



John S. Richard
Director

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STATE OF OKLAHOMA
DEPARTMENT OF CENTRAL SERVICES

August 25, 2009

RE: Bidding Preferences – Reciprocity

In accordance with the below referenced statute, please find the schedule which reflects the states which give bidders in their states a preference and the extent of the preference.

Title 74 § 85.17A. Bidding Preferences--Reciprocity

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.

For any questions regarding this announcement, contact Keith Gentry at keith_gentry@dcs.state.ok.us

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STATE RECIPROCAL AND PREFERENCE PRACTICES

Last updated August 25, 2009

State	Preference	Reciprocal Law	Scope of Preference & Conditions	Tie Bid Preference	Date Revised
Alabama	Yes	No	Under this preference law, the awarding authority may 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 five percent greater than the low responsible bid. (Not used on a routine basis.) Tie bids will be awarded to the bidder that, in the opinion of the Director of Purchasing, will serve in the best interest of the state.	Yes	February 2009
Alaska	Yes 5% 7% 3-7% 10% 15%	No	5% reduction in bid price or offer applies to all vendors who qualify as Alaska bidders; Alaska offeror's receive an additional 10% evaluation point preference if a numerical rating system is used, such as a RFP. 7% applies to State grown agricultural, fishery & timber products provided they are available, of comparable quality, and priced not more than 7% higher than products harvested outside of the state; 3-7% reduction applies to qualifying Alaska products on value added basis; a 5% reduction in the bid price or offer applies to all vendors who offer recycled products; an award will be given to the bidder who qualifies for the Alaska bidder preference, and is offering services through a qualified employment program as defined AS 36.30.990, and is the lowest responsible and responsive bidder with a bid not more than 15% higher than the lowest bidder; an award will be given to the bidder who qualifies for the Alaska bidder preference, and is offering services through a qualified employment program as defined AS 36.30.170, and is the lowest responsible and responsive bidder with a bid not more than 10% higher than the lowest bidder; an award will be given to the bidder that qualifies for the Alaska bidder preference, employs a staff made up of 50% or more persons with a disability at the time the bid is submitted.	No	March 2003
Arizona	No	No	Small business preference, \$1,000 to \$25,000, A.C.C. R2-7-335	No	January 2009
Arkansas	Yes 15% correctional industry	No	15% preference against out-of-state correctional industry bids.	No	February 2009
California	1. -5% of lowest	No	1. Small Business (SB) (GC 14838). Goods, services, construction and IT. The maximum	Yes. In case of the	February 2009

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State	Preference	Reciprocal Law	Scope of Preference & Conditions	Tie Bid Preference	Date Revised
	<p>responsive, responsible non-small business's net bid price when certified SB is not lowest bidder.</p> <p>-----</p> <p>2. - Up to 5% of lowest responsive, responsible non-small business's net bid price when certified SB is not lowest bidder.</p> <p>-----</p> <p>3. - 5% of the lowest virgin net bid price.</p> <p>-----</p> <p>4. - 5% of 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: 1% for 5-9%, 2% for 10-14%, 3% for 15-19%, 4% for 20 or more.</p> <p>-----</p>		<p>preference is \$50,000 and when combined with other preferences, the preference total cannot exceed \$100,000.</p> <p>2. Non-small Business Subcontractor Preference (GC 14838), Goods, services, construction and IT. The maximum preference is \$50,000 and when combined with other preferences, the preference total cannot exceed \$100,000. Applies to bids submitted by non-small business that are subcontracting with certified SB. Applies unless application of the preference would preclude a SB from winning the contract.</p> <p>3. Recycled Tires (PRC 42891-42894), 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 total cannot exceed \$100,000.</p> <p>4. Target Area Contract Preference Act (TACPA) (GC 4533 ct seq.). Applies to Goods and service contracts over \$100,000 if the work site is located in a distressed area as designated by the Office of Planning and Research. 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 not 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.</p>	<p>bid between a Small Business and a Disabled Veteran Business Enterprise (DVBE). The award goes to the DVBE.</p>	

