

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2015-1363

AN ORDINANCE

TO AMEND CHAPTER 2, ARTICLE VI (LANCASTER COUNTY PROCUREMENT CODE) SO AS TO ADD TO SECTION 2-257 (METHODS OF SOURCE SECTION) A NEW EXCEPTION TO COMPETITIVE SEALED BIDDING; TO AMEND SECTION 2-260 (PROCEDURES FOR PROCUREMENTS NOT EXCEEDING \$25,000.00); TO ADD A NEW SECTION RELATING TO A LOCAL VENDOR PREFERENCE PROVISION.

WHEREAS, upon the recommendation of the Procurement Officer and the Administrator, County Council has determined that it is in the best interest of Lancaster County to amend its Procurement Code so as to update and modify certain provisions so as to insure the most efficient and effective means by which the county governs the management, method, control and procurement of supplies, services and materials procured by the County.

THEREFORE, by the power and authority granted to the Lancaster County Council by the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

1. Section 2-257 is amended so as to add a subsection (h) as an exception to the requirement that contracts be awarded by competitive sealed bidding. The new subsection shall relate to "Special/Unusual Procurements and shall be further defined within Division 3 of the Lancaster County Code as follows:

"A Special/Unusual Procurement is the acquisition by Lancaster County of personal property, services and improvements to real property without competition, subject to the approval of the County Administrator or designee. Lancaster County is justified in utilizing a special/unusual procurement when it has a need that has a unique requirement that the use of the procurement methods would not responsibly satisfy or further the interests to Lancaster County."

2. Section 2-260 is amended as follows:
 - a. **Purchases under \$2,500.00.** Small purchases not exceeding Two Thousand Five Hundred (\$2,500.00) Dollars may be accomplished without securing competitive quotations if the prices are considered to be reasonable.
 - b. **Purchases from \$2,500.01 to \$25,000.00.** Purchases between Two Thousand Five Hundred & 01/100 (\$2,500.01) Dollars to Twenty Five Thousand (\$25,000.00)

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Dollars may be accomplished by solicitation of quotes from a minimum of three qualified sources and documentation of the quotes submitted with the purchase requisition.

3. The Lancaster County Procurement Code and the Lancaster County Code of Ordinances are amended so as to add a Local Vendor Preference provision as follows:

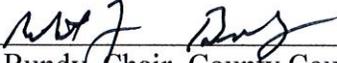
The lowest local responsible and responsive bidder who is within three (3) percent with a cap of six thousand dollars (\$6,000.00), of the lowest non-local responsible and responsive bidder, may match the bid submitted by the non-local responsible and responsive bidder and thereby be awarded the contract. The local preference as set forth in this section shall only be applied to responses to solicitations of written quotes and invitations to bid in excess of ten thousand dollars (\$10,000.00). The local preference as set forth in this section shall only be given to local responsible and responsive bidders who have a physical business address located and operating within Lancaster County for a minimum of six (6) months prior to the solicitation of quotes and/or bids, and who have met all other requirements of the solicitations of written quotes or the invitation to bid, including, without limitation, payment of all duly assessed state and local taxes. If state or federal guidelines prohibit or otherwise limit local preference, then the county shall not use local preference in awarding the contract. If there are multiple responsible and responsive bidders who meet the local preference guidelines as set forth in the section, the county shall use standard procurement practice and procedure as set forth in the article to determine the priority of selection. The local preference as set forth in this section does not waive or otherwise abrogate the county's unqualified right to reject any and all bids or proposals or accept such bids or proposals, as appears in the county's own best interest.

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AND IT IS SO ORDAINED

Dated this 10th day of August 2015

LANCASTER COUNTY, SOUTH CAROLINA

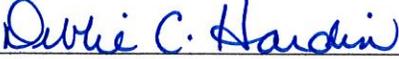


Bob Bundy, Chair, County Council



Steve Harper, Secretary, County Council

ATTEST:



Debbie C. Hardin, Clerk to Council

First Reading	July 13, 2015
Second Reading	July 27, 2015
Third Reading	August 10, 2015