

1 Introduced by the Jacksonville Small and Emerging Business (JSEB)
2 Special Committee (Council Members Arias and Amaro):
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5 **ORDINANCE 2024-437**

6 AN ORDINANCE AMENDING SECTION 126.608 (CREATION
7 OF BOND ENHANCEMENT PROGRAM), SUBPART C (PROGRAM
8 SUPPORT SERVICES; MARKETING OUTREACH; DISPARITY
9 STUDY UPDATE), PART 6 (JACKSONVILLE SMALL AND
10 EMERGING BUSINESS PROGRAM), CHAPTER 126
11 (PROCUREMENT CODE), *ORDINANCE CODE*, TO REMOVE
12 REQUIREMENT OF BOND ENHANCEMENT PROGRAMS;
13 AMENDING SECTION 126.614 (JSEB AND PROGRAM
14 ELIGIBILITY), SUBPART D (PROGRAM ELIGIBILITY
15 PROCEDURES, AND OTHER REQUIREMENTS) PART 6
16 (JACKSONVILLE SMALL AND EMERGING BUSINESS
17 PROGRAM), CHAPTER 126 (PROCUREMENT CODE),
18 *ORDINANCE CODE*, TO REQUIRE RE-CERTIFICATION
19 EVERY 36 MONTHS INSTEAD OF EVERY 24 MONTHS;
20 AMENDING SECTION 126.620 (CONTINUING
21 OBLIGATIONS OF JSEBS AND GRADUATION), SUBPART