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	<p>5. - Same as for TACPA except applies to worksites in enterprise zones and hiring persons living in targeted employment area or are enterprise zone eligible.</p> <p>-----</p> <p>6. - Same as for TACPA except applies to worksites in local agency military base recovery area and hiring people living in such area.</p>		<p>5. Economic Zone Act (EZA) (GC 7084 et seq.) Goods & IT. Works the same as the TACPA preference.</p> <p>6. Local Agency Military base Recovery Area (LAMBRA) (GC 7118). Goods & IT. Works the same as the TACPA preference. Same as for TACPA except applies to worksites in local agency military base recovery area and hiring people living in such area.</p> <p>The office of Small Business and DVBE Certification (OSDC) further promotes small business participation by administering the Certification Reciprocity Program. The Program's intent is to build partnerships with cities, counties and special districts throughout California in accepting the state's small business certification.</p>		
Colorado	None	Yes	<p>Reciprocal law applies to both state and local governments for construction, goods and services. Vendor need not claim preference. In case of tie-bids, for IFBs for supplies, a resident bidder shall be given preference over a non-resident bidders, including preference for Colorado agricultural products.</p> <p>Construction projects: Colorado law requires in determining residency status of a contractor whose primary business is not Colorado, must use the same factors used by the contractor's home state to determine residency status of a contractor whose primary place of business is Colorado. (8-19-102.5 CRS)</p>	Yes	June 2003
Connecticut	None	Yes	<p>(Effective October 1, 2009)</p> <p>(a) For the purposes of this section, "nonresident bidder" means a business that is not a resident of the state that submits a bid in response to an invitation to bid by a state contracting agency, "resident bidder" means a business that submits a bid in response to an invitation to bid by a state contracting agency and that has paid unemployment taxes or income taxes in this state during the twelve calendar months immediately preceding submission of such bid, has a business address in the state and has affirmatively claimed</p>	Yes	January 2009

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			<p>such status in the bid submission, "contract" means "contract" as defined in section 4-e1 of the 2008 supplement to the general statutes and "state contracting agency" means "state contracting agency", as defined in section 4e-1 of the 2008 supplement to the general statutes.</p> <p>(b) Notwithstanding any provision of law, in the award of a contract, after the original bids have been received and an original lowest responsible qualified bid is identified, a state contracting agency shall add a per cent increase to the original bid of a nonresident bidder equal to the per cent, if any, of the preference given to such nonresident bidder in the state in which such nonresident bidder resides. If, after application of such per cent increase, the bidder that submits the lowest responsible qualified bid is a resident bidder, the state contracting agency shall award such contract to such resident bidder provided such resident bidder agrees, in writing, to meet the original lowest responsible qualified bid. Any such agreement by such resident bidder to meet the original lowest responsible qualified bid shall be made not later than seventy-two hours after such resident bidder receives notice from such state contracting agency that such resident bidder may be awarded such contract if such resident bidder agrees to meet the original lowest responsible qualified bid.</p> <p>(c) Not later than January 1, 2009, and each January thereafter, the State Contracting Standards Board shall publish a list of states that give preference to in-state bidders with the per cent increase applied in each state. This list will be made available to all state contracting agencies and may be relied upon by such agencies in determining the lowest responsible bidder.</p>		
Delaware	Yes	No	Public works contract #6962-4b. Preference for Delaware Labor for work regarding Public works for the state. Must be bona fide legal citizens of the state.	No	January 2009
Florida	Yes	Yes	Reciprocal law applies to political subdivisions for purchases of personal property. In awarding a contract, the Division of Purchasing or agency may give up to 10% preference to responsive bidder who has certified that the products or materials contain at least the minimum percentage of recycled content and post consumer recovered material; and up to an additional 5% price preference to a responsible bidder who has certified that the products or materials are made or materials recovered in this State.	Yes	March 2003
Georgia	None	Yes	Resident vendors in the State of Georgia are to be granted the same preference over vendors resident	Yes	January 2009

