

LOCAL BIDDER PREFERENCE POLICY



Local Bidder Preference Policy

Public works contracts which are subject to public bidding requirements under local or state law, a qualified local contractor shall receive in the evaluation of bids a 5% local contractors preference by resolution. Said preference shall be calculated by reducing the portion of a bid that is proposed to be expended on qualified local contractors by 5% for low bid comparison purposes.

- Subcontractors requesting a local bidder preference must meet the same standards as the prime contractor in order to receive a local preference. Any portion of a bid which is not paid to local contractors or subcontractors is not eligible for the preference.
 - A qualified local contractor shall be defined as a contractor holding all licenses required to construct the public works project and has, in the prior year had forty percent (40%) of payroll paid to employees residing in the 96160, 96161, or 96162 zip codes.
 - To be eligible for the local preference, a local contractor must

complete and sign an Application for Local Contractor Preference form provided by the Town.

- The Affidavit of Contractor and Certified Public Accountant Form is also required, this shall also contain an affidavit of the requesting contractor, executed under penalty of perjury which certifies that the contractor has all required licenses and qualifications and that the required payroll standards were met for the calendar year being certified.
 - The affidavit shall be attested by a California licensed Certified Public Accountant who has reviewed the books and accounts of the contractor for the prior year. It shall provide that the Town reserves the right to audit and evaluate the payroll records and practices of the contractor for the previous year and during the period of the contract.

All such forms shall be submitted to the Town Clerk or their designee a minimum of thirty (30) days prior to the bid opening for the project. All contractors must reapply and be recertified each year. The bidder's preference shall be valid for contractors who were certified as qualified local contractors for the calendar year prior to the calendar year that a project bid opening occurs unless the bid opening occurs during the months of January or February in which case the preference shall be applied if the contractor was certified in either of the two calendar years prior to the calendar year of the bid opening.

For more information please contact Shanna Kuhlemier, Records Technician by e-mail or phone 530-582-2478.

[Click here for a list of Approved Local Contractors](#)

**TOWN OF TRUCKEE
California**

RESOLUTION 2009-22

**A RESOLUTION OF THE TOWN COUNCIL ESTABLISHING STANDARDS FOR
IMPLEMENTATION OF A LOCAL BIDDERS PREFERENCE AS AUTHORIZED BY
ARTICLE 2, SECTION 200 OF THE TOWN CHARTER**

WHEREAS, on June 6, 1995 the voters of the Town of Truckee approved a charter for operation of the Town with regard to the conduct of its municipal affairs; and

WHEREAS, article 2, Section 200 of the adopted charter specifically provides that the Town shall have the power to establish standards to define and control all aspects of public works contracts, including the compensation to be paid; and

WHEREAS, the Town Council has determined that it is appropriate to create a local bidder preference program for public works projects which are exclusively funded with local monies; and

WHEREAS, this resolution is intended to set forth the criteria to be used in evaluating public works construction bids with the goal of increasing economic activity and employment within the Town and immediately adjacent areas through the retention and recirculation of Town funds within the area.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF
TRUCKEE AS FOLLOWS:**

In any Town public works contract which is subject to public bidding requirements under local or state law, a qualified local contractor shall receive in the evaluation of bids a 5% local contractors preference if consistent with the provisions of this resolution. Said preference shall be calculated by reducing the portion of a bid that is proposed to be expended on qualified local contractors by 5% for low bid comparison purposes.

By way of example, if the apparent low bid for a Town public works project is \$500,000.00 and the bid of a qualified local contractor is \$525,000.00 or less but still greater than \$500,000.00 the local preference shall apply and the bid shall be awarded to the local qualified contractor.

For purposes of this resolution and local preference program implementation, a qualified local contractor shall be defined as a contractor holding all licenses required to construct the public works project and has, in the prior year had forty (40%) of payroll paid to employees residing in the 96160, 96161, or 96162 zip codes.

