



December 14, 2018

RE: Bidding Preferences – Reciprocity

In accordance with the state statute below, the schedule following this memo provides a list of states that provide bidders in their states a preference and a summary of that preference.

**Title 74 § 85.17A. Bidding Preferences—Reciprocity—Awarding contracts**

A. State agencies shall not discriminate against bidders from states or nations outside Oklahoma, except as provided by this section. State agencies shall reciprocate the bidding preference given by other states or nations to bidders domiciled in their jurisdictions for acquisitions pursuant to the Oklahoma Central Purchasing Act. The State Purchasing Director shall annually prepare and distribute to certified procurement officers a schedule providing which states give bidders in their states a preference and the extent of the preference. This schedule shall be used by state agencies in evaluating bids.

B. For purposes of awarding contracts state agencies shall:

1. Give preference to goods and services that have been manufactured or produced in this state if the price, fitness, availability and quality are otherwise equal;
2. Give preference to goods and services from another state over foreign goods or services if goods or services manufactured or produced in this state are not equal in price, fitness, availability, or quality; and
3. Add a percent increase to the bid of a nonresident bidder equal to the percent, if any, of the preference given to the bidder in the state in which the bidder resides.

The list of states providing bidders a preference and a summary of the preference may be found at the following:

# STATE RECIPROCAL AND PREFERENCE PRACTICES

Reviewed December 14, 2018

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Alabama	Yes	Yes Tie bid will be awarded to the bidder that, in the opinion of the Director of Purchasing, will serve in the best interest of the state.	Preferred Vendor	<ul style="list-style-type: none"> <li>Under this preference law, the awarding authority <u>may</u> award a contract to a "preferred vendor" if the vendor was a responsible bidder, falls within one of the definitions of a "preferred vendor," and offers a price of not more than (5%) five percent greater than the low responsible bid. (Not used on a routine basis)</li> </ul>
Alaska	Yes	No	<p>Qualified Alaska Bidder 5%</p> <p>Additional Evaluation Criteria 10%</p> <p>Agricultural or Fishery Products</p> <p>Alaska Products 3-7%</p> <p>Recycled Products 5%</p>	<ul style="list-style-type: none"> <li>A reduction in the bid price or offer applies to all vendors who qualify as Alaska bidders, as defined in <b>AS 36.30.990(2)</b>.</li> <li><b>2 AAC 12.260(e)</b> provides Alaska offerors an additional 10% overall evaluation point preference (10% of the available points) if a numerical rating system is used - such as a Request for Proposal. Alaska bidders, as defined in <b>AS 36.30.990(2)</b> are eligible for this preference.</li> <li>Award will go to the bidder who offers agricultural or fisheries products harvested in the state (or within the jurisdiction of the state) - provided they are available, of comparable quality, and priced not more than 7% higher than products harvested outside of the state (or outside the jurisdiction of the state). Agricultural products include dairy products, timber, and lumber, and products manufactured in the state from timber and lumber.</li> <li>A 3%, 5%, or 7% reduction applies to the qualifying products value in a bid price or offer that designates the use of Alaska products. The applicable discount is dependent on what percent the product being offered was produced or manufactured in the state.</li> <li>A reduction in the bid price or offer applies to all vendors who offer recycled products. The products must be on the DGS pre-approved recycled product list.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference and Conditions
Alaska	Yes	No	<p>Employment Program 15%</p> <p>Qualifying Disability 10%</p> <p>Veterans 5%</p>	<ul style="list-style-type: none"> <li>• Award will be given to the bidder that qualifies for the Alaska bidder preference, and is offering services through a qualified employment program as defined in <b>AS 36.30.990(12)</b>, and is the lowest responsible and responsive bidder with a bid not more than 15% higher than the lowest bidder.</li> <li>• Award will be given to the bidder that qualifies for the Alaska bidder preference, and is a qualifying entity as defined in <b>AS 36.30.321(d)</b>, and is the lowest responsible and responsive bidder with a bid price no more than 10% higher than the lowest bidder.</li> <li>• Alaska Veterans preference was enacted as of 09/04/2010: A 5% reduction in the bid price or offer to all vendors that qualify as Alaska bidders as defined in <b>AS 36.30.321(f)</b> and meet the requirements established in <b>AS 36.30.990(2)</b> as a qualifying entity. The preference may not exceed \$5,000.00 for a single procurement.</li> </ul>
Arizona	Yes	No In tie-bid situations, the agency chief procurement officer shall make the award by drawing lots.	Small Business	<ul style="list-style-type: none"> <li>• Small Business Preference for procurements under \$100,000, <b>A.R.S. § 41-2535.B</b></li> </ul>
Arkansas	Yes	No	Prison Industry 15%	<ul style="list-style-type: none"> <li>• Preference against out-of-state prison industry bids.</li> </ul>
California	Yes	Yes	<p>5% of lowest responsive responsible, non-small business's net bid price when certified small business is not lowest bidder.</p> <p>Up to 5% lowest responsive, responsible non-small business net bid</p>	<ul style="list-style-type: none"> <li>• <b>Small Business (SB) (GC 14838)</b> Goods, services, construction, and IT. The maximum preference is \$50,000 and when combined with other preferences, the preference total cannot exceed \$100,000. Goods, Services, Construction, and IT.</li> <li>• <b>Non-small Business Subcontractor Preference (GC 14838)</b> Goods, services, construction, and IT. The maximum preference is \$50,000 and when combined with other preferences, the preference cannot exceed \$ 100,000.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
California	Yes	Yes  In case of the bid between a Small Business and a Disabled Veteran Business Enterprise (DVBE). The award goes to the DVBE.	<p>price that is not subcontracting with a small business when the small business is not the lowest bidder.</p> <p>Up to 5% for Disabled Veteran Business Enterprises (DVBE)</p> <p>5% of the lowest virgin net bid price.</p> <p>5% of the lowest responsive, responsible net bid price for worksite in distressed area: an additional 1-4% for hiring high risk unemployed people percentage of workforce during contract performance using scale below:</p>	<p>Applies to bids submitted by non-small business that are subcontracting with at least 25% to a certified small business (SB). Applies unless application of the preference would preclude a SB from winning the contract.</p> <ul style="list-style-type: none"> <li>• <b>MVC 14838</b> Goods, Services, Construction, and IT. Competitive solicitations that include the DVBE participation requirement, regardless of solicitation format delivery method or dollar value must identify in the solicitation the allowable incentive percentage and evaluation will occur. For awards based on low price, the allowable incentive percent identified in the solicitation cannot exceed 5% or be less than 1%. Awards based on high points, incentive cannot exceed 5% or be less than 1% of total available points, not including points for socioeconomic incentives or preferences.</li> <li>• <b>Recycled Tires (PRC 42891-42894)</b> Goods. Applies unless application of the preference would preclude a SB from winning the contract. The maximum preference is \$50,000, and when combined with other preferences, the preference cannot exceed \$100,000.</li> <li>• <b>Target Area Contract Preference Act (TACPA) (GC 4533 et seq.)</b>. Applies to goods and service contracts over \$100,000 if the work site is located in a distressed area as designated by the Department of Finance. TACPA allows to award California based companies the bid preference when 50% of the labor required to perform goods contracts or 90% for service contracts. The maximum preference is \$50,000, and when combined with other preferences, the preference total cannot exceed 15% of the net bid price or \$100,000, whichever is lower. The hiring preference is allowed only if the worksite preference is claimed and the bidder is eligible for it. The worksite preference does not apply if the state specifies the worksite where the work is to be completed. To receive a contract award based on preferences, the company must certify under penalty of perjury that the required contract labor shall be accomplished at the approved work site.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
California	Yes	Yes  In case of the bid between a Small Business and a Disabled Veteran Business Enterprise (DVBE). The award goes to the (DVBE).	1% for 5-9%, 2% for 10-14%, 3% for 15-19%, 4% for 20 or more.  Same as for TACPA except applies to worksites in enterprise zones and hiring persons living in targeted employment area or are enterprise zone eligible.  Same as for TACPA except applies to worksites in local agency military base recovery area and hiring people living in such area.	<p><b>Economic Zone Act (EZA) (GC 7084 et seq.)</b> Assembly Bill 93 repealed the EZA Program</p> <ul style="list-style-type: none"> <li>• <b>Local Agency Military Base Recovery Area (LAMBRA) (GC 7118).</b> Assembly Bill 93 repealed the LAMBRA Program</li> </ul>
Colorado	Yes	Yes  Low tie bids require an in-state preference, including preference for Colorado Agricultural products.	Resident Bidder	<ul style="list-style-type: none"> <li>• Colorado law mandates that resident bidders be given a preference over non-resident bidders equal to the preference given by the state in which the non-resident bidder is a resident, i.e., if a non-resident bidder is 4% lower than the resident bidder but the state of residence of the non-resident bidder awards a 5% preference to in state bidders, then the Colorado bidder becomes the lowest bidder by 1%.</li> </ul>
Connecticut	Yes	Yes	Correctional Enterprises	<ul style="list-style-type: none"> <li>• Each state department, agency, commission or board shall purchase its necessary products and services from the institution industries if such products and services are produced or manufactured and made available by such industries, provided such products and services are of comparable price and quality and in sufficient quantity as may be available for sale or offered for sale outside the institutions.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Connecticut	Yes	Yes	<p>Board of Education and Services for the Blind</p> <p>Disabled Persons</p> <p>Agricultural Products</p>	<ul style="list-style-type: none"> <li>• The authority in charge of any building or property owned, operated or leased by the state or any municipality therein shall grant to the Department of Rehabilitation Services a permit to operate in such building or on such property a food service facility, a vending machine or a stand for the vending of newspapers, periodicals, confections, tobacco products, food and such other articles as such authority approves when, in the opinion of such authority, such facility, machine or stand is desirable in such location.</li> <li>• Whenever any products made or manufactured by or services provided by persons with disabilities through community rehabilitation programs or in any workshop established, operated or funded by nonprofit and nonsectarian organizations for the purpose of providing persons with disabilities training and employment suited to their abilities meet the requirements of any department, institution or agency supported in whole or in part by the state as to quantity, quality and price such products shall have preference over products or services from other providers, except (1) articles produced or manufactured by Department of Correction industries as provided in section 18-88, (2) emergency purchases made under section 4-98, and (3) janitorial or contractual services provided by a qualified partnership, pursuant to the provisions of subsections (b) to (d), inclusive, of section 4a-82.</li> <li>• The Commissioner of Administrative Services, when purchasing or contracting for the purchase of dairy products, poultry, eggs, beef, pork, lamb, farm-raised fish, fruits or vegetables pursuant to subsection (a) of this section, shall give preference to dairy products, poultry, eggs, beef, pork, lamb, farm-raised fish, fruits or vegetables grown or produced in this state, when such products, poultry, eggs, beef, pork, lamb, farm-raised fish, fruits or vegetables are comparable in cost to other dairy products, poultry, eggs, beef, pork, lamb, farm-raised fish, fruits or vegetables being considered for purchase by the commissioner that have not been grown or produced in this state.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Connecticut	Yes	Yes	<p>Recycled material</p> <p>Clean alternative fuel</p> <p>Micro-business</p> <p>Veteran Owned Microbusiness 15%</p>	<ul style="list-style-type: none"> <li>• Price preference up to 10% for purchase of goods made with recycled materials</li> <li>• Price preference up to 10% for purchase of motor vehicle powered by clean alternative fuel or to convert a motor vehicle to use alternative fuel or dual use of clean alternative fuel</li> <li>• Price preference up to 10% for contracting with a “micro-business”</li> <li>• Price preference for the purpose of determining the lowest responsible qualified bidder if certified by the Connecticut Department of Veteran’s Affairs.</li> </ul>
Delaware	Yes	No	<p>Public Works</p> <p>Set Asides</p>	<ul style="list-style-type: none"> <li>• <b>Public works contract #6962(4)(b).</b> Preference for Delaware Labor for work regarding Public works for the state. Must be bona fide legal citizens of the state who have established citizenship by residence of at least 90 days in the State.</li> <li>• <b>Set Asides.</b> In accordance with Delaware Code, Chapter 96, <u>State Use Law</u>, certain State contracts are awarded as internal contracts as authorized by the State Use Commission (which rests under the jurisdiction of the <u>Department of Health and Social Services</u>). Therefore, these contracts are not part of the normal bid process.</li> </ul>
Florida	Yes	Yes	<p>Resident Bidder</p> <p>Foreign manufacturers</p> <p>Veteran Business Enterprise</p>	<ul style="list-style-type: none"> <li>• Whenever two or more competitive sealed bids are received one or more of which relates to commodities manufactured, grown or produced within this state, and whenever all things stated in such received bids are equal with respect to price, quality and service, the commodities manufactured, grown or produced within this state shall be give preference.</li> <li>• Any foreign manufacturing company with a factory in Florida and employing over 200 employees working in the state shall have preference over any other foreign company when price, quality, and service are the same, regardless of where the product is manufactured.</li> <li>• Veteran Business Enterprises Opportunity Act – a state agency, when considering two or more bids, proposals, or replies for the procurement of commodities or contractual services, at least one of which is from a certified veteran business enterprise, which are equal with respect to all relevant</li> </ul>
	<b>Reciprocal</b>	<b>Tie Bid</b>		

