

1 **Summary of Ordinance**

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3 The purpose of this Ordinance is to create section 2-221 and 2-222, Chapter 2, Article  
4 VII, Lake County Code. These sections provide for a general procurement purpose and  
5 provide for a local vendor reciprocal match procurement practice.  
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8 **ORDINANCE NO. 2012-17**

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10 **AN ORDINANCE OF LAKE COUNTY, FLORIDA; CREATING SECTION 2-221,**  
11 **ARTICLE VII, CHAPTER 2, LAKE COUNTY CODE, TO BE ENTITLED**  
12 **PURPOSE; CREATING SECTION 2-222, ARTICLE VII, CHAPTER 2, LAKE**  
13 **COUNTY CODE, TO BE ENTITLED LOCAL PREFERENCE; PROVIDING**  
14 **FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY;**  
15 **PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE AND**  
16 **PROVIDING AN EFFECTIVE DATE.**  
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19 **WHEREAS**, on February 7, 2012, the Board discussed options for initiating a  
20 local vendor preference practice when evaluating responses to Lake County solicitations  
21 for goods or services; and

22 **WHEREAS**, the Board wishes to ensure that local vendors receive a fair  
23 opportunity to bid on work in Lake County as well as other counties; and

24 **WHEREAS**, the Board wishes to ensure that vendors from other counties do not  
25 receive a preference or benefit in their home county, unless the same benefit is available  
26 to Lake County bidders bidding on Lake County work; and

27 **WHEREAS**, based upon the information provided by staff, and upon information  
28 provided by local vendors in attendance at the meeting where the options were discussed,  
29 the Board has determined that enacting a reciprocal local vendor preference practice  
30 would be in the best interests of the citizens of Lake County.

31 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County  
32 Commissioners of Lake County, Florida that:

33 **Section 1. Recitals.** The foregoing recitals are true and correct and  
34 incorporated herein by reference.

35 **Section 2. Creation.** Section 2-221, Article VII, Chapter 2, Lake County  
36 Code, to be entitled Purpose, shall be created to read as follows:  
37

2012 APR - 6  
DEPARTMENT OF  
TALLAHASSEE

FILED

1           **2-221.           Purpose.**

2           The County procurement process shall provide for equal access and opportunity,  
3 in an open and competitive market environment, to all vendors without regard to factors  
4 unrelated to the quality, cost, and availability of goods and services, or previous vendor  
5 performance. Each procurement action is to be completed in accordance with the best  
6 interests of the County, and with the highest level of integrity and fairness to all involved  
7 throughout the acquisition cycle. Additional policies and procedures to implement this  
8 purpose may be enacted by the Board of County Commissioners and/or the County  
9 Manager.

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11           **Section 3.           Creation.** Section 2-222, Article VII, Chapter 2, Lake County  
12 Code, to be entitled Local Vendor Preference, shall be created to read as follows:

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14           **2-222.           Local Vendor Preference.**

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16           (a) Lake County shall impose a reciprocal match local vendor preference practice to  
17 ensure an equal procurement environment for all potential vendors. Under the reciprocal  
18 match local vendor preference practice, if the lowest price under a bid is received from a  
19 vendor that is classified as a local vendor by a county that maintains a local vendor  
20 preference program that discriminates against a Lake County vendor as defined below,  
21 then that county's preference percentage threshold will be applied to the lowest priced  
22 Lake County local vendor. If such application causes the Lake County vendor to be  
23 eligible for award, the Lake County vendor may secure the award by matching the out-of-  
24 county vendor's original pricing.

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26           (b) For purposes of this section, a "Lake County local vendor" is a local vendor whose  
27 business has as its primary, or a significant, physical location in Lake County at which  
28 employees are located and business is regularly transacted.

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30           **Section 4.           Inclusion in the Code.** It is the intent of the Board of  
31 County Commissioners that the provisions of this Ordinance shall become and be made a  
32 part of the Lake County Code and that the sections of this Ordinance may be renumbered  
33 or re-lettered and the word "ordinance" may be changed to "section," "article," or such  
34 other appropriate word or phrase to accomplish such intentions.

35           **Section 5.           Severability.** If any section, sentence, clause or phrase of  
36 the Ordinance is held to be invalid or unconstitutional by any court of competent  
37 jurisdiction, then said holding shall in no way affect the validity of the remaining portions  
38 of this Ordinance.

1 Ordinance No. 2012-17; Local Preference Ordinance  
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4 **Section 6. Filing with the Department of State.** The Clerk shall be and is  
5 hereby directed to forthwith send a certified copy of this Ordinance to the Secretary of  
6 State for the State of Florida.

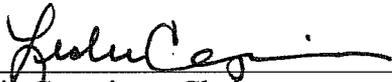
7 **Section 7. Effective Date.** This ordinance shall become effective as  
8 provided for by law.

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10 Enacted this 27th day of March, 2012.

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12 Filed with the Secretary of State April 6, 2012.

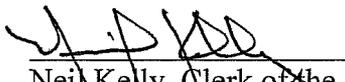
13  
14 Effective April 6, 2012.  
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18 BOARD OF COUNTY COMMISSIONERS  
19 OF LAKE COUNTY, FLORIDA  
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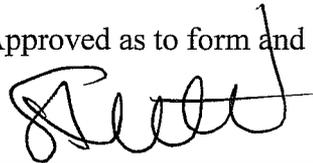
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22 \_\_\_\_\_  
23 Leslie Campione, Chairman  
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25 This 2nd day of April, 2012.  
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29 ATTEST:  
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32 \_\_\_\_\_  
33 Neil Kelly, Clerk of the  
34 Board of County Commissioners  
35 of Lake County, Florida  
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38 Approved as to form and legality:  
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41 \_\_\_\_\_  
42 Sanford A. Minkoff  
43 County Attorney