

AN ORDINANCE
TO BE ENTITLED

AN ORDINANCE TO AMEND PART 2, GOVERNMENT
AND ADMINISTRATION, CHAPTER 4, FINANCIAL
ADMINISTRATION, ARTICLE E., PROCUREMENT, DIVISION
3, SOURCE SELECTION AND CONTRACT FORMATION, SECTION
2-4061(7) CONCERNING COMPETITIVE SEALED BIDDING AWARDS,
OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003)
TO PROVIDE FOR LOCAL AND DISADVANTAGED BUSINESSES
TO MATCH BIDS; TO REPEAL CONFLICTING ORDINANCES;
FOR OTHER PURPOSES; AND TO PROVIDE AN EFFECTIVE
DATE OF JANUARY 1, 2018

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Part 2, Government and Administration, Chapter 4, Financial Administration, Article E., Procurement, Division 3, Source Selection and Contract Formation, subsection (7) of Section 2-4061 pertaining to Competitive Sealed Bidding be deleted in its entirety and a new subsection (7) of Section 2-4061 be inserted in lieu thereof as follows:

ARTICLE E. PROCUREMENT
DIVISION 3 SOURCE SELECTION AND CONTRACT FORMATION
Sec. 2-4061. – Competitive sealed bidding.

(7) Award.

(a) The contract shall be awarded with reasonable promptness by appropriate written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids. In the event the low responsive and responsible bid for a construction project exceeds available funds and such bid does not exceed such funds by more than five percent, the city manager is authorized, when time or economic considerations preclude re-solicitation of work of a reduced scope, to negotiate an adjustment of the bid price with the low responsive and responsible bidder, in order to bring the bid within the amount of available funds.

(b) The following provisions shall apply in the procurement of supplies and services:

(1) In the event that the lowest bid among those provided by responsive and responsible local vendors is within three percent of the lowest responsive and responsible bidder who is not a local vendor, the lowest responsive and responsible local vendor shall be afforded the opportunity to match the bid submitted by the nonlocal bidder. If the lowest responsive and responsible local vendor agrees to

match the lowest bid, then the contract shall be awarded to the local vendor. In the event that multiple local vendors meet this criteria, the opportunity to match the low bid submitted by the non-local bidder will be offered to each of the local low bidders meeting the criteria beginning with the lowest bidding local vendor and proceeding in order.

(2) In the event that the lowest bid among those provided by responsive and responsible Savannah business enterprise vendors is within five percent of the lowest responsive and responsible bidder, the lowest responsive and responsible Savannah business enterprise vendor shall be afforded the opportunity to match the bid submitted by the low bidder. If the lowest responsive and responsible Savannah business enterprise vendor agrees to match the lowest bid, then the contract shall be awarded to the Savannah business enterprise vendor. In the event that multiple local vendors meet this criteria, the opportunity to match the low bid submitted by the non-local bidder will be offered to each of the Savannah business enterprise low bidders meeting the criteria beginning with the lowest bidding Savannah business enterprise vendor and proceeding in order.

(3) In the event that the lowest bid among those provided by responsive and responsible local disadvantaged business (DBE) vendors is within five percent of the lowest responsive and responsible bidder, the lowest responsive and responsible DBE vendor shall be afforded the opportunity to match the bid submitted by the low bidder. If the lowest responsive and responsible local DBE vendor agrees to match the lowest bid, then the contract shall be awarded to the local DBE vendor. In the event that multiple DBE vendors meet this criteria, the opportunity to match the low bid submitted by the non-local bidder will be offered to each of the local DBE low bidders meeting the criteria beginning with the lowest bidding local DBE vendor and proceeding in order.

(4) In the event that more than one bid meets the criteria in subsections (1), (2), and (3), the opportunity to match the low bidder shall be afforded first to the lowest bidder meeting the criteria in subsection (2), second to the lowest bidder meeting criteria listed in subsection (3), and third to the low bidder meeting the criteria listed in subsection (1).

SECTION 2: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: _____

EDDIE W. DELOACH

CLERK OF COUNCIL