State	Law/Statute	Preference	Preference	Scope of Preference & Conditions
Florida	Yes	<p>Yes</p> <p>When two or more bids, proposals, or replies that are equal with respect to price, quality, and service are received by the state or by any political subdivision for the procurement of commodities or contractual services, a bid proposal, or reply received from a business that certifies it has implemented a drug-free workplace program shall be given preference in the award process.</p>	<p>Certified Minority Business Enterprise</p> <p>Drug Free Workplace</p> <p>Home industries in public buildings</p> <p>Printing 5%</p> <p>Personal Property 5%</p>	<p>considerations, including price, quality, and service, shall award such procurement or contract to the certified veteran business enterprise.</p> <ul style="list-style-type: none"> <li>• Certified Minority Business Enterprise – if two equal responses and one response is from a certified minority business enterprise, the agency shall enter into a contract with the certified minority business enterprise.</li> <li>• Drug Free Workplace – whenever two or more bids, proposals, or replies that are equal with respect to price, quality, and service are received by the state of by any political subdivision for the procurement of commodities or contractual services, a bid proposal, or reply received from a business that certifies that it has implemented a drug-free workplace program shall be give preference in the award process.</li> <li>• Preference shall be given in the purchase of material and in letting contracts for the construction of any public administrative or institutional building to home industries residing within the state.</li> <li>• A preference shall be given if the lowest bid is submitted by a vendor whose principal place of business is located outside the state for materials to be printed.</li> <li>• A preference shall be given to the lowest responsible and responsive bidder residing in the state when making purchases of personal property through competitive solicitations.</li> </ul>
Georgia	Yes	Yes	Resident Bidder	<ul style="list-style-type: none"> <li>• Resident vendors in the State of Georgia are to be granted the same preference over vendors resident in another state in the same manner, on the same basis and to the same extent that preference is granted in awarding bids or proposals for the same goods or services by such other state, to vendors resident therein over vendor's resident in the State of Georgia. This preference is used for evaluation purposes only.</li> </ul>



