

Introduced by the Council President at the request of the Mayor and amended by the Rules Committee:

ORDINANCE 2025-10-E

AN ORDINANCE AMENDING SECTION 126.112 (INTEGRITY IN PUBLIC CONTRACTING - CITY OFFICERS AND EMPLOYEES), SUBPART B (ETHICS AND TRANSPARENCY IN PUBLIC CONTRACTING), PART 1 (GENERAL REGULATIONS; ETHICS AND TRANSPARENCY IN PUBLIC CONTRACTING), CHAPTER 126 (PROCUREMENT CODE), *ORDINANCE CODE*, TO ALLOW FOR WAIVERS AND EXEMPTIONS PERMITTED UNDER FLORIDA LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the new Jacksonville Procurement Code, adopted per Ordinance 2023-20-E, went into full effect on July 1, 2024; and

WHEREAS, the new Jacksonville Procurement Code inadvertently includes conflicting provisions in Sections 126.112(a)(1) and (a)(3) related to ethics disclosures and prohibited purchases, and clarification to Section 126.112(a)(3) is necessary to bring the Sections into harmony as intended by City Council in the original bill; and

WHEREAS, this Ordinance is enacted in order to resolve the conflict; now therefore

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Recitals. The recitals above are true and correct and incorporated herein by this reference.

Section 2. Amending Section 126.112 (Integrity in public

contracting - City officers and employees), Subpart B (Ethics and Transparency in Public Contracting) Part 1 (General Regulations; Ethics and Transparency in Public Contracting), Chapter 126 (Procurement Code), Ordinance Code. Section 126.112 (Integrity in public contracting - City officers and employees), Subpart B (Ethics and Transparency in Public Contracting) Part 1 (General Regulations; Ethics and Transparency in Public Contracting), Chapter 126 (Procurement Code), Ordinance Code, is hereby amended as follows:

CHAPTER 126 - PROCUREMENT CODE

PART 1. - GENERAL REGULATIONS; ETHICS AND TRANSPARENCY IN PUBLIC CONTRACTING

*** * ***

SUBPART B. - ETHICS AND TRANSPARENCY IN PUBLIC CONTRACTING

*** * ***

Sec. 126.112. -Integrity in public contracting - City officers and employees.

(a) *Public official bid and contract disclosure and prohibition; prohibition of purchases from Public Officers or Employees.*

(1) *Required disclosure.* A public official who knows that he or she has a financial interest in a bid or contract shall make disclosure in writing to the Division or using agency, whichever is receiving or has received the bid or contract, (i) at the time that the bid or contract is submitted or subsequently no later than the close of the second full, regular work day after the bid or contract is submitted (not including the day that the bid is submitted or any Saturday, Sunday or City holiday), or (ii) prior to or at the time that the public official acquires a financial interest in the bid or contract and such

disclosure shall include but not be limited to the following: the bid number, the name of the public official and his or her public office or position, the name and address of the business entity in which the public official has a financial interest, and the position or relationship of the public official with that business entity.

(2) *Class D offense.* It shall be unlawful and a class D offense for a public official to fail or refuse to make the disclosure required in subsection (1) of this Section.

(3) *Prohibited purchases from officers or employees.* ~~Notwithstanding any waivers or exemptions permitted under Florida law,~~ The purchase of supplies, contractual services or capital improvements shall not be made from a person who is an officer or employee subject to F.S. Ch. 112, Pt. III or any business entity in which any officer or employee has a material ~~private financial~~ interest, ~~direct or indirect,~~ within the meaning of F.S. Ch. 112, Pt. III, unless otherwise authorized by Chapter 112, Florida Statutes, including any applicable waiver or exemption permitted.

* * *

Section 3. Severability. If any part, section, subsection or other portion of this Ordinance or any application thereof to any person or circumstances is declared to be void, unconstitutional or invalid for any reason, such part, section, subsection or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this ordinance and all applications thereof not having been declared void, unconstitutional or invalid

1 shall remain in full force and effect. The Council declares that no
2 invalid or proscribed provision of application was an inducement to
3 the enactment of this Ordinance and that it would have enacted this
4 ordinance regardless of the invalid or proscribed provision or
5 application.

6 **Section 4. Codification Instructions.** The Codifier and the
7 Office of General Counsel are authorized to make all chapter and
8 division "table of contents" consistent with the changes set forth
9 herein. Such editorial changes and any other changes necessary to
10 make the Ordinance Code consistent with the intent of this legislation
11 are approved and directed herein, and the changes to the Ordinance
12 Code shall be made forthwith and when inconsistencies are discovered.

13 **Section 5. Effective Date.** This Ordinance shall become
14 effective upon signature by the Mayor or upon becoming effective
15 without the Mayor's signature.

16
17 Form Approved:

18
19 /s/ Mary E. Staffopoulos

20 Office of General Counsel

21 Legislation Prepared By: Dylan Reingold

22 GC-#1670944-v1-2025-10-E.docx