
Sec. 2-117. Assistance to local businesses and small businesses.

- (a) *Purpose.* The policy of the city is to afford all businesses an opportunity for participation in the city's procurement processes and to prohibit discrimination by the city or its providers of goods and/or services. The purpose of this section is to serve the public interest by spurring economic development through encouraging small businesses to locate and remaining in Palm Beach County, especially the city. The city will take all necessary, reasonable and legal action to prevent discrimination in its procurement process, to afford all businesses, including local and small businesses, are afforded the maximum opportunity to participate in the city's procurement processes.
- (b) *Local preference.* As set forth herein, preference will be given to a local business (entity or person) with a physical address within the corporate limits of the City of Lake Worth. Proof of the person's or entity's residency shall be a valid business tax receipt issued by the city and certificate of occupancy within the city.
- (1) In an IFB where the anticipated total procurement value exceeds fifty thousand dollars (\$50,000.00), the city commission may give preference to a local business, if and only if, the local business is determined to be a responsible and responsive bidder and the local business' bid is determined to be within five (5) percent or fifteen thousand dollars (\$15,000.00), whichever is less, of the lowest, responsible and responsive bid.
 - (2) Exceptions. The local business preference shall not apply for the procurement of goods and/or services if such preference is prohibited by law, contract or other regulation applicable to the city.
 - (3) The procurement division and city staff are strongly encouraged to utilize local businesses for purchases that are anticipated to have a total value of less than fifty thousand dollars (\$50,000.00) and for purchases made on the procurement card.
- (c) *Small business preference.*
- (1) The city may utilize the databases of Palm Beach County Office of Small Business and the small business program of other municipalities within Palm Beach County to acquire lists of potential vendors for procurement opportunities. The city will also abide by the definitions and dollar limits established to determine the qualifications of a small business. Businesses or firms currently certified with either Palm Beach County or a Palm Beach County municipality will automatically be acceptable to the city as a small business for purposes of this subsection.
 - (2) In an IFB where the anticipated total procurement value exceeds fifty thousand dollars (\$50,000.00), the City commission may give preference to a small business, if and only if, the small business is determined to be a responsible and responsive bidder and the small business' bid is determined to be within five (5) percent or fifteen thousand dollars (\$15,000.00), whichever is less, of the lowest, responsible and responsive bid.
 - (3) Exceptions. The small business preference shall not apply for the procurement of goods and/or services if such preference is prohibited by law, contract or other regulation applicable to the city.
 - (4) The procurement division and city staff are strongly encouraged to utilize small businesses for purchases that are anticipated to have a total value of less than fifty thousand dollars (\$50,000.00) and for purchases made on the procurement card.
- (d) *Order of preferences.* For the purpose of determining the best value in the award of an IFB where both the local business and small business preference are applicable, the local business preference shall take precedence over the small business preference.

(Ord. No. 2013-13, § 7, 1-15-13; Ord. No. 2019-09, § 2, 10-15-19)

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