telephone company to take action to enforce collection shall not be deemed a waiver by Leon County of any rights it might have to obtain compliance with the terms of this division.

(c) The telephone company shall commence collection of this fee at the time and rate set forth in the resolution adopted pursuant to section 2, paragraph (1) herein.

(d) The clerk to the Board of County Commissioners shall establish and maintain a separate audit account in accordance with the provisions of Section 365.171(13)(a)3, Florida Statutes, or its successor provision and shall report to the Board of County Commissioners if any deficit or surplus exists in said account at the appropriate time in accordance with law.

(e) Any and all fees collected by the telephone company and remitted to Leon County in excess of current expenditures for the "E-911" system may be invested by the clerk in any manner provided by law. Any interest earned on any fees collected pursuant to this division shall be credited to and deposited in the "E-911" fund.
(Ord. No. 89-5, § 4, 3-14-89)

Secs. 2-355—2-399. Reserved.

ARTICLE IX. PURCHASING

Sec. 2-400. Local preference in purchasing and contracting.

(a) *Preference in bidding.* In purchasing of, or letting of contracts for procurement of, personal property, materials, contractual services, and construction of improvements to real property or existing structures in which pricing is the major consideration, the authorized purchasing authority of the county may give a preference to local businesses in making such purchase or awarding such contract, in an amount of five percent of the bid price for purchases under $250,000.00, and two percent of the bid price for purchases $250,000.00 and above. The maximum cost differential shall not exceed $20,000.00. Total bid price shall include the base bid and all alternatives or options to the base bids which are part of the bid and being recommended for award by the appropriate authority.

(b) *Preference in requests for proposals.* In purchasing of, or letting of contracts for procurement of, personal property, materials, contractual services, and construction of improvements to real property or existing structures for which a request for proposals is developed with evaluation criteria, a local preference of not more than five percent of the total score may be assigned for a local preference. Based upon analysis of the marketplace for each project, staff shall make a recommendation for or against inclusion of a local preference in the criteria for consideration by the Board as a part of the pre-approval agenda item for each request for proposal.

(c) *Notice.* Both bid documents and request for proposal documents shall include notice to vendors of the local preference policy.

(d) *Local business definition.* For purposes of this section, "*local business*" shall mean a business which:

(1) Has had a fixed office or distribution point located in and having a street address within Leon County for at least six months immediately prior to the issuance of the request for competitive bids or request for proposals by the county; and

(2) Holds any business license required by the county, and, if applicable, the City of Tallahassee; and

(3) Employs at least one full-time employee, or two part-time employees whose primary residence is in Leon County, or, if the business has no employees, the business shall be at least fifty percent owned by one or more persons whose primary residence is in Leon County.

(e) *Certification.* Any vendor claiming to be a local business as defined by subsection 2-400(d) above, shall so certify in writing to the purchasing division. The certification shall provide all necessary information to meet the requirements of section 2-400(d) above. The purchasing agent shall not be required to verify the accuracy of any

such certifications, and shall have the sole discretion to determine if a vendor meets the definition of a "local business."
(Ord. No. 02-02, § 1, 3-26-02)