State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Georgia	Yes	Yes  Tie bid preference shall be given to products manufactured or produced within the State; to products sold by local suppliers within the State; and products manufactured or sold by small businesses.	Compost and Mulch  Forest Products  Goods manufactured or produced in the State where reasonable and practicable  State Use Law 8%	<ul style="list-style-type: none"> <li>• All state agencies, departments, and authorities responsible for the maintenance of public lands shall give preference to the use of compost and mulch in all road building, land maintenance, and land development activities. Preference shall be given to compost and mulch made in the State of Georgia from organics which are source separated from the state's non-hazardous solid waste stream.</li> <li>• <b>Georgia Code 50-5-63 Forest products</b> Green Building Standards; Exclusive use of Georgia forest products in state construction contracts; exception where federal regulations conflict.</li> <li>• (a) No contract for the construction of, addition to, or repair of any facility, the cost of which is borne by the state or any department, agency, commission, authority, or political subdivision thereof, shall be let unless the contract contains a stipulation therein providing that the contractor or any subcontractor shall use exclusively Georgia forest products in the construction thereof, when forest products are to be used in such construction, addition, or repair, and if Georgia forest products are available.</li> <li>• (b) This Code section shall not apply when in conflict with federal rules and regulations concerning construction.</li> <li>• The state and any department, agency, or commission thereof, when contracting for or purchasing supplies, materials, equipment, or agricultural products, excluding beverages for immediate consumption, shall give preference as far as may be reasonable and practicable to such supplies, materials, equipment, and agricultural products as may be manufactured or produced in this state. Such preference shall not sacrifice quality.</li> <li>• Price preference in the cost evaluation in accordance with the State Use Law intended to create opportunities for disabled persons employed by community based rehabilitation programs and training centers certified by the State Use Council.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Hawaii	Yes	Yes	Class I 10%  Class II 15%  Recycled 5%  Software 10%  Printing 15%  Tax 4.5%  5% Rehabilitation Program	<ul style="list-style-type: none"> <li>Reciprocal law applies to bidders from states which apply preferences. Preference shall be equal to the preference the out of state bidder would receive in their own State or shall be in the amount the out of state preference exceeds comparable in Hawaii. Preference applies to state and counties for commodities produced, manufactured, grown, mined, or excavated in Hawaii, and requires over 50% Hawaii input counted towards the total cost of the product. *Agricultural, aqua-cultural, horticultural, forestry, flower farming, or livestock product that is raised, grown, or harvested in the state.</li> <li>Recycled products based on recycled content as a percentage to total weight. In-state contractors' preference.</li> <li>Software development businesses principally located in-state, with 80% of labor for software development performed by persons domiciled in Hawaii. "Software Development Business" includes my work related to feasibility studies, systems analysis, programming, testing, or implementation of an electronic data processing system."</li> <li>Printing, binding, and stationery work. Effective July 1, 1994, applies to all out-of-state bidders if their price is lower than Hawaii's bidders' price.</li> <li>Tax Preference. Preference to ensure fair competition for bidders paying the Hawaii general excise and applicable use tax.</li> <li>Qualified Community Rehabilitation Program (QRF). Preference for QRF's located in Hawaii.</li> </ul>
Idaho	Yes	Yes Tie-bid preference given only to products of local and domestic production and manufacture of Idaho domiciled bidders.	10% printing only	<ul style="list-style-type: none"> <li>Printing preference of 10% applies to state and counties. Reciprocal law applies to state and political subdivisions for commodities, construction and services.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Illinois	Yes	Yes	Resident Bidder  Soybean Oil-based Ink  Recycled Supplies  Recyclable Paper  Environmental preferable procurement  Correctional Industries  Sheltered Workshops  U.S. Steel  Coal 10%  Vehicle Mileage  Small businesses	<ul style="list-style-type: none"> <li>Reciprocal law allows when a contract is awarded to the lowest responsible bidder, the resident bidder will be allowed preference against a non-resident bidder from any state which gives a preference to bidders from that state. The preference will be equal to the preference given or required by the state of the non-resident bidder.</li> <li>Contracts requiring procurement of printing services will specify use of soybean oil based ink unless a State Purchasing Officer determines that another type of ink is required.</li> <li>When a contract is to be awarded to the lowest responsible bidder, any otherwise qualified bidder who will fulfill the contract through the use of products made of recycled supplies may be given preference over other bidders unable to do so, provided the cost included in the bid of supplies made of recycled materials does not constitute undue economical or practical hardship.</li> <li>All supplies purchased for use by State agencies must be recyclable paper unless a recyclable substitute cannot be used to meet requirements or contribute an undue economic or practical hardship.</li> <li>State agencies must contract for supplies and services that are environmentally preference unless contracting supply or service would impose an undue economic or practical hardship.</li> <li>Preference is given to "Illinois Correctional Industries" for certain designated contracts.</li> <li>Preference is given to "Illinois Sheltered Workshops for the severely handicapped" for certain designated contracts.</li> <li>Preference for products made with steel produced in the United States.</li> <li>Preference is given for use of Illinois coal.</li> <li>All State vehicles purchased must be flex fuel or fuel efficient hybrid, or be able to run on 5% biodiesel fuel.</li> <li>The Chief Procurement Officer has the authority to designate as small business set asides a fair proportion of construction, supply, and service contracts for award to small businesses in Illinois. In awarding the contracts, only bids from qualified small businesses shall be considered.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Illinois	Yes	Yes  In tie-bid situations, preference shall be given to the Illinois vendor over an out of state vendor.	Agricultural products  Corn based plastics  Coal  Minorities, Females, Persons of Disabilities  Steel  Domestic Products  Historic Area  Local site preference (leasing)	<ul style="list-style-type: none"> <li>• When procuring agricultural products, preference may be given to a bidder who will fulfill the contract through the use of agricultural products grown in Illinois.</li> <li>• When procuring plastic products, preference may be given to a bidder who will fulfill the contract through the use of plastic made from Illinois corn by-products.</li> <li>• When purchasing coal for fuel purposes, a preference must be given to Illinois mined coal if the cost is not more than 10% greater than the cost of coal mined in any other state, including transportation cost.</li> <li>• Not less than 20% of the total dollar amount of State contracts (non-construction) will be established as a goal to be awarded to businesses owned by minorities (11%), females (7%), and persons with disabilities (2%). In construction contracts, not less than 10% of the total dollar amount is established as a goal to be awarded to businesses owned by minority and female owned businesses (50% of goal to female owned businesses).</li> <li>• Each contract for the construction, reconstruction, alteration, repair, improvement or maintenance of public works made by a public agency shall contain a provision that steel products used or supplied in the performance of that contract or any subcontract, shall be manufactured or produced in the United States.</li> <li>• Each purchasing agency procuring products must promote the purchase of and give preference to manufactured articles, materials, and supplies manufactured in the United States.</li> <li>• Preference shall be given to locating its facilities, whenever operationally appropriate and economically feasible, in historic properties and buildings located within government.</li> <li>• Upon the request of the chief executive officer of a unit of local government, leasing preferences may be given to sites located in enterprise zones, tax increment districts or redevelopment districts.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Indiana	Yes	Yes	Resident Bidder	<ul style="list-style-type: none"> <li>The Indiana business preference is considered for an out-of-state business only when the offeror is a business from a state bordering Indiana and the offerors home state does not provide a preference to the home state's businesses more favorable than is provided by Indiana to Indiana businesses.</li> </ul>
Iowa	Yes	Yes	Resident Bidder  Non-resident Bidder	<ul style="list-style-type: none"> <li>Preference shall be given to purchasing Iowa products and purchases from Iowa based businesses if the Iowa based business bids submitted are comparable in price to bids submitted by out of state businesses and otherwise meet the required specifications.</li> <li>If the laws of another state mandate a percentage preference for businesses or products from that state and the effect of the preference is that bids from Iowa businesses or products that are otherwise low and responsive are not selected in the other state, the same percentage preference shall be given to Iowa businesses and products when businesses or products from that other state are bid to supply Iowa requirements.</li> </ul>
Kansas	No	Yes Tie bids from in-state and out-of-state vendors shall be awarded to in-state vendor.	None	No other information available.
Kentucky	No	Yes	Resident Bidder  Commodities of Services	<ul style="list-style-type: none"> <li>Prior to a contract being awarded to the lowest responsible and responsive bidder on a contract by a public agency, a resident bidder of the Commonwealth shall be given a preference against a nonresident bidder registered in any state that gives or requires to bidders from that state. The preference shall be equal to the preference given or required by the state of the non-resident bidder.</li> <li>Preference is to be given in purchasing commodities or services from the Department of Corrections; Division of Prison Industries; Kentucky Industries for the Blind; agencies of individuals with severe disabilities; incorporated or any other nonprofit corporation that furthers the purposes of <b>KRS Chapter 163</b>.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Kentucky	No	Yes	Agriculture	<ul style="list-style-type: none"> <li>State agencies, as defined by <b>KRS 45A.505</b>, shall purchase Kentucky grown agricultural products if the products are available and if the vendor can meet the applicable quality standards and pricing requirements of the state agency.</li> </ul>
Louisiana	Yes	Yes	Agricultural or forestry  Produce  Eggs or crawfish  Seafood  Products produced from seafood  Paper and paper products  Agricultural or Forestry Products  Meat and meat products	<ul style="list-style-type: none"> <li>Agricultural or forestry products, including meat, seafood, produce, eggs, paper or paper products shall be granted a 10% preference (does not have to lower bid price).</li> <li>Produce processed in Louisiana, but grown outside of Louisiana, provided the cost of the produce processed in Louisiana does not exceed the cost of produce processed outside of Louisiana by more than 7%.</li> <li>Eggs or crawfish which are processed in Louisiana under the grading service of the Louisiana Dept. of Agriculture and Forestry, provided the cost of the further processed eggs or crawfish does not exceed the cost of other eggs or crawfish by more than 7%.</li> <li>Seafood shall be: <ul style="list-style-type: none"> <li>Harvested in Louisiana seas or other Louisiana waters.</li> <li>Harvested by a person who holds a valid appropriate commercial fishing license issued under statute.</li> </ul> </li> <li>Products produced from such seafood shall be processed in Louisiana. Domesticated catfish shall be processed in Louisiana from animals which were grown in Louisiana.</li> <li>Paper and paper products shall be manufactured or converted in Louisiana.</li> <li>For preference, all other agricultural or forestry products shall be produced, manufactured, or processed in Louisiana.</li> <li>Meat and meat products shall be processed in Louisiana from animals which are alive at the time they enter the processing plant. Meat and meat products which are further processed in Louisiana under the grading and certification service of the Louisiana Department of Agriculture and Forestry, provided the cost of the further processed meat and meat products does not exceed the cost of other meat or meat products by more than 7% (does not have to lower bid price).</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Louisiana	Yes	Yes	Catfish  Miscellaneous  Steel  Treated wood  Clay  Domestic products 5%  Rodeos and livestock shows	<ul style="list-style-type: none"> <li>• Domesticated or wild catfish which are processed in Louisiana but grown outside of Louisiana provided the cost of the domesticated or wild catfish which are processed outside of Louisiana does not exceed by more than 7% (does not have to lower bid price).</li> <li>• Materials, supplies, products, provisions, or equipment produced, manufactured, or assembled in Louisiana in which the following conditions are met:               <ul style="list-style-type: none"> <li>○ The cost of such items does not exceed the cost of other items outside the state by more than 10% (does have to lower bid price).</li> <li>○ The vendor of such Louisiana item agrees to sell the items at the same prices as the lowest bid offered.</li> </ul> </li> <li>• Steel rolled in this state provided the cost of the steel rolled in this state does not exceed by more than 10%(does not have to lower bid price).</li> <li>• The above preference language does not apply to treated wood poles or piling.</li> <li>• Preference shall not apply to Louisiana products whose source is clay which is mined or originates in Louisiana and which is manufactured, processed or refined in Louisiana for sale as an expanded clay aggregate form different than its original state. This exception from preference does not apply to bricks manufactured in Louisiana.</li> <li>• Preference for products manufactured anywhere in the United States. This preference applies if no Louisiana product preference takes place.</li> <li>• In-state vendors given preference over out of state vendors provided cost does not exceed by more than 5% for rodeos and livestock shows.</li> </ul>
Maine	Yes	Yes	Resident Bidder  Best Value Bidder	<ul style="list-style-type: none"> <li>• <b>Title 5 M.R.S.A Statute 1825-B (8)</b> The Director of the Bureau of General Services shall award contracts or purchases to in-state bidders or to bidders offering commodities produced or manufactured in the State if the price, quality, availability and other factors are equivalent.</li> <li>• <b>Title 5 M.R.S.A Statute 1825-B (9)</b> In determining the best value bidder, the Director of the Bureau of General Services</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Maine	Yes	Yes	Best Value Bidder	or any department or agency of the State shall, for the purpose of awarding a contract, add a percent increase on the bid of a non-resident bidder equal to the percent, if any, of the preference give to that bidder in the state in which the bidder resides.
Maryland	Yes	Yes	Resident Bidder	<ul style="list-style-type: none"> <li>An agency may give a preference to the resident bidder who is a responsible bidder and submits the lowest responsive bid to a competitive sealed bidding process; and does not conflict with a federal law or grant affecting the procurement contract.</li> </ul>
Massachusetts	No	Yes	Resident Bidder	<ul style="list-style-type: none"> <li>All things being equal, the State <u>may</u> give a preference to goods and supplies first manufactured and sold in the Commonwealth, and then manufactured and sold domestically. We assign not percent under this statute.</li> </ul>
Michigan	Yes	No	Michigan Based Firms  Printing  Resident Bidder	<ul style="list-style-type: none"> <li>A preference is given to products manufactured or services offered by Michigan based firms if all other things are equal and if not inconsistent with federal statute.</li> <li><b>STATE PRINTING LAW, PUBLIC ACT 153 of 1937 (MCL 24.62)</b> All printing for the State of Michigan, except that which is printed for primary school districts, local government units and legal publications for elective state officers, must be printed in Michigan.</li> <li>A reciprocal preference to a Michigan business against an out-of-state business is allowed for purchases exceeding \$100,000 and if not inconsistent with Federal statutes. Under this provision, a Michigan bidder is preferred in the same manner in which the out-of-state bidder would be preferred in its home state. To claim this preference a bidder must <u>certify to being a Michigan business</u> and must authorize the Department of Treasury to release information necessary to verify the entitlement. A business that purposefully or willfully submits a false certification is guilty of a felony, punishable by a fine of not less than \$25,000. (<b>See MCL 18.1268</b>)</li> </ul>
Minnesota	Yes	Yes	All-terrain vehicles  Small Businesses	<ul style="list-style-type: none"> <li>All all-terrain vehicles purchased by the commissioner (of natural resources) must be manufactured in the state of Minnesota.</li> <li>For specified goods or services, may award up to 6% preference to targeted group small businesses and veteran-owned small</li> </ul>



