

BUY AMERICAN PREFERENCE Q & A

How will the Buy American Preference work?

Example:

\$100,000 Low Bid

2nd Lowest Bidder offering an U.S. manufactured, assembled or produced product or general service bids \$103,000 is within 5% of the lowest responsive-responsible bidder.

Vendor offering U.S manufactured, assembled or produced product or general service within 5% of the low bid may assert the Buy American Preference, and be permitted to match the low bid.

What happen if there is more than one vendor asserting the Buy American Preference?

If the first vendor should pass on the opportunity, the next lowest bidder with a bid less of than 5% will be given the opportunity to match, and so on.

What is included under the Buy American Preference Policy?

Preference on bids for goods and general services exceeding \$50,000 in value.

What is a general service?

For the purpose of the Buy American Preference Policy general services means support services performed by an independent contractor requiring specialized knowledge, experience, or expertise such as printing, (It should be noted that it is anticipated that this provision will be used infrequently as most service providers are from Miami and elsewhere in South Florida)

What is a good?

Goods include, but are not limited to, supplies, equipment, materials and printed matter.

What is not included?

Contracts, which are based on an RFP (unless specified in the RFP document), RFQ, RFI and RFQT solicitation.

Contracts are purchases over that are of a value of \$50,000 or less.

Construction contracts

Professional Services

Contracts for legal services

Contracts subject to F.S. § 287.055, the Consultants' Competitive Negotiation Act.

Piggyback Contracts

Sole Source Contracts

Emergency Purchases

Special Procurements/Bid Waivers

Contracts or purchases involving Federal, State and County grants or programs, which prohibit this type of preference.

How does a business qualify for the Buy American Preference?

The vendor must have its place of business located in the United States where it will provide the goods or perform the general services to be purchased. Post Office boxes are not verifiable and shall not be considered as a place of business.

The Chief Procurement Officer shall administratively resolve any issues relating to a vendor's status as a U.S. based vendor, and his decision on whether a vendor is U.S. based shall be final.