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State	Preference	Reciprocal Law	Scope of Preference & Conditions	Tie Bid Preference	Date Revised
			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. All state agencies are required to apply this reciprocal preference. 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.		
Hawaii	Yes 3% - Class I 5% - Class II 10% - Class III 15% - Printing 10% Software 5% Rehab 5% Recycled 4.5% Tax	Yes	Reciprocal law applies to bidders from states, which apply preferences. Preference shall equal to the preference the out-of-state bidder would receive in own state or shall be in the amount the out-of-state preference exceeds comparable Hawaii preference. Preference applies to State and County levels for commodities produced, manufactured, grown, mined, or excavated in Hawaii. Qualifications are: Class I - 25-50% Hawaii input, Class II - 50-75% Hawaii input, and Class III - 75% or more Hawaii input. 15% preference for in-state printing, binding and stationery work. 10% preference for in-state software development. 5% qualified rehabilitation programs located in Hawaii. 5% recycled products based on recycled content as a percentage to total weight. In state contractor preference. 4.5% tax preference to ensure fair competition for bidders paying the Hawaii general excise and applicable use tax.	Yes	January 2009
Idaho	Yes 10% (printing only)	Yes	Printing preference applies to State and County purchasing. Reciprocal law applies to purchases by State, counties, municipalities, and other political subdivisions for commodities, construction, and services. In tie bid situation, preference shall be given only to products of local and domestic production and manufacture of Idaho domiciled bidders.	Yes	March 2009
Illinois	Yes 10% - coal	Yes	1. In the case of a tie bid between an Illinois vendor and a out-of-state vendor, the Illinois vendor shall be given preference over the out-of - state vendor.	Yes	May 2002

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			<p>2. When a contract is awarded to the lowest responsible bidder, the resident Illinois bidder shall be allowed preference against a non-resident bidder from any state which gives 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 bidder (Reciprocity).</p> <p>3. Preference is given to "Illinois Correctional Industries" and "Illinois Sheltered Workshops for the severely handicapped" for certain designated contracts.</p> <p>4. Preference is given to "Illinois Small Businesses" participating in the Small Business Set-aside Program.</p> <p>Additionally, a 10% preference is given for use of Illinois coal; and there is a preference for products made with steel produced in the United States.</p>		
Indiana	Yes	Yes	<p>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 offeror's home state does not provide a preference to the home state's businesses more favorable than is provided by Indiana to Indiana businesses.</p> <p>All preferences can be viewed in their entirety at http://www.in.gov/legislative/ic_ia/. The statute is IC 5-22-15.</p>	No	December 2007
Iowa	None	Yes	<p>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.</p> <p>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 applied to Iowa businesses and products when businesses or products from that others state are bid to supply Iowa requirements.</p>	N/A	June 2003
Kansas	None	Yes	<p>Reciprocal law applies to State, counties, municipalities, and other political subdivisions for commodities, services, and construction (including highways).</p> <p>Tie bids from in-state and out of state vendors shall be awarded to the in-state vendor.</p>	Yes	January 2009
Kentucky	None	No	<p>Preference is to be given to products made by Kentucky prison industries, industries for the blind and agencies of individuals with severe disabilities. Law applies to all state agencies and political subdivisions.</p>	Yes	January 2009

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State	Preference	Reciprocal Law	Scope of Preference & Conditions	Tie Bid Preference	Date Revised
Louisiana	Varies by category	Yes	<p>10% 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).</p> <ol style="list-style-type: none"> 1. Produce shall be produced in Louisiana and produce products shall be produced and processed in Louisiana. 2. Eggs shall be laid in Louisiana and egg products shall be processed from eggs laid in Louisiana. 3. Meat and Meat products shall be processed in Louisiana from animals which are alive at the time they enter the processing plant. 4. Seafood shall be: <ol style="list-style-type: none"> 1. Harvested in Louisiana seas or other Louisiana waters 2. Harvested by a person who holds a valid appropriate commercial fishing license issued under statute 5. Products produced from such seafood shall be processed in Louisiana. Domesticated catfish shall be processed in Louisiana from animals which were grown in Louisiana. 6. Paper and paper products shall be manufactured or converted in Louisiana. 7. All other agricultural or forestry products shall be produced, manufactured, or processed in Louisiana. <p>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).</p> <p>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 in Louisiana does not exceed the cost of the domesticated or wild catfish which are processed outside of Louisiana by more than 7 % (does not have to lower bid price).</p> <p>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</p>	Yes	January 2009