State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Minnesota	Yes	Yes	<p>Small Businesses</p> <p>Minnesota Service Providers</p> <p>Paper Stock Printing</p>	<p>businesses, and may award up to 6% to small businesses located in economically disadvantaged area. Applies to Socially Disadvantaged Small Businesses.</p> <ul style="list-style-type: none"> <li>• Minnesota Dept. of Employment and Economic Development certified providers and Minnesota Dept. of Human Services licensed providers responding to a solicitation for janitorial services, document imaging services, document shredding services, and mail collating, and sorting services are eligible for a 6% preference.</li> <li>• Whenever practicable, public entities shall purchase paper which has been made on a paper machine located in Minnesota.</li> </ul>
Mississippi	No	Yes	<p>Resident Contractors Construction</p> <p>Construction Materials</p> <p>Commodities Grown, Processed or Manufactured</p> <p>Industries for the Blind</p> <p>Resident Contractors</p>	<ul style="list-style-type: none"> <li>• In the letting of public construction contracts, preference shall be given to resident contractors.</li> <li>• In construction of any building, highway, road, bridge, or other public work or improvement by the State or any of its political subdivisions or municipalities, only materials grown, produced, prepared, made and/or manufactured within the State should be used.</li> <li>• Any foreign manufacturing company with a factory in the state and with over 50 employees working in the State shall have preference over any other foreign company where both price and quality are the same.</li> <li>• Whenever economically feasible, each state agency is required to purchase products manufactured or sold by the Mississippi Industries for the Blind</li> <li>• In letting of public contracts, preference shall be given to resident contractors over non-resident contractors.</li> </ul>
Missouri	Yes	Yes	Missouri Products and Firms	<ul style="list-style-type: none"> <li>• <b>Statute 34.070</b> – In making purchases, the commissioner of administration or any agent of the state with purchasing power shall give preference to all commodities and tangible personal property manufactured, mined, produced, processed, or grown within the State of Missouri, to all new generation processing entities defined in Section 348.432, except new generation processing entities that own or operate a renewable fuel production facility or that produce renewable fuel, and to all companies doing business as Missouri firms, corporations or individuals, when quality is equal or better and delivered price</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Missouri	Yes	Yes	Missouri Products and Firms  Service Disabled Veterans  Nonprofit Organizations For The Blind  Missouri Calcium Initiative  Resident Bidder  Coal  United States Products	<p>is the same or less. Such preference may be given whenever competing bids, in their entirety, are comparable.</p> <p>“Commodities” shall include any forest products that has been processed or otherwise had value added to it in this state.</p> <ul style="list-style-type: none"> <li>• <b>Statute 34.074.04</b>—In letting contracts for the performance of any job or services, all agencies, departments, institutions, and other entities of this State and of each political subdivision of this State shall give a 3 point bonus preference to service disabled veteran businesses doing business as a Missouri firm, corporation, or individual, or which maintain a Missouri office or place of business. The goal is not required and the provisions of this subsection shall not apply if there are no (or insufficient) bids or proposals submitted to the public entities listed above.</li> <li>• <b>Statute 34.165.1</b> – When making purchases for the State, its governmental agencies or political subdivisions, the commissioner of administration shall give bidding preference consisting of a ten point bonus on bids for products and services manufactured, produced or assembled in qualified nonprofit organizations for the blind.</li> <li>• <b>Statute 34.375.1</b> The purchasing agent for any governmental entity that purchases food or beverages to be processed or served in a building or room owned or operated by such governmental entity shall give preference to foods and beverages that contain a higher level of calcium than products of the same type and nutritional quality, and equal to or lower in price than products of the same type and nutritional quality.</li> <li>• <b>Statute 34.073.1</b> In letting contracts for the performance of any job or service, preference shall be given to all Missouri resident bidders.</li> <li>• <b>Statute 34.080.1</b> State of Missouri institutions preference to coal mined in Missouri.</li> <li>• <b>Statute 34.353.1</b> Purchase or lease only goods or commodities manufactured or produced in the United States.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Missouri	Yes	Yes	Not-for-profit Organizations	<ul style="list-style-type: none"> <li>• <b>Statute 136.055.2</b> Fee office contracts shall be awarded through a competitive bidding process with priority given to organizations that are exempt from taxation under Section 501(c)(3)(6) or (4) with special consideration to organizations and entities that reinvest at least 75% of net proceeds to charitable organizations.</li> </ul>
Montana	Yes	Yes In case of a tie bid, preference must be given to the bidder, if any offering American made products or supplies.	Goods and Construction  Vending Facilities Blind Persons	<ul style="list-style-type: none"> <li>• Reciprocal preference is applied to lowest responsible bidder only for goods and construction contracts equal to other bidder's in state preference. (<b>18-1-102 MCA</b>)</li> <li>• State property for use as a vending facility, preference is given to blind persons.</li> </ul>
Nebraska	Yes	Yes	Resident Bidder  Resident Disabled Veteran, Enterprise zone  Blind Persons	<ul style="list-style-type: none"> <li>• <b>Statute 73.101.01</b> A resident bidder shall be allowed a preference against a non-resident from a state which gives or requires a preference to bidders from that state. The preference shall be equal to the preference given or required by the state of the non-resident bidders. Where the lowest responsible bid from a resident bidder is equal in all respects to one from a non-resident bidder from a state which has no preference law, the resident bidder shall be awarded the contract.</li> <li>• <b>Statute 73.107</b> When a state contract is to be awarded to the lowest responsible bidder, a resident disabled veteran or a business located in a designated enterprise zone under the Enterprise Zone Act shall be allowed a preference over any other resident or nonresident bidder if all other factors are equal.</li> <li>• <b>Statute 71.8611</b> Priority shall be given to blind persons with respect to vending facilities in any state owned building or any property owned or controlled by the state.</li> </ul>
Nevada	Yes	Yes	Resident Bidder	<ul style="list-style-type: none"> <li>• <b>NRS 333.336</b> (Inverse preference imposed on certain bidders resident outside the State of Nevada) was repealed during 2009 legislative session.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Nevada	Yes	Yes	Certificate of Eligibility 5%	<ul style="list-style-type: none"> <li>• <b>NRS 338.0117 and NRS 338.1446</b> Preference given to contractor with a State of Nevada Certificate of Eligibility over contractor without a certificate. Preference only applies to bids estimated over \$250,000 and used for ranking purposes to determine the lowest bidder.</li> </ul>
New Hampshire	No	Yes In the event of a tie bid, the tie goes to the instate bidder. If no instate bidders, the winner will be determined by drawn lot.	Tie Bid	No other information available.
New Jersey	Yes	No	Resident Bidder	<ul style="list-style-type: none"> <li>• <b>N.J.S.A. § 52.32-1.4 and N.J.A.C. 17:12-2.13</b> Reciprocal law applies to the State for commodities and services. The Director shall apply on a reciprocal basis against an out-of-state bidder any in-state preference which is applied in favor of that bidder by the State or locality in which the bidder maintains its principal place of business.</li> </ul>
New Mexico	Yes	Yes	Resident Bidder	<ul style="list-style-type: none"> <li>• <b>Statute 13-1-21</b> New Mexico law provides certain statutory preferences to resident businesses, resident veteran businesses, resident contractors and resident veteran contractors as well as for recycled content goods. These preferences must be applied in regard to invitation for bids and requests for proposals in accordance with statute in determining the lowest bidder or offeror.</li> </ul>
New York	Yes	Yes	Principal Place of Business	<ul style="list-style-type: none"> <li>• Under the Omnibus Procurement Act of 1992 and Amendments of 1994, (now <b>Section 165.6 a-e of the State Finance Law</b>) the Office of General Services may deny to a vendor placement on bidders they would otherwise obtain if their principal place of business is located in a jurisdiction that penalizes New York State vendors and if the goods or services offered will be substantially produced or performed outside New York State. These sanctions may be waived when it is determined to be in the best interest of New York State to do so.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
