

In determining the best-qualified and responsible, responsive bidder, bidders who qualify as a local business enterprise shall receive a credit of ten-percent of the total points.

- (b) If equal scores result from the evaluation process for a local business enterprise and a non-local business enterprise, the contract shall be awarded to the local business enterprise.

(Ord. No. 2552, § 2, 10-21-2014)

Sec. 12-28.050. - Application of local purchasing preference—Public works contracts.

Notwithstanding what is otherwise provided in this article and where not otherwise excepted as set forth in this article and consistent with the competitive bidding requirement of Charter section 81, a local preference shall be applied to public works contracts as follows:

- (a) For purposes of this section only and the application of the local preference for public works contracts, a local business provider shall be defined as:

- (1) Having a current city of Salinas business license;
- (2) Having its principal business office established at an office space and not a personal residence located within the tri-county area (Monterey County, San Benito County, Santa Cruz County) and employing at least one full-time employee within the tri-County area;
- (3) Being current on all city of Salinas tax, fees, assessments, and fines;
- (4) Not subject to enforcement action by the city or in litigation with the city;
- (5) Began doing business within the tri-county area at least two years prior to the city's inviting bids or quotations for the respective project or is a newly established business enterprise which is owned by an individual(s) formerly employed by a local business enterprise, as defined in this section, for at least two years immediately prior to the issuance of either a request for competitive bids or request for qualifications from the city;
- (6) Submitting a declaration of local business enterprise on a form provided by the city.

- (b) In determining the lowest responsible, responsive bidder, bidders who qualify as a local business enterprise shall receive a five-percent preference. If application of the five-percent preference results in a responsible, responsive local business enterprise's bid being at or lower than the non-local business enterprise, the contract shall be awarded to the local business enterprise at the local business enterprise's bid amount.

- (c) If equal bids are submitted by a local business enterprise and a non-local business enterprise after application of the five-percent local preference, the contract shall be awarded to the local business enterprise.

(Ord. No. 2552, § 2, 10-21-2014)