

**A Local Vendor must meet all of the following five criteria:**

(1) Vendor owns, leases, rents or otherwise occupies a fixed office or other commercial building, or portion thereof, having a street address within the County of Santa Barbara, ("the County"). Vendor possesses a valid and verifiable business license, if required, issued by a city within the County, or by the County when the address is located in the unincorporated areas of the County. Post Office Boxes shall not qualify as local business addresses.

(2) The building referred to in section (1), above, shall:

- a. Have running water, restroom facilities and either: electrical service, gas service, or both.
- b. Have a telephone, or telephones, listed publicly in the Vendor's name.
- c. Be staffed during business hours by an employee, or employees, employed by Vendor and conducting the local business of the Vendor. An independent contractor or a person employed as "temporary labor" shall not constitute an "employee" for purposes of compliance with this policy.
- d. Contain the current local business records of Vendor.

(3) Vendor employs at least one full time employee within the County, or if the business has no employees, the business shall be at least 50% owned by one or more persons whose primary residence(s) is located within the County.

(4) The business must have been in existence, in Vendor's name, within the County for at least six months immediately prior to the issuance of the request for competitive bids for the County.

(5) Where state sales tax will be paid for the purchase, Vendor must possess a valid resale license from the State Franchise Tax Board showing vendor's local address within the County and evidencing that payment of the local share of the sales tax goes to either a city within the County or to the County.

**The following conditions apply to the Local Vendor Program:**

The local vendor preference shall not apply to those contracts that State Law or other law or regulation precludes such a preference. For example; Public Works projects.

Any vendor claiming to be a local vendor as defined above shall so certify in the bid, in writing to the Purchasing Manager. The Purchasing Manager shall not be required to verify the accuracy or any such certifications, and, ***in consultation with the Director of General Services***, shall have sole discretion to determine if a vendor meets the definition of "local vendor". Any person or business falsely claiming to be a local vendor under this rule shall be ineligible to transact any business with the County for a period of not more than 24 months as determined

by the Purchasing Manager. The Purchasing Manager shall also have the right to terminate all or any part of any contract entered into with such a person or business. The decision of the Purchasing Manager may be appealed using the same review process used for bid protests.