New York	Yes	Yes	Agricultural Products  Recycled Product 10%  Secondary Product 5%	<ul style="list-style-type: none"> <li>• Preference applies to State for purchase of food products, the essential components of which are grown, produced or harvested in New York or where the processing facility is located in New York. The Commissioner of General Services assisted by the Commissioner of Agriculture and Markets determine the percentage of each food product or class which must meet these requirements.</li> <li>• Two step policy for recycled products:               <ol style="list-style-type: none"> <li>a) preference is applied for a recycled content product without regard to the product's origin;</li> <li>b) An additional preference may be granted if at least 50% of the secondary materials utilized in manufacture of that product are generated from the waste stream in New York State.</li> </ol> </li> </ul>
North Carolina	Yes	Yes	Resident Bidder  Exemptions Emergencies  Non-competitive bidding	<ul style="list-style-type: none"> <li>• For the purpose only of determining the low bidder on all contracts for equipment, materials, supplies, and services valued over \$25,000, a percent of increase shall be added to a bid of a non-resident bidder that is equal to the percent of increase, if any, that the state in which the bidder is a resident adds to bids from bidders who do not reside in that state.</li> <li>• A reciprocal preference shall not be used when procurements are being made under <b>G.S 143-53(a)(5) and G.S. 143-57.</b></li> <li>• <b>Executive Order #50</b> – Preference is applied to bids on goods only submitted by North Carolina vendors, if the lowest bid from a resident vendor is within \$10,000 or within 5% of the lowest bid the resident bidder may opt to match the lowest price and receive the bid award.</li> </ul>
North Dakota	Yes	Yes Tie bid preference must be given to bids or proposals submitted by North Dakota vendors.	General Information  Resident Bidder	<ul style="list-style-type: none"> <li>• Reciprocal preference law applies to the Office of Management and Budget, any other state entity, and the governing body of any political subdivision when purchasing any goods, equipment, and contracting to build or repair any building, structure, road or other real property, and professional services (ref. <b>N.D.C.C. § 44-08-01</b>).</li> <li>• A “resident” North Dakota bidder, offeror, seller, or contractor is one who has maintained a bona fide place of business within North Dakota for at least one year prior to the date on which a contract was awarded (ref. <b>N.D.C.C. § 44-08-02</b>).</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
North Dakota	Yes	Yes  If tie remains, preference must be given to approved vendors on State Bidders List.	<ul style="list-style-type: none"> <li data-bbox="768 310 938 342">Coal</li> <li data-bbox="768 468 938 520">Highway Construction</li> <li data-bbox="768 594 938 646">Food Producers and Processors</li> <li data-bbox="768 835 938 919">Sustainability Preferable Products</li> <li data-bbox="768 1224 938 1276">Recycled Products</li> <li data-bbox="768 1381 938 1413">Printing</li> </ul>	<ul style="list-style-type: none"> <li data-bbox="963 289 1466 436">• State agencies and institutions must comply with <b>N.D.C.C. § 48-05-02.1</b> which describes how to apply preference for bidders supplying coal mined in North Dakota.</li> <li data-bbox="963 447 1466 562">• <b>N.D.C.C. § 25-16.2</b> requires contracts for highway construction stakes to be awarded to North Dakota activity work centers. services (ref. <b>N.D.C.C. § 44-08-01</b>).</li> <li data-bbox="963 573 1466 772">• During the 2003 legislative session, <b>Senate Concurrent Resolution No. 4018</b> was passed which urges all publicly supported entities that purchase food to support North Dakota producers and processors by purchasing food products grown or produces and processed in North Dakota.</li> <li data-bbox="963 783 1466 1203">• <b>N.D.C.C. § 54-44.4-07</b> encourages the Office of Management and Budget, institutions of higher education, state agencies and institutions to purchase environmentally preferable products. Where practicable, bio based products and soybean based ink should be specified. The Office of Management and Budget, in coordination with State Board of Higher Education, shall develop guidelines for a bio-based procurement program. Requires that where practicable, specifications for purchasing newsprint printing services should specify the use of soybean based ink.</li> <li data-bbox="963 1213 1466 1350">• <b>N.D.C.C. § 54-44.4-08</b> requires at least 20% the total volume of paper and paper products purchased for state agencies and institutions contain at least 25% recycled material.</li> <li data-bbox="963 1360 1466 1633">• <b>N.D.C.C. § 46-02-15</b> requires that if practicable, all state, county, and other political subdivision public printing, binding and blank book manufacturing, blanks and printed stationery must be awarded to a resident North Dakota bidder (see description of North Dakota Bidder in section above). <b>See also N.D.A.C. § 4-12-16-01.</b></li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Ohio	Yes	No	Domestic Products Supplies, Services, Information Technology Resident Bidder 5% Construction Printed Goods Mined Products Border States Veteran's Preference 5%	<ul style="list-style-type: none"> <li>• First, consider domestic products as defined under federal Buy America laws/rules.</li> <li>• The preference only applies to purchases of supplies, services and information technology that use the Invitation to Bid and Reverse Auction processes. Not mandatory for Request for Proposals.</li> <li>• To qualify for the preference, the bidder must be an "Ohio" bidder; 1) offering product produced, raised, grown or manufactured in Ohio or 2) has significant Ohio economic presence - pays taxes, registered with the Ohio Secretary of State and has 10 or more or 75% of workforce located in Ohio.</li> <li>• Reciprocal preferences are given to construction and printed goods.</li> <li>• Mined products must be mined in Ohio or in qualifying border states.</li> <li>• Border state bidders are treated on the same level as Ohio bidders provided the border state does not apply a preference toward Ohio bidders. Currently, Indiana (except mined products), Pennsylvania, Kentucky, Michigan, and New York are recognized as border states with the exception of State of Michigan for printing.</li> <li>• A preference applied to all bids, requests for proposals, and reverse auctions. It will not be compounded with the 5% Buy Ohio in state preference.</li> </ul>
Oklahoma	Yes	No	Eastern Red Cedar Initiative Sheltered Workshops Correctional Industries Service Disabled Veteran	<ul style="list-style-type: none"> <li>• Preference to suppliers of wood products made from or products manufactured utilizing materials from trees harvested in Oklahoma if price for the products and materials are not substantially higher than the price for other wood products and materials. 74 O.S. 85.44D</li> <li>• Preference is given to "Oklahoma Sheltered Workshops for the severely handicapped" for certain designated contracts.</li> <li>• Preference is given to "Oklahoma Correctional Industries" for certain designated contracts.</li> <li>• In awarding contracts for the performance of any job or service, all agencies, departments, institutions and other entities of the State and each political subdivision of the State shall give a 3 point bonus preference to service disabled veteran businesses doing business as an Oklahoma</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Oklahoma	Yes	Yes	Resident Contractors  Construction Labor and Materials	<p>firm, corporations of individuals, or which maintain Oklahoma offices or places of business.</p> <ul style="list-style-type: none"> <li>• Preference given to materials produced in Oklahoma and construction contractors domiciled in Oklahoma for county hospital construction work. 19 O.S. 788</li> <li>• Provision in contract requiring employment of Oklahoma labor and materials if available and quality meets standards available from out of state suppliers and can be procured at no greater expense than the same quality of labor or material from outside Oklahoma for construction or repair of state institutions pursuant to Section 31 of Article X of the State Constitution. 61 O.S. 9</li> <li>• Provisions in contract requiring employment of Oklahoma labor and materials if available and quality meets standards available from out of state suppliers and can be procured at no greater expense than the same quality of labor or material from outside Oklahoma for construction or repair of state institutions pursuant to Section 33 of Article X of the State Constitution. 61 O.S. 10</li> </ul>
Oregon	Yes	Yes	Printing Qualified Rehabilitation Facilities (QRF) Resident Bidders Interstate Preference  Recycle materials  Recyclable Food Service Products  Goods Purchased to be Recyclable or Reusable	<ul style="list-style-type: none"> <li>• All public printing, including license plates, shall be performed within the State.</li> <li>• All State and local contracting agencies shall purchase goods and services of Disabled Individuals with eligible QRF's.</li> <li>• All state and local contracting agencies shall give preference to in state offerors if their offers are the same as nonresident offerors.</li> <li>• All state and local contracting agencies shall add a percent increase to the bid of a nonresident bidder equal to the percent, if any, of the preference given to the bidder in its state of residence.</li> <li>• All State and local contracting agencies shall prefer goods certified to be manufactured from recycled materials.</li> <li>• State contracting agencies are required to purchase recyclable or biodegradable food services supplies and food packaging products.</li> <li>• All State and local contracting agencies shall ensure goods purchased are recyclable or reusable to maximum extent economically feasible.</li> </ul>



