

ORDINANCE 2025 - 05

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, ESTABLISHING REGULATIONS AND PROCEDURES APPLICABLE TO LOCAL PREFERENCE IN COUNTY PURCHASING; AMENDING SECTION 2-2 OF THE JEFFERSON COUNTY CODE OF ORDINANCES ENTITLED "DEFINITIONS;" CREATING A NEW SECTION 2-15 OF THE JEFFERSON COUNTY CODE OF ORDINANCES ESTABLISHING PROVISIONS APPLICABLE TO LOCAL PREFERENCE IN COUNTY PURCHASING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners ("Board") of Jefferson County, Florida ("County"), previously adopted a purchasing policy establishing regulations and procedures applicable to the County's procurement of goods and services; and

WHEREAS, the Board has determined that certain updates and modifications to the County's purchasing policies and regulations are warranted; and

WHEREAS, to ensure that procurement laws, rules, and regulations are enforced and carried out under the highest ethical standards, to encourage full and open competition, and to the extent possible achieve the best value for the County and keep County funds with vendors who live and work in Jefferson County, the Board now desires to amend the County's existing purchasing policy to provide regulations and procedures applicable to the use of Local Preference in County purchasing.

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

SECTION 1. AMENDMENT OF SECTION 2-2 OF THE JEFFERSON COUNTY CODE OF ORDINANCES. Section 2-2 of the Jefferson County Code of Ordinances, entitled "Definitions," is here by amended to add additional definitions as follows:

Sec. 2-2. Definitions. For the purposes of this article and any documents pertaining to the use of this article (e.g., contracts, purchasing orders, etc.), the following terms, phrases, words and their derivations shall have the meaning given herein, unless otherwise specifically defined in any specific document:

* * *

Local Business. A business that (1) is a responsible and responsive vendor; (2) has a fixed office or distribution point located in and having a street address within Jefferson County currently and for at least six months immediately prior to the County's issuance of the solicitation or request for competitive bids or quotes; (3) holds a current business tax receipt and any business license required by Jefferson County and, if applicable, the City of Monticello; (4) is the principal offeror who is a single offeror, a business that is the prime contractor and not a subcontractor, or a partner or joint venturer submitting an offer in conjunction with another business; and (5) has at least one (1) full time employee whose primary residence is in Jefferson County, at least two (2) part time employees whose primary residence is in Jefferson County, or, if the business has no employees, is at least 50 percent owned by one or more persons whose primary residence is in Jefferson County.

Local Preference. Regulations and procedures through which the County may give preference to a Local Businesses in the purchasing of or letting of contracts for procurement of commodities, equipment, or services where not prohibited by the terms of a grant agreement or other prevailing law or policy.

* * *

[underline indicates additions; strikethrough indicates deletions]

SECTION 2. CREATION OF SECTION 2-15 OF THE JEFFERSON COUNTY CODE OF ORDINANCES. Section 2-15 of the Jefferson County Code of Ordinances, entitled "Local Preference" is here by created to read as follows:

Sec. 2-15. Local preference in purchasing. Unless prohibited by the terms of an applicable grant agreement or other prevailing law or policy, the County may give a preference to Local Businesses in the purchasing of or letting of contracts for procurement of commodities, equipment, or services for which competitive procurement is conducted, as provided for in this section.

(a) *Application of preference in competitive purchases.*

(1) *Preference in bidding or provision of quotations.* In purchasing of or letting of contracts for procurement of commodities, equipment, or services in which pricing is the major award consideration, such as in an invitation to bid or request for

quotations, the County may give a preference to Local Businesses as follows: The Local Business submitting the lowest bid or quote among all responding Local Businesses shall be offered the opportunity to perform the work at the price in the overall lowest bid or quote of a responsive and responsible vendor when said vendor is not a Local Business, provided that the lowest Local Business bid or quote is not greater than 110 percent of the overall lowest bid or quote. In other words, if there are two or more Local Businesses that submitted bids or quotes, only the Local Business that submitted the lowest bid or quote from among the Local Businesses shall be offered the opportunity to match the price offered by the overall lowest responsive and responsible vendor.

(2) *Preference in proposals or qualifications.* In purchasing of or letting of contracts for procurement of commodities, equipment, or services in which pricing is not the major consideration, such as in a request for proposals or request for qualifications, the County may give a preference to Local Businesses as follows: Local Businesses responding to the solicitation shall be given a preference in the amount of five (5) percent of the total points available. If after the application of the Local Preference points, there is a tie between two respondents, one of which is a Local Business, the Local Business shall be given the opportunity to perform the work.

(b) *Notice.* Solicitations shall include notice to vendors of the Local Preference policy as provided for in this article.

(c) *Certification.* Any vendor seeking a Local Preference as a Local Business as defined in this article shall certify the same in writing to the County as part of its bid, quote, proposal, or response. The County staff/employee or agent responsible for the competitive procurement shall determine whether a vendor meets the definition of a Local Business.

(d) *Waiver.* The application of Local Preference to a Tier 4 competitive procurement as defined in Sec. 2-3 of the Jefferson County Code of Ordinances may be waived upon written recommendation of the County Manager and approved by the Board of County Commissioners. The application of Local Preference to a Tier 1, Tier 2, or Tier 3 competitive procurement as defined in Sec. 2-3 of the Jefferson County Code of Ordinances may be waived upon written recommendation of the County staff/employee or agent responsible for the competitive procurement and approval of the County Manager.

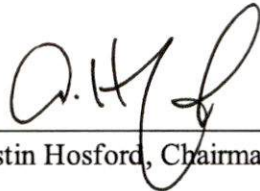
SECTION 5. SEVERABILITY. Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 6. CODIFICATION. It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Jefferson County Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

SECTION 7. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after its enactment by the Board and shall be effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Jefferson County, Florida this 21st day of August, 2025.


**BOARD OF COUNTY COMMISSIONERS OF
JEFFERSON COUNTY, FLORIDA**


Austin Hosford, Chairman

ATTEST


Cecil "Trey" Hightower, Clerk

APPROVED AS TO FORM


~~Heather Encinosa~~, County Attorney