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			<p>than 7% (does not have to lower bid price).</p> <p>Eggs or crawfish which are processed in Louisiana under the grading service of the Louisiana Department 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%(does not have to lower bid price).</p> <p>Materials, Supplies, products, provisions, or equipment produced, manufactured, or assembled in Louisiana in which the following conditions are met:</p> <ol style="list-style-type: none"> 1. 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). 2. The vendor of such Louisiana item agrees to sell the items at the same prices as the lowest bid offered. <p>The above preference language does not apply to creosote poles or treated wood. (This is new language to allow the vendors to compete across the state borders and not have the reciprocal preference applied against them.</p> <p>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).</p>		
Maine	None	Yes	<p>Title 5 M.R.S.A Statute 1825-B (8-9)</p> <p>8. Tie Bids. 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.</p> <p>9. Determination of best-value bidder. In determining the best-value bidder, the Director of the Bureau of General Services 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 nonresident bidder equal to the percent, if any, of the preference given to that bidder in the state in which the bidder resides.</p>	Yes	February 2009
Maryland	None	Yes	<p>Reciprocal law applies to all State procurement. Boilers must be able to burn Maryland coal. The term "preference" in reciprocal law has been substituted for the term "advantage" to take care of residency or other types of preference. Vendor need not claim preference."Resident bidder" means a bidder whose principal office is located</p>	Yes	January 2001

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State	Preference	Reciprocal Law	Scope of Preference & Conditions	Tie Bid Preference	Date Revised
			in the State.		
Massachusetts	None	No	Mass. General Laws CH. 7, Section 22 (17) states that all things being equal, the state may give a preference to goods and supplies first manufactured and sold in the Commonwealth, and then manufactured and sold domestically. We assign no percent under this statute.	Yes	January 2001
Michigan	None (Except for printing)	Yes	Reciprocal law applies to procurements in excess of \$100,000 only as of October 1, 1988. All printing is set-aside for Michigan printers only.	Yes	January 2009
Minnesota	Yes	Yes	Reciprocal law applies to State level purchases of commodities, services, and construction. All all-terrain vehicles purchased by the commissioner (of natural resources) must be manufactured in the state of Minnesota.	No	January 2009
Mississippi	None	Yes	Reciprocal law applies to State and local government purchases of commodities, services, and construction.	Yes	January 2009
Missouri	None	Yes	Reciprocal law applies to both State and local governments for commodities, services and public works. It is not applied to public works or product transportation where bid is less than \$5,000, nor is it applied for bids with Department of Transportation when federal funds are involved. Tie-bid preference for in-state vendors.	Yes	February 2009
Montana	None	Yes	Reciprocal preference is applied only for supplies, some services and construction contracts equal to other bidder's in-state preference. In case of a tie bid, preference must be given to the bidder, if any, offering American made products or supplies-18-4-303(10)MCA	No	February 2009
Nebraska	None	Yes	Reciprocal law applies to State level purchasing of commodities, services, and construction. A resident bidder shall be allowed a preference against a nonresident 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 nonresident bidders. Where the lowest responsible bid from a resident bidder is equal in all respects to one from a nonresident bidder from a state which has no preference law, the resident bidder shall be awarded the contract.	Yes	January 2009
Nevada	Yes 5% 10%	Yes	NRS 333.336 Inverse preference imposed on certain bidders resident outside state of Nevada. For the purpose of awarding a contract pursuant to this chapter, if a person who submits a bid or proposal: 1. Is a resident of a state other than the State of Nevada; and	Yes	June 2003