State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Oregon	Yes	Yes	Outsourced Services  Disadvantaged Minority Groups Disabled Veteran Owned Businesses	<ul style="list-style-type: none"> <li>All State and local contracting agencies must demonstrate that procurement of service will cost less than performing service or that performing service is not feasible.</li> <li>State and local contracting agencies may support affirmative action goals by limiting competition for public contracts to cost \$50,000 or less to disadvantaged or minority groups or may give a preference in awarding public contracts to business owned by disabled veterans.</li> </ul>
Pennsylvania	Yes	Yes	Resident Bidders  Coal  Recycled Content  Motor Vehicle Procurement	<ul style="list-style-type: none"> <li>Reciprocal Law Limitations Act applies to the procurement of supplies in excess of \$10,000. It requires the application of a preference to resident bidders against bidders from states that give preference to resident bidders in an equal percentage.</li> <li>Any heating system installed in a Commonwealth owned facility be fueled by coal produced by Pennsylvania mines or any mixture of synthetic derived, in whole or part, from coal produced in Pennsylvania mines unless the Secretary of General Services exempts the heating system from the Act based upon enumerated exemptions.</li> <li>The Commonwealth will provide preference to any bidder who meets the minimum recycle content percentage established in the bid.</li> <li>All government agencies required to purchase only motor vehicles manufactured in North America or a substantial majority of the principal component as assembled into the final product in an assembly plant in North America.</li> </ul>
Rhode Island	No	No	No	<ul style="list-style-type: none"> <li>No other information available.</li> </ul>
South Carolina	No	Yes	South Carolina end products 7% U.S. end product 2% Resident contractor 7%  Resident subcontractor 2% or 4%	<ul style="list-style-type: none"> <li>A preference to vendors selling South Carolina or United States end products.</li> <li>To qualify for resident bidder preference, bidder must maintain an office in the state.</li> <li>To qualify, the resident subcontractor must meet the following requirements at the time of bid submission: <ul style="list-style-type: none"> <li>1) have documented commitment from a single proposed first tier subcontractor to perform some portion of the services expressly required by the solicitation, and</li> </ul> </li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
South Carolina	No	Yes	In state preference does not apply to the following items listed to the right of this column:	<p>2) must directly employ, or have a documented commitment with, individuals domiciled in South Carolina that will perform services expressly required by the solicitation and total direct labor cost to the subcontractor for individuals to provide those services exceeds, as applicable, either 20% for a 2% preference or 40% of bidder total bid price for a 4% preference.</p> <ul style="list-style-type: none"> <li>• 1) A single unit of an item with a price in excess of \$50,000;</li> <li>2) A single award with a total potential value in excess of \$500,000;</li> <li>3) Acquisitions of motor vehicles;</li> <li>4) Construction, supplies or services related to construction;</li> <li>5) Competitive sealed proposals; and</li> <li>6) Procurements valued at \$10,000 or less.</li> </ul>
South Dakota	Yes	Yes	<p>Grade A Milk Processors Only 5%</p> <p>Qualified Agency</p> <p>Resident Business</p> <p>Resident Supplies Services</p>	<ul style="list-style-type: none"> <li>• <b>SDCL 5-18A-24</b> Any milk processor licensed pursuant to § 39-6-7, bidding any milk or milk product under a competitive bid contract shall receive the bid contract if the processor's bid is equal to or within 5% or less of any other bidder who is not a licensed processor.</li> <li>• <b>SDCL 5-18A-25</b> Preferences to certain resident businesses, qualified agencies and businesses using South Dakota supplies or services. In awarding a contract, if all things are equal including the price and quality, a purchasing agency shall give preference: <ul style="list-style-type: none"> <li>○ To a qualified agency if the other equal low bid or proposal was submitted by a business that was not a qualified agency;</li> <li>○ To a resident business if the other equal low bid or proposal was submitted by a nonresident business; To a resident manufacturer if the other equal low bid or proposal was submitted by a resident business that is not a manufacturer;</li> <li>○ To a resident business whose principal place of business is located in the State of South Dakota, if the other equal low bid or proposal was submitted by a resident business whose principal place of business is not located in the State of South Dakota;</li> <li>○ To a non-resident business providing or utilizing supplies or services found in South Dakota, if the other equal low bid</li> </ul> </li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
South Dakota	Yes	Yes	Transportation  Resident Bidder	<ul style="list-style-type: none"> <li>○ or proposal was submitted by a nonresident business not providing or utilizing supplies or services found in South Dakota.</li> <li>○ In computing price, the cost of transportation, if any, including delivery, shall be considered.</li> </ul> <p>• <b>5-18A-1 of Statute</b> A resident bidder shall be allowed a preference on a contract against the bid of any bidder from any other state or foreign province that enforces or has a preference for resident bidders. The preference given to the resident bidder shall be equal to the preference in the other state or foreign province.</p>
Tennessee	Yes	Yes	Meat  Coal  Natural Gas	<p>• <b>T.C.A. 12-3-809 / 810</b> All departments, agencies, institutions of state government and public education institutions which purchase meat, meat food products or meat by-products (as defined in § 53-7-202) with state funds shall give preference to producers located within the boundaries of this state when awarding contracts or agreements for the purchase of such meat or meat products, so long as the terms, conditions and quality associated with the in-state producers' proposals are equal to those obtainable from producers located elsewhere.</p> <p>• <b>T.C.A. 12-3-811</b> Notwithstanding any provision of law to the contrary, all state agencies, departments, boards, commissions, institutions, institutions of higher education, schools and all other state entities shall purchase coal mined in the State of Tennessee if such coal is available at a delivered price which is equal to or less than coal mined outside the State of Tennessee.</p> <p>• <b>T.C.A. 12-3-812</b> Notwithstanding any provision of law to the contrary, all state agencies, departments, boards, commissions, institutions, institutions of higher education, schools, and all other state entities shall purchase natural gas produced from wells located in the State of Tennessee if such gas is available at a price which is equal to or less than natural gas produced from wells located outside the State of Tennessee, with transportation cost into account.</p>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Tennessee	Yes	Yes	Resident Bidder  Agricultural Products  Services	<ul style="list-style-type: none"> <li>• Goods produced in Tennessee or offered by Tennessee bidders shall equally be given preference if the cost to the state and quality are equal.</li> <li>• Agricultural products grow in Tennessee shall be given first preference and agricultural products offered by Tennessee bidders shall be given second preference, if cost to the State and quality are equal.</li> <li>• All departments and agencies procuring services shall give preference to services offered by a Tennessee bidder if service requirements are met, and cost of service does not exceed cost of similar services not offered by a Tennessee bidder.</li> </ul>
Texas	Yes	Yes	Resident Bidder  Agricultural Products Texas  Agricultural Products United States  Consultant	<ul style="list-style-type: none"> <li>• Texas Statute of the Government Code, Chapter 2252.002, states that if the low bidder is from a state that grants a percent preference to its own in state bidders, the Texas agency must add the same percent of preference to that bidder's price when evaluating the bid. Preferences do not apply in the involvement of federal funds.</li> <li>• Preference in tie bids for goods and agricultural products produced or grown in Texas, or offered by Texas bidders that are of equal cost and quality to other states of the United States.</li> <li>• Preference in tie bids for goods and agricultural products from other states of the United States over foreign goods and agricultural products that are of equal cost and quality.</li> <li>• If other considerations equal, preference is given to a consultant whose principal place of business is in Texas or who will manage the contract wholly from an office in Texas.</li> </ul>
Utah	Yes	Yes	Resident Bidder	<ul style="list-style-type: none"> <li>• To get reciprocal preference, the Utah vendor must claim preference in the bid and be within the applicable preference percentage of the lowest responsible out of state bidder who is entitled to a preference in his/her state. If so, the Utah vendor has 72 hours to consent in writing to meet the price of the lowest responsible out of state bidder which has an in state preference law.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Vermont	No	Yes	Resident Bidder	<ul style="list-style-type: none"> <li>All other considerations being equal, preference will be given to resident bidders of the State and/or to products raised or manufactured in the state, and then to bidders who have practices that promote clean energy and address climate change (Executive Order 05-16).</li> </ul>
Virginia	Yes	<p>Yes</p> <p>In the case of a tie bid, preference shall be given to goods produced in Virginia, goods or services or construction provided by Virginia persons, firms, or corporations, otherwise, the tie shall be decided by drawing lots.</p>	<p>Resident Bidder</p> <p>Recycled Content</p> <p>Resident Bidder</p>	<ul style="list-style-type: none"> <li><b>Statute 2.2-4324.</b> <p><b>A.</b> Whenever the lowest responsive and responsible bidder is a resident of any other state and such state under its laws allows a resident contractor of that state a percentage preference, a like preference shall be allowed to the lowest responsive and responsible bidder who is a resident of Virginia and is the next lowest bidder. If the lowest responsive and responsible bidder is a resident of any other state and such state under its laws allows a resident contractor of that state a price-matching preference. A like preference shall be allowed to responsive and responsible bidders who are residents of Virginia. If the lowest bidder is a resident contractor of a state with absolute preference, the bid shall not be considered. The Department of General Services shall post and maintain an updated list on its website of all states with an absolute preference for their resident contractors and those states that allow their resident contractors a percentage preference, including the respective percentage amounts. For purposes of compliance with this section, all public bodies may rely upon the accuracy of the information on this website.</p> <p><b>B.</b> Notwithstanding the provisions of subsections A and B, in the case of a tie bid in instances here goods are being offered, and existing price preferences have already been taken into account, preference shall be given to the bidder whose goods contain the greatest amount of recycled content.</p> <p><b>C.</b> For the purposes of this section, a Virginia person, firm or corporation shall be deemed to be a resident of Virginia if such person, firm or corporation has been organized pursuant to Virginia law or maintains a principal place of business within Virginia.</p> </li> </ul>



