

AMENDING CHAPTER 25 OF THE DANE COUNTY CODE OF ORDINANCES,  
CREATING A PURCHASING PREFERENCE FOR LOCALLY MADE GOODS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 25.06(4f) is created to read as follows:

(4f) Component shall mean an article, material or supply incorporated directly into a finished product.

ARTICLE 3. Section 25.06(4h) is created to read as follows:

(4h) Dane County-Made Good shall mean an article that is manufactured, mined, produced, or grown in Dane County and over 50% of the total cost of its components are made in Dane County.

ARTICLE 4. Section 25.06(17m) is created to read as follows:

(17m) Regionally-Made Good shall mean an article that is manufactured, mined, produced or grown in the eight counties including Dane County and the seven counties adjacent to Dane County (Columbia, Dodge, Green, Iowa, Jefferson, Rock or Sauk) and over 50% of the total cost of its components are made in those counties.

ARTICLE 5. Section 25.06(7h) is amended to read as follows:

(7h) Local vendor means a supplier or provider of equipment, materials, supplies or services which has an established place of business within the County of Dane and whose business is registered and authorized to do business in the State of Wisconsin. An established place of business means a physical office, plant or other facility. A post office box address does not qualify a vendor as a Local Vendor.

ARTICLE 6. Section 25.06(17h) is created to read as follows:

(17h) Regionally-Based Vendor means a supplier or provider of equipment, materials, supplies or services whose business or corporate headquarters is physically located in Dane County or the seven counties adjacent to Dane County (Columbia, Dodge, Green, Iowa, Jefferson, Rock or Sauk) and whose owners or shareholders totaling more than 50% of ownership live in Dane County or the aforementioned contiguous counties; and the business is registered and authorized to do business in the State of Wisconsin.

ARTICLE 7. Section 25.06(26) is created to read as follows:

(26) Wisconsin-Made Good shall mean an article that is manufactured, mined, produced or grown in the State of Wisconsin and over 50% of the total cost of its components are made in the State of Wisconsin.

ARTICLE 8. Section 25.11(12) is amended to read as follows:

(12) (a) Contracts for purchases shall be awarded to the most responsive and responsible bidder.

(b) The Purchasing Manager and the committee shall consider compliance with fair labor standards as set forth in sub. (28) in determining the most responsible bidder.

(c) If the Purchasing Manager, after reviewing the responses to a competitive solicitation under s. 25.11(6) or a sealed bid under s. 25.11(7), finds that a Regionally-Based Vendor's price is within 15% of the lowest cost bid, the Purchasing Manager will contact the Regionally-Based Vendor to determine if the Vendor is willing to meet the bid price offered by the most responsive bidder. If the Regionally-Based Vendor is willing to meet the price offered by the most responsive bidder, then the Regionally-Based Vendor shall be awarded the bid. If more than one Regionally-Based Vendor has offered a price within 15% of the most responsive bidder, the Regionally-Based Vendor with the lowest price will be contacted first. If the first Regionally-Based Vendor declines to meet the price of the most responsive bidder, then the Purchasing Manager will contact the next highest Regionally-Based Vendor to determine that vendor's interest in meeting the price offered by the most responsive bidder.

(d) If after reviewing the responses to a competitive solicitation under s. 25.11(6) or a sealed bid under s. 25.11(7), the Purchasing Manager finds there is no Regionally-Based Vendor within 15% of the lowest cost bid, or if there is a Regionally-Based Vendor within 15% of the lowest cost bid, but that vendor is not willing to

meet the bid price offered by the most responsive bidder in the process set forth in sub. (c), then the Purchasing Manager shall review the responses to determine if a Local Vendor's price is within 10% of the lowest cost bid. If so, the Purchasing Manager will contact the Local Vendor to determine if the Local Vendor is willing to meet the bid price offered by the most responsive bidder. If the Local Vendor is willing to meet the price offered by the most responsive bidder, then the Local Vendor shall be awarded the bid. If more than one Local Vendor has offered a price within 10% of the most responsive bidder, the Local Vendor with the lowest price will be contacted first. If the first Local Vendor declines to meet the price of the most responsive bidder, then the Purchasing Manager will contact the next highest Local Vendor to determine that vendor's interest in meeting the price offered by the most responsive bidder.

(e) If after reviewing the responses to a competitive solicitation under s. 25.11(6) or a sealed bid under s. 25.11(7), the Purchasing Manager finds there is no Local Vendor within 10% of the lowest cost bid, or if there is a Local Vendor within 10% of the lowest cost bid, but that vendor is not willing to meet the bid price offered by the most responsive bidder in the process set forth in sub. (d), then the Purchasing Manager shall review the responses to determine if there is a Non-Local Vendor with an established place of business in one of the counties adjacent to Dane County in the Thrive 8 county region within 5% of the lowest cost bid. If the Purchasing Manager identifies such a vendor, the Purchasing Manager will contact the vendor to determine if the vendor is willing to meet the bid price offered by the most responsive bidder, then that vendor shall be awarded the bid.

(f) With the exception of bids for sand, gravel, salt, asphalt and concrete if the Purchasing Manager, after reviewing the responses to a sealed bid under s. 25.11(7), finds that a vendor is offering Dane County-Made Goods at a price that is within 15% of the lowest cost bid, the Purchasing Manager will award the bid to the vendor offering Dane County-Made Goods at the lowest cost.

(g) With the exception of bids for sand, gravel, salt, asphalt and concrete if a Dane County-made Good is not available, the Purchasing Manager, after reviewing the responses to a sealed bid under 25.11(7), finds that a vendor is offering Regionally-Made Goods at a price that is within 12.5% of the lowest cost bid, the Purchasing Manager will award the bid to the vendor offering Regional-Made Goods at the lowest cost.

(h) With the exception of bids for sand, gravel, salt, asphalt and concrete if a Dane County-Made Good or a Regionally-Made Good is not available, the Purchasing Manager, after reviewing the responses to a sealed bid under 25.11(7), finds that a vendor is offering Wisconsin-Made Goods at a price that is within 10% of the lowest cost bid, the Purchasing Manager will award the bid to the vendor offering Wisconsin-Made Goods at the lowest cost.

(i) If no vendor offers Dane County-Made Goods, Regionally-Made Goods, or Wisconsin-Made Goods within the price percentages described in subs. (f)-(h), the Purchasing Manager will award the bid to the lowest responsive and responsible bidder without regard to where the goods were made.

(j) No purchase shall be made under subs. (f)-(h) unless the vendor offering such goods first submits a sworn affidavit stating that the goods meet the requirements of the applicable subsection.