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			<p>2. That other state, with respect to contracts awarded by that other state or agencies of that other state, applies to bidders or contractors who are residents of that state a preference which is not afforded to bidders or contractors who are residents of the State of Nevada.</p> <p>The person or entity responsible for awarding the contract pursuant to this chapter shall, insofar as is practicable, increase the person's bid or proposal by an amount that is substantially equivalent to the preference that the other state of which the person is a resident denies to bidders or contractors who are residents of the State of Nevada.</p> <p>5% preference for recycled products, up to 10% preference or recycled products manufactured within the State of Nevada.</p>		
New Hampshire	None	No	None	No	January 2001
New Jersey	None	Yes	<p>Reciprocal law applies to the State purchases 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. The Director shall reasonably apply any reciprocal in-State preference in a similar manner and to similar effect as the State or locality. Where an in-State preference is applied by another State or locality in the form of a percentage which is added to or subtracted from bidders' prices, markups or discounts, the Director shall similarly apply the same percentage against an affected out-of-State bidder. Where an in-State preference is applied by another State or a locality in the form of a categorical rejection of certain bids, the Director shall apply a similar categorical rejection against an affected out-of-State bidder."</p>	No	January 2009
New Mexico	Yes 5%	No	<p>A business must be pre-certified as "resident firm" before being given a preference. The preference applies to State, county and political subdivisions for commodities, services, and construction. A bidder must claim manufacturer preference on bid document. The bidder who offers materials grown, produced, processed or manufactured wholly in New Mexico gets a 5% preference when bidding against any business offering goods not made in New Mexico. All governmental units have a duty to award public works construction contracts to resident contractors whenever practicable, with resident contractors who are pre-certified by the State Purchasing Agent receiving a 5% preference. In accordance with a 1997 law, "resident business" means a New Mexico resident</p>	Yes	May 2002

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			business or a New York state business enterprise." Also, "a New York state business enterprise shall be deemed to be a resident manufacturer solely for the purpose of evaluating the New York state business enterprise's bid against the bid of a resident manufacturer that is not a New York state business enterprise." Total of above preferences does not exceed five percent (5%).		
New York	None (Except for recycled products) 10% - recycled product 5% - secondary materials	Yes	Under the Omnibus Procurement Act of 1992 and Amendments of 1994, (now Section 165.6 a-e of the State Finance Law) the Office of General Services may deny to a vendor placement on bidders mailing lists and award of contracts that 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. 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. Two step policy for recycled products. 10% preference is applied for a recycled content product without regard to the product's origin. An additional 5% 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.	Yes	February 2009
North Carolina	Yes	Yes	(a) Each solicitation document used to obtain contracts for equipment, materials, supplies, and services that exceed twenty-five thousand dollars (\$25,000) in value shall include space for a bidder to give their principal place of business address if it is different than the address given in the execution section of the solicitation document. This shall not prevent the agency that issued the solicitation document from investigating this information and concluding that the principal place of business is different, according to their interpretation of G.S. 143-59(c). (b) A reciprocal preference shall not be used when procurements are being made under G.S 143-53(a)(5) and G.S. 143-59. (c) For the purpose of this section, a bidder and offeror, as well as bid and proposal, are interchangeable.	Yes	March 2009

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North Dakota	None (Except for printing and highway grade stakes)	Yes	Reciprocal law applies to purchases by State, counties, municipalities and other political subdivisions for professional services, commodities, and construction. Vendor need not claim preference. “Where practicable, all state, county, and other political subdivision public printing, binding, and blank book manufacturing, blanks, and other printed stationery, must be done in North Dakota. The Office of Management and Budget or North Dakota Department of Transportation must award contracts for highway grade stakes to work activity centers, unless no work activity center bids on the contract.”	Yes	March 2003
Ohio	Yes 5%	Yes	The preference applies to purchases of supplies, services and spot purchases of printed goods. For major term contracts of printed goods, printing must be completed within the state of Ohio. The preference is not applied toward bidders located in border states provided the border state imposes no greater restrictions toward Ohio bidders. The reciprocal law applies to the state for construction only. Mined products must be mined in Ohio to qualify for preference.	No	January 2009
Oklahoma	None	Yes	None	No	March 2003
Oregon	None Except printing 10%	Yes	All printing is set aside for Oregon printers unless in-state printers are unable to supply, including embossed and digitally produced vehicles license plates. Reciprocal law applies to state and political subdivisions for commodities, services and construction, recycled paper, other recycled products and recycled materials.	Yes	May 2005
Pennsylvania	None Except Pennsylvania coal is mandated for heating State buildings	Yes	Reciprocal law applies to supplies (including printing) for state procurements in excess of \$10,000.00. Pennsylvania resident bidders for state contracts exceeding \$10,000.00 also receive the reciprocal preference. 5% bidding preference for products with recycled content. Pennsylvania's Resident Labor Law for construction contracts was found to be unconstitutional by the United States Court of Appeals, Third Circuit, and it was repealed by Act 58 of 1998.	Yes	January 2009
Rhode Island	None	No	None	Yes	February 2009
South Carolina	Yes 7%	No	7% in-State preference for procurements: Preference request must be claimed at time bid is submitted. This in-state preference does not apply to: 1)Procurement of construction; 2)When price	Yes	May 2002