State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Washington	Yes	No	<p>Recycled Material</p> <p>Electronic Products</p> <p>Polychlorinated Biphenyls</p> <p>Mercury Compounds</p>	<p>under this section shall be equal to 10% of the total bid amount.</p> <ul style="list-style-type: none"> <li>• <b>WAC 200-300-085</b> Preference shall be given to the extent of allowed by statute to goods containing recycled material as outlined under RCW 39.26.255 provided that the purchasing agency sets forth in the competitive solicitation a minimum percent content of recycled material that must be certified by the producer of the goods to qualify for the preference.</li> <li>• <b>RCW 39.26.265</b> Electronic products rated by the Electronic Product Environmental Assessment Tool or carry the Restriction of Hazardous Substances certification label will serve as the basis for applying the electronic product purchasing preference.</li> <li>• <b>RCW 39.26.280</b> Preference for products and products in packaging that does not contain polychlorinated biphenyls.</li> <li>• <b>RCW 70.95 MM.060</b> The Department of Enterprise Services must give priority and preference to the purchase of equipment, supplies, and other products that contain no mercury added compounds or components, unless, (a) there is no economically feasible non-mercury added alternative that performs a similar function; or (b) the product containing mercury is designed to reduce electricity consumption by at least 40% and there is no non-mercury or lower mercury alternative available that saves the same or a greater amount of electricity as the exempted product.</li> </ul>
Washington DC	Yes	No	<p>Small Business</p> <p>Resident Bidder</p> <p>Resident Business</p> <p>Local Business Enterprise</p> <p>Enterprise Zone</p> <p>Disadvantaged Business</p>	<ul style="list-style-type: none"> <li>• <b>District Code 2-218.43</b></li> <li>(a) In evaluating bids or proposals, agencies shall award preferences as follows: <ul style="list-style-type: none"> <li>1. In the case of proposals, points shall be granted as follows: <ul style="list-style-type: none"> <li>A. Three points for a small business enterprise;</li> <li>B. Five points for a resident-owned business;</li> <li>C. Five points for a longtime resident business;</li> <li>D. Two points for a local business enterprise;</li> <li>E. Two points for a local business enterprise with its principal office located in an enterprise zone;</li> <li>F. Two points for a disadvantaged business enterprise.</li> </ul> </li> </ul> </li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Washington D.C.	Yes	No	Veteran Owned Business Local Manufacturing Business Small Business Resident Owned Longtime Resident Local Business Local Business Enterprise Zone Disadvantaged Business Certified Business Enterprise	G. Two points for a veteran-owned business enterprise; H. Two points for a local manufacturing business enterprise. 2. In the case of bids, a percentage reduction in price shall be granted as follows: A. 3% for a small business enterprise; B. 5% for a resident-owned business; C. 10% for a longtime resident business; D. 2% for a local business enterprise; E. 2% for a local business enterprise with its principal office located in an enterprise zone; F. 2% for a disadvantaged business enterprise (b) A certified business enterprise shall be entitled to any or all of the preferences provided in this section, but in no case shall a certified business enterprise be a preference of more than 12 points or a reduction in price of more than 12 percent.
West Virginia	Yes	No	Resident Bidder 2.5% Resident Employment Resident Employment Non-resident Vendor Employer	<ul style="list-style-type: none"> <li>• <b>West Virginia code, § 5A-3-37</b></li> <li>• From an individual resident vendor who has resided in West Virginia continuously for the 4 years immediately preceding the date the bid was submitted; <b>or</b></li> <li>• From a partnership, association, corporation resident vendor, or from a corporation resident vendor which has an affiliate or subsidiary which employs a minimum 100 state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for 4 years immediately preceding the date on which the bid was submitted.</li> <li>• From a resident vendor who employs at least 75% of the vendor's employees are residents of West Virginia who have resided in the state continuously of the 2 immediately preceding years.</li> <li>• From a non-resident vendor, which employs a minimum of one hundred (100) state residents or a non-resident vendor which has an affiliate or subsidiary which maintains its headquarters or principal place of business</li> </ul>



