

STATE OF GEORGIA

COUNTY OF GORDON

**AN AMENDMENT TO THE GORDON COUNTY
PURCHASING POLICY**

TITLE: A Resolution to amend the Gordon County Purchasing adopted the ___ day of _____, 20__ by amending the local bidder preference section and for other purposes related thereto.

ENACTMENT CLAUSE: For the purpose of promoting the health, safety and general welfare of the present and future inhabitants of Gordon County and to further the purposes of the Gordon County Purchasing Policy as set forth herein, the Board of Commissioners of Gordon County does hereby ordain and enact this amendment to the Gordon County Purchasing Policy.

Item 1. Section VI, Subsection II, Item P entitled "No Local Bidder Preference," is hereby amended by deleting the language contained in this paragraph in its entirety.

Item 2. A new Section VI, Subsection II, Item P entitled "Local Bidder Privilege" shall be substituted in the place of the repealed paragraph and the new paragraph shall read as follows:

Because bids awarded to "local" vendors contribute to the Gordon County tax base and promote the local economy, the Gordon County Board of Commissioners has determined that, under certain circumstances, such "local" vendors shall be provided an additional privilege when bidding against non-local vendors.

If a "local" vendor's bid shall meet all specifications and is not more than four percent (4%) more than the lowest responsive and responsible bidder, the lowest bidding "local" vendor shall be given one (1) business day from the opening of such bids in which to notify the Finance Director that it agrees to match the low bid submitted by any non-local vendor. If such "local" vendor shall not agree to match the low bid, then the next lowest "local" vendor, if any within this specified category, shall be given one (1) business day there from to notify the Finance Director that it agrees to match the low bid submitted by any non-local vendor, and so on until all "local" vendors who fall within the specified category have had an opportunity to match the low bid.

This privilege or preference shall not apply to road construction or public works projects otherwise governed by Georgia Law or to the purchase of any other goods and/or services, for which such preference is prohibited by Georgia Law.

A "local" vendor for purposes of this section shall be defined as a vendor maintaining a physical presence within Gordon County, including, but not limited to the maintenance of one (1) or more offices within Gordon County with a the continuous employment of not fewer than two (2) persons at such office(s) for more than six (6) months prior to the submission of such bid. The mere maintenance of a post office box within Gordon

County shall not qualify a vendor as "local" for purposes of this policy.

Item 3. Should any sentence, section, subsection or provision of this amendment to the Gordon County Purchasing Policy, or application thereof, be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Gordon County Purchasing Policy, as amended, as a whole nor any part thereof that is not specifically declared to be invalid or unconstitutional.

Item 4. This Amendment to the Gordon County Policy shall take effect and shall be enforced from and after the date of its adoption.

Adopted and approved by the Board of Commissioners of Gordon County, Georgia, this the _____ day of September, 2013.

Chair, Gordon County
Board of Commissioners

ATTEST:

County Clerk