

## LOCAL ORDINANCE OR BID/RFP PREFERENCE REQUIREMENTS

- *Is this Local Ordinance applicable to this type of purchase?*
- *Is there a dollar threshold for the requirement?*
- *Is there a threshold based upon the number of employees?*

| <b>Local Ordinance</b>   | <b>Supplies</b>   | <b>NonProfessional Service</b>  | <b>Professional Service</b> | <b>Public Project / Construction</b>  |
|--|---|---|-----------------------------|---|
| <b>Business Operations Tax Certificate.</b><br>(aka "BOTC") <sup>1</sup>   | Applicable to any person or firm conducting business within or with the City of Sacramento.<br><b>Exception:</b> Non-Profit Organizations & Government Agencies |   |                             |   |
| <b>Living Wage Ordinance</b><br>(aka "LWO") <sup>2</sup>   | NOT applicable.   | Applicable.<br>\$250,000 or more. <sup>3</sup><br>At least 25 full and/ or part time employees. Applies to sub-contractors. <sup>4</sup>  | NOT applicable.             |   |
| <b>Non-Discrimination in Employee Benefits</b><br>(aka "Equal Benefits Ordinance" or "EBO") <sup>5</sup>                     | Applicable.<br>Greater than \$250,000.<br>All agreements regardless of the number of employees.<br>Does NOT apply to subcontractors.                            |   |                             |   |
| <b>Drug-free Workplace</b> <sup>6</sup>  | NOT applicable  |   |                             | Applicable.<br>No min/max dollar requirements.<br>All agreements regardless of the number of employees. |
| <b>Considering Criminal Conviction Information in the Employment Application Process</b><br>(aka "Ban-the-Box") <sup>7</sup> | NOT applicable.   | Applicable.<br>\$250,000 or more. <sup>3</sup><br>At least 20 full and/or part time employees.<br>Applies to subcontractors. <sup>8</sup> |                             |   |

<sup>1</sup> Pursuant to Sacramento City Code Chapter 3.08

<sup>2</sup> Pursuant to Sacramento City Code Chapter 3.58

<sup>3</sup> Also applies if the contractor was previously awarded a contract or contracts for services or public projects totaling \$250,000 or more during the previous twelve (12) months. It is the contractor's responsibility to determine whether this aggregate value is \$250,000 or more and to notify the City in writing whenever this is the case.

<sup>4</sup> If the amount of the subcontract is at least 25% of the contract amount **-or-** less than 25% if the subcontractor has at least 25 full- or part-time employees.

<sup>5</sup> Pursuant to Sacramento City Code Chapter 3.54

<sup>6</sup> Pursuant to Sacramento City Council Resolution no. 90-498

<sup>7</sup> Pursuant to Sacramento City Code Chapter 3.62

<sup>8</sup> If the amount of the subcontract is at least 25% of the contract amount **-or-** less than 25% if the subcontractor has at least 20 full- or part-time employees.

## LOCAL ORDINANCE OR BID/RFP PREFERENCE REQUIREMENTS

- *Is this Bid/RFP Preference applicable to this type of purchase?*
- *Is there a dollar threshold for the requirement?*
- *Is there a threshold based upon the number of employees?*

| <b>Bid/RFP Preference<sup>9</sup></b>   | <b>Supplies</b>   | <b>NonProfessional Service</b>   | <b>Professional Service</b>   | <b>Public Project / Construction</b>  |
|---|---|--|---|---|
| <b>Local Sales Tax 1% Bid Preference<sup>10</sup></b>                               | Applicable.<br>No min/max dollar requirements.  | Applicable ONLY to taxable MATERIALS bid as a separate line item or items.   | NOT applicable.   |   |
| <b>Local Business Enterprise 5% Bid Preference (aka "LBE")<sup>11</sup></b>         | Applicable.<br>Less than \$250,000 only.<br>All agreements regardless of the number of employees. |  | Applicable.<br>No min/max dollar requirements.<br>All agreements regardless of the number of employees. | Applicable.<br>Less than \$250,000 only.<br>All agreements regardless of the number of employees. |
| <b>Local Business Enterprise Participation Requirement (aka "LBE")<sup>12</sup></b> | NOT applicable.   | Applicable.<br>\$250,000 or more.<br>All agreements regardless of the number of employees.<br>May include subcontractors to meet requirements. |   |   |
| <b>Sustainable Procurement Policy 5% Bid Preference (aka "SPP")<sup>13</sup></b>    | Applicable.<br>\$50,000 or less.<br>All agreements regardless of the number of employees.         | Applicable ONLY to taxable MATERIALS totaling \$50,000 or less & bid as a separate line item or items.   | NOT applicable.   |   |

<sup>9</sup> Local Bid/RFP preferences do not apply to those purchases made with Federal grant funds or other grants that prohibit local preferences

<sup>10</sup> Pursuant to Sacramento City Code Chapter 3.56.020 B

<sup>11</sup> Pursuant to Sacramento City Code Chapter 3.60.260

<sup>12</sup> Pursuant to Sacramento City Code Chapter 3.60.270

<sup>13</sup> Pursuant to Sacramento City Council Resolution no. 2000-551 and City Policy Number AP-4003