State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
West Virginia	Yes	No	<p>Non-resident Vendor Employer</p> <p>Veteran Owned 3.5%</p> <p>Small, Women Owned Minority Owned Businesses</p>	<p>within West Virginia and which employs a minimum of 100 state residents, if, for purposes of producing or distributing the commodities or completing the project continuously over the entire term of the project, on average at least 75% of the vendor's employees or the vendor's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the 2 immediately preceding years and the vendor's bid does not exceed the lowest qualified bid from a non-resident vendor by more than 2 1/2% of the latter bid.</p> <ul style="list-style-type: none"> <li>• From an individual resident vendor who is a veteran of the United States Armed Forces, the Reserves or the National Guard and has resided in West Virginia continuously for the 4 years immediately preceding the date on which the bid is submitted.</li> <li>• If any non-resident vendor that is bidding on the purchase of commodities or printing by the director or by a state department which is also certified as a Small, Women-owned or minority-owned business in West Virginia, the non-resident vendor shall be provided the same preference made available to any resident vendor.</li> </ul>
Wisconsin	Yes	No	Resident Bidder	<ul style="list-style-type: none"> <li>• If a vendor is not a Wisconsin producer, distributor, supplier or retailer and the department determines that the state, foreign nation or subdivision thereof in which the vendor is domiciled grants a preference to vendors domiciled in that state, nation or subdivision in making governmental purchases, the department and any agency making purchases under <b>S.16.74</b> shall give a preference over that vendor to Wisconsin producers, distributors, suppliers and retailers, if any, when awarding the order or contract. The department may enter into agreements with states, foreign nations and subdivisions thereof, for the purpose of implementing this subdivision.</li> </ul>

State	Reciprocal Law/Statute	Tie Bid Preference	Preference	Scope of Preference & Conditions
Wyoming	Yes	Yes	Resident Construction Subcontractor 5%  Wyoming producer and manufacturer   Printing 10%	<ul style="list-style-type: none"> <li>• Preference for construction if not more than 20% of the work is subcontracted to out-of-state firms.</li> <li>• Preference up to 5% applies to State and political subdivisions for all other goods and services manufactured or produced or supplied by a Wyoming resident capable of serving the same.</li> <li>• For printing, preference is granted if 75% of the work is done in state.</li> </ul>