To be eligible for the local preference, a local contractor must complete and sign a form provided by the Town, which contains the licensee's name, physical address, mailing address, license information, telephone, fax, and e-mail.

The form shall also contain an affidavit of the requesting contractor, executed under

penalty of perjury which certifies that the contractor has all required licenses and qualifications and that the required payroll standards were met for the calendar year being certified.

The affidavit shall be attested by a California licensed Certified Public Accountant who has reviewed the books and accounts of the contractor for the prior year. It shall provide that the Town reserves the right to audit and evaluate the payroll records and practices of the contractor for the previous year and during the period of the contract.

All such forms shall be submitted to the Town Clerk or their designee a minimum of thirty (30) days prior to the bid opening for the project. All contractors must reapply and be recertified each year. The bidder's preference shall be valid for contractors who were certified as qualified local contractors for the calendar year prior to the calendar year that a project bid opening occurs unless the bid opening occurs during the months of January or February in which case the preference shall be applied if the contractor was certified in either of the two calendar years prior to the calendar year of the bid opening.

The Town Clerk shall establish a certification processing fee equal to the expected cost of implementing the program authorized by this resolution.

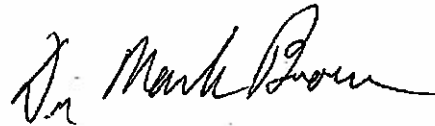
1. Subcontractors requesting a local bidder preference must meet the same standards as the prime contractor in order to receive a local preference. Any portion of a bid which is not paid to local contractors or subcontractors is not eligible for the preference. The Town Clerk shall devise a process for timely verification of local preference eligibility for subcontractors included in any bid submittal.

The foregoing Resolution was introduced by Council Member deRyk-Jones, seconded by Green, at a Regular Meeting of the Truckee Town Council, held on the 21st day of May, 2009 and adopted by the following vote:

AYES: Council Member Anderson, Mayor Brown, Vice Mayor Dee,
Council Member Green and Council Member deRyk-Jones.

NOES: None.

ABSENT: None.



Dr. Mark Brown, Mayor

ATTEST:



Judy Price, CMC, Town Clerk

**TOWN OF TRUCKEE
AFFIDAVIT OF PRIMARY AND SUB-CONTRACTOR**

We hereby swear or affirm under penalty of perjury that the contractor and subcontractor submitting this affidavit are legally qualified to bid on Town public works projects and as applicable are eligible to receive the local preference authorized by the Truckee Town charter for \$_____ (the amount equal to the amount to be paid and received by the sub-contractor) for performance on _____ project.

Executed under penalty of perjury on _____, 20__ at Truckee, California.

Primary Contractor

Firm Name: _____

By: _____ State License No.: _____

Print Name Date: _____

Sub-Contractor

Firm Name: _____

By: _____ State License No.: _____

Print Name Date: _____

**TOWN OF TRUCKEE
AFFIDAVIT OF CONTRACTOR AND CERTIFIED PUBLIC ACCOUNTANT**

I, _____ (Principal as appears on license) hereby swear or affirm under penalty of perjury that the contractor or subcontractor submitting this application is legally qualified to bid on Town public works projects and is eligible to receive the local preference authorized by the Truckee Town charter. In the prior year a minimum of forty (40%) percent of the licensee's payroll was paid to employees whose mailing address is in the 96160, 96161 or 96162. The owner's wages, that are received in the above zip codes, can be included in the calculations of wages.

I understand and agree that the Town has the right at reasonable times to review and audit relevant payroll and other business records and ongoing payroll practices related to Town projects.

Executed under penalty of perjury on _____, 20__ at Truckee, California.

Contract Company Name	Signature
Contractor License Number	Name of signer

Attestation of Certified Public Accountant

I _____ am a certified public accountant or enrolled agent licensed by the California or Nevada. I have reviewed the payroll, books, and accounts of the contractor making this affidavit and attest that the required payroll standard was met.

Executed under penalty of perjury on _____, 20__ at Truckee, California.

Accountant or Enrolled Agent Name	Signature
License Number	