

ORDINANCE 06-20-17

AN ORDINANCE TO ESTABLISH A POLICY OF LOCAL PREFERENCE FOR BIDDING OF ITEMS PURSUANT TO ALA. CODE §41-16-50

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE AS FOLLOWS:

WHEREAS, the Alabama legislature, pursuant to Ala. Code §41-16-50 (the "Act"), specifically authorized municipalities like the City of Enterprise to establish a local preference zone and grant a preference to responsible bidders who maintain a place of business within the city or police jurisdiction (as the case may be); and,

WHEREAS, the City Council finds that a policy which establishes a local preference zone, pursuant to the provisions of the Act, and gives local preference to local vendors which physically maintain a place of business within the city limits or police jurisdiction (as the case may be) and maintain a City business license is in the best interest of promoting local economic growth and will further the welfare of citizens of Enterprise.

NOW, THEREFORE, the City Council of the City of Enterprise, does ordain and enact as follows:

Section 1. The City Council of the City of Enterprise, as the City's awarding authority pursuant to the Act (as may be amended), establishes a local preference zone, pursuant to the Act, defined as the corporate limits and police jurisdiction (as the case may be) of the City of Enterprise.

Section 2. In accordance with the Act (as may be amended), the City Council, as said awarding authority, may award a competitive bid pursuant to the Act, to a local bidder which is a responsible bidder; maintains a place of business within the corporate limits or police jurisdiction of the City of Enterprise; maintains a valid City business license; and, as to those local responsible bidders within the corporate limits, whose bid is up to three percent (3%) greater than the bid of the lowest responsible bidder, and as to those local responsible bidders within the police jurisdiction, whose bid is up to one and one-half percent (1.5%) greater than the bid of the lowest responsible bidder. For clarification purposes, when considering the lowest responsible bid this may include for consideration the lowest available and responsive price received from the state bid list and other legally allowable bid sources which may be used and consulted by the City.

Section 3. Nothing in this ordinance is intended and does not mandate the City Council to apply the local bid preference zone or local bid preference referenced in Sections 1 and 2 above if the Council finds, in its sole discretion, that it is not in the best interest of the City to apply the same as to any particular bid item or bidder.

Section 4. If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

Section 5. This Ordinance shall become effective upon adoption and advertisement as required by law.

Adopted this 5th Day of July, 2017.

COUNCIL:

Eugene Goolsby
Council President Eugene Goolsby
District #2

Sonya W. Rich
Council Member Sonya W. Rich
District #1

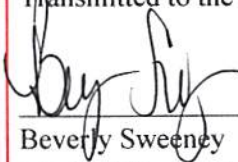
Perry Vickers
Council Member Perry Vickers
District #3

Wallace Miller Jr.
Council Member Wallace "Al" Miller, Jr.
District #4

Turner Townsend
Council Member Turner Townsend
District #5

ATTEST:
Beverly Sweeney
Interim City Clerk

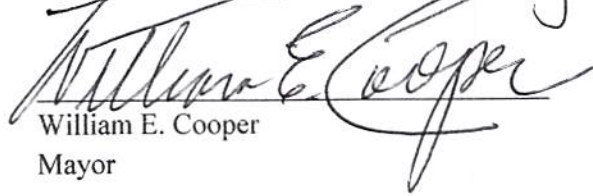
Transmitted to the Mayor this 5th Day of July, 2017.



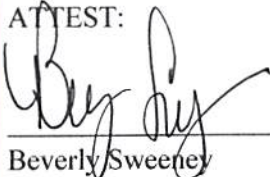
Beverly Sweeney
Interim City Clerk

ACTION OF THE MAYOR:

Approved this 5th Day of July, 2017.


William E. Cooper
Mayor

ATTEST:



Beverly Sweeney
Interim City Clerk