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			<p>of a single unit involved is more than \$30,000; 3) Requests for proposals; 4) awards less than \$10,000</p> <p>Made In-State/In U.S. Preference: 1) End products made, manufactured or grown in South Carolina shall be procured unless the cost is 7% higher than end products made, manufactured or grown in other U.S. states or foreign countries or territories. 2) If the same or substantially the same end products are not available in South Carolina, end products made in states other than South Carolina shall be procured unless the cost is 2% higher than end products from a foreign country or territory.</p>		
South Dakota	<p>Yes</p> <p>5% - Grade A milk processors only</p>	Yes	<p>5% preference for grade A milk processors. Reciprocal law applies to purchases by State, counties, municipalities and other political subdivisions for commodities, services, and construction. Tie bid goes to resident bidder. 5-23-21.2 of the Statute: Preference for resident bidders.</p> <p>The Bureau of Administration, and each other agency of the state, and each political subdivision of the state shall in every case give preference to any person, firm, or corporation who has his or its principal place of business in the state. However, a resident bidder may be allowed a preference on a contract against the bid of any bidder from any other state which enforces or has a preference for resident bidders. The amount of the preference given to the resident bidder of this state shall be equal to the preference in the other state. Resident bidders of this state shall be given preferences on a contract against the bid of any bidder from any other state which enforces or has a preference for resident bidders in an amount equal to the preference in the other state on contracts involving funds obtained from the federal government unless expressly prohibited by the laws of the United States.</p> <p>Source: SL 1989, ch 58, & 2; SL 1992, Ch 49. 5-23-21.2 of the statute is saying we will give preference to any company whose "principal place of business" is in the state. 5-19-3 of the Statute says we will give preference to a "resident bidder".</p> <p>The difference is that a "resident bidder" in 5-19 can be a company that has its principal place of business outside of South Dakota, but is a registered corporation in South Dakota. If they were in a tie bid situation with a non-resident bidder, they would win the bid based on our resident bidder (tie-bid) preference. In addition, they would be entitled to reciprocal preference against a company not considered a resident</p>	Yes	February 2009

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			bidder, if the other company got a preference in their home state. If a "resident bidder" that did not have its principal place of business in South Dakota was in a tie bid with a company that had its principal place of business in South Dakota, the company with the principal place of business in the state would win.		
Tennessee	None	Yes	Reciprocal law applies only to public construction projects. Low bidder who is resident of a contiguous state to TN which allows a preference to a resident contractor of that state, a like reciprocal preference is allowed to the lowest responsible and responsive bidder on such project who is either a resident of this state or a resident of another state which does NOT allow for a preference to a resident contractor of that state.	Yes	March 2003
Texas	None	Yes	Reciprocal law applies to purchases by State, counties, municipalities and other political subdivisions for commodities, services, and construction. Contracts involving use of federal funds are exempted. 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. 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.	Yes	January 2009
Utah	None	Yes	Reciprocal law applies to State purchases, higher education, and school districts for commodities, services, and construction. 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 an out-of-state vendor is lowest responsive and offers a UT made product, 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.	Yes	February 2009
Vermont	None	No	None. Tie bid preference only.	Yes	January 2009
Virginia	Depending upon out of state bidder's reciprocal preference laws. Yes	Yes	Statute 2.2-1624. Preference for Virginia Products with recycled content and for Virginia firms. A. 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 lot. B. Whenever the lowest responsive and	Yes	February 2009

