

BOARD BILL NO. 295 INTRODUCED BY ALDERMAN JEFFREY BOYD

1 An Ordinance repealing Section One, part 86.040 of Ordinance 56716, pertaining to the
2 opening of bids, codified as Section 5.58.040 of the Revised Code of the City of St. Louis, and
3 enacting a new provision on the same subject matter which allows a local bidder to match the
4 lowest bid when the lowest bid is from a non-local bidder; enacting a new provision on the same
5 subject matter; containing severability and effective date clauses.

6 **WHEREAS**, local businesses which seek to enter into contracts with the City of St.
7 Louis are at a competitive disadvantage with businesses from other areas because of the higher
8 administrative costs of doing business in the City;

9 **WHEREAS**, the City of St. Louis desires to encourage businesses to remain in the City
10 and to relocate to the City;

11 **WHEREAS**, by enacting a local preference law that allows a local firm to match the
12 lowest bid when its bid is within 2% percent of the lowest bid, the City hopes to encourage and
13 stimulate local business.

14 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

15 **SECTION ONE.** Section One, part 86.040, Ordinance 56716 is hereby repealed.

16 **SECTION TWO.** Enacted in lieu thereof is the following new section.

17 5.58.040 - Opening of bids.

18 **A.** Proposals shall be opened at the time and place fixed by the advertisement, in the
19 presence of such bidders as desire to be present, and shall be open to the inspection of bidders.

20 **B.** The bids shall not be materially modified or amended as to price, specification or
21 otherwise, nor substitutions placed thereon, after opening **except when the lowest bid is from a**
22 **non-local bidder. When the lowest bid is from a non-local bidder, any local bidder within**
23 **two percent of the lowest bid may match the lowest bid. If a local bidder matches the**

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1 **lowest bid, then the Supply Commissioner may select the bid from the local bidder. If**
2 **more than one local bidder is within two percent of the lowest bid, then only the lowest**
3 **local bidder may match the bid. In all other circumstances, modification, supplementation or**
4 **amendment shall cause rejection of the bid. For purposes of this chapter, local bidder means**
5 **a bidder whose principal place of business is within the City of St. Louis, has had a valid**
6 **business license for at least one year, and is current in payment of local taxes.**

7 C. Bids may be for one or more or all the articles advertised for, but there shall be a
8 specific bid on each article. The award may be made to the lowest bidder for any article, or to the
9 lowest bidder for the entire requisition or any part thereof, but the Board of Standardization may
10 reject any or all bids or any part of any bid.

11 **SECTION THREE. Severability.**

12 The provisions of this section are severable. If any provision of this ordinance is declared
13 invalid, that invalidity shall not affect other provisions of the ordinance which can be given
14 effect without the invalid provision.

15 **SECTION FOUR. Effective Date.**

16 This Ordinance shall take effect January 1, 2013, or upon becoming law, whichever occurs later.