of a current business license and/or occupational tax certificate; and
 - a) The business or supplier must have paid all real and personal taxes owed to Clayton County; and
 - b) The business or supplier must certify its compliance with the Georgia Security and Immigration Act; and
 - c) The business or supplier must certify is compliance with the Georgia Secretary of States registration requirements.
- (4) Exceptions. This preference shall not apply to any bid or proposal for material, equipment or services in excess of one hundred thousand dollars (\$100,000.00). In such cases, the bid award shall be subject to the competitive bidding requirements as otherwise provided herein or by general law.



Clayton County Board of Commissioners Legislative Request Form

Business Meeting Date: May, 2, 2017

Title: Ordinance 2017-29 - An Ordinance to amend the Code of Clayton County, Georgia, as amended, specifically to amend Part I, Chapter 2 “Administration”, Article IV “Purchases and Property Disposition”, Division 3 “Purchasing Procedures” by adding Section 2-145.2.5 “Clayton County First Initiative – Local Vendor Preference”; to repeal conflicting laws, ordinances, and resolutions; to provide for severability; to provide for an effective date of this ordinance; and for other purposes.

Synopsis: *It is in the interest of the County and its residents to give preference to vendors who have direct physical and economic relationships with the County. More specifically, bids or proposals awarded to local vendors contribute to the local tax base and local vendors will therefore be given special consideration when bidding against vendors outside of the geographic boundaries of Clayton County.*

Supporting Documentation

04.25.17 ORD 2017-29 Clayton County First Initiative - Local Vendor Preference (PDF)

04.25.17 ORD 2017-29 Clayton County First Initiative - Local Vendor Preference - Exhibit A (PDF)

Detrick Stanford	Completed	04/25/2017 4:17 PM
Board of Commissioners	Pending	05/02/2017 7:00 PM