"SERVICE, QUALITY, INTEGRITY"

State	Preference	Reciprocal Law	Scope of Preference & Conditions	Tie Bid Preference	Date Revised
	<p>10% - recycled product</p> <p>4% - coal</p>		<p>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 bidder is a resident contractor of a state with an 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 posted on this website.</p> <p>C. 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>_____</p> <p>Statute 2.2-4326. Preference for recycled paper and paper products used by state agencies.</p> <p>A. In determining the award of any contract for paper and paper products to be purchased for use by agencies of the Commonwealth, the Department of General Services shall procure using competitive sealed bidding and shall award to the lowest responsible bidder offering recycled paper and paper products of a quality suitable for the purpose intended, so long as the bid price is not more than ten percent greater than the bid price of the low responsive and responsible bidder offering a product that does not qualify under subsection B.</p> <p>B. For purposes of this section, recycled paper and paper products means any paper or paper products meeting the EPA Recommended Content Standards as defined in 40 C.F.R. Part 250.</p> <p>10% is allowed for paper and paper products consisting of 50% secondary waste paper if price for recycled product is not more than 10% above the lowest responsive bid for virgin product. Tie bids will be awarded to bidder whose product contains the greatest amount of recycled content. Code of VA 11.47 et al</p> <p>_____</p> <p>Statute 2.2-4325. Preference for Virginia coal used in state facilities.</p> <p>In determining the award of any contract for coal</p>		

State	Preference	Reciprocal Law	Scope of Preference & Conditions	Tie Bid Preference	Date Revised
			to be purchased for use in state facilities with state funds, the Department of General Services shall procure using competitive sealed bidding and shall award to the lowest responsive and responsible bidder offering coal mined in Virginia so long as its bid price is not more than four percent greater the bid price of the low responsive and responsible bidder offering coal mined elsewhere.		
Washington	Yes	Yes	Reciprocal law applies to State level purchases for commodities and services. Exclusive purchase of goods provided by the Washington Inmate Labor Programs. Refer to RCW 43.19.534; RCW 72.60.160; and RCW 43.19.1932 for more information about this preference.	No	January 2009
West Virginia	Yes Up to 2.5% to 5%	Yes	5% preference for printing, services and all commodities. Reciprocal law applies to construction only. (a) Preference applies to all purchases of commodities and services, excluding construction to individual resident vendor who has resided in West Virginia continuously for 4 years immediately preceding the date for bid submission, or a business entity which has maintained its headquarters or principal place of business within West Virginia continuously for 4 years immediately preceding the date of bid submission, written claim preference is required if vendor's bid does not exceed the lowest qualified bid from a non-resident vendor by more than 2-1/2% of latter bid. (b) Whenever any bidder is a resident of any other state and such state under its laws allows a resident contractor of that state a preference, a like preference may be allowed to the lowest responsible bidder who is a resident of Virginia. (c) Notwithstanding the provisions of subsections A and B, in the case of a tie bid in instances where 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. Recycled paper & paper products when (B) above do not apply.	No	January 2001
Wisconsin	None	Yes	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, making purchases under s.16.74 shall nation or subdivision in making governmental purchases, the department and any agency that give a preference over vendor to	No	January 2009

“SERVICE, QUALITY, INTEGRITY”

State	Preference	Reciprocal Law	Scope of Preference & Conditions	Tie Bid Preference	Date Revised
			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.		
Wyoming	Yes 5% construction and commodities; 10% on printing	No	Preference of up to 5% applies to State and political subdivisions for all commodities manufactured or produced in Wyoming or supplied by a Wyoming resident capable of serving the same. For construction, 5% preference is granted if not more than 20% is subcontracted to out-of-state firms. For printing, 10% preference is granted if 75% of the work is done in-state.	Yes	February 2009