

MSCAA LOCAL PREFERENCE POLICY

February 9, 2013

- I. The Memphis-Shelby County Airport Authority (“Authority”) shall give a local preference to businesses located in the County of Shelby, State of Tennessee in awarding contracts and making purchases whenever the application of such a preference is reasonable in light of the dollar-value of the proposal received in relation to such expenditures and pursuant to the terms and conditions of this policy.
- II. Local Preference Terms and Conditions:
 - A. In order to be eligible for the local preference, the vendor must provide:
 1. A copy of the domestic Shelby County and Tennessee business license;
 2. Proof that Shelby County Personal Property Taxes and all other necessary local business operational taxes inherent to businesses, whose principal base of operations and principal place of business is located within the County of Shelby, Tennessee were appropriately paid and/or authorize the governing bodies and/or appropriate officials of each agency to release such information to the Authority; and
 3. Proof that the vendor’s principle place of business is within Shelby County.
 - B. Further, the vendor must meet all other specifications and requirements of the bid, or request items found in paragraph (D.) herein.
 - C. In the bidding of, or letting contract for procurement of supplies, materials, equipment and services, the total price of Twenty-Five Thousand Dollars (\$25,000) or more, local preference shall mean that if the lowest responsive bidder is a regional or non-local business, then all bids received from qualified responsive local businesses are decreased by 5%. The original bid is not changed; the 5% decrease is calculated only for the purpose of determining the local preference. The local preference cost differential is not to exceed One Hundred Thousand Dollars (\$100,000).
 - D. In the case of request for proposals, letters of interests, best evaluated bids, request for qualifications, or other solicitations and competitive negotiation and selection in which objective factors are used to evaluate the responses; local businesses are assigned 5% of the total points of the total valuation points up to a maximum of five points.
 - E. In the event of a tie between a local business and one or more nonlocal businesses meeting specifications, the ties shall be broken in favor of the local business.
 - F. The local business preference shall not apply to purchases or contracts which are funded, in whole or in part, by a governmental entity and the laws, regulations, or policies governing such funding prohibit application of local preferences. Nor shall the local preference apply to purchases made or contracts let under emergency or any other noncompetitive situations.

- G. Application of the local preference criteria to a particular contract or category of contracts, concerning request for proposals, letters of interest, best evaluated bids, request for qualifications, or other solicitations and competitive negotiation and selection in which objective factors are used to evaluate the responses, for which the Authority is the awarding entity may be waived, before any bids are taken, upon written justification and recommendation of the Authority administration to compare qualification, character, responsibility, and fitness of all persons, firms, or corporations submitting bids or proposals. Further, the preference criteria established herein in no way prohibits the right of the Authority to give any other preference permitted by law in addition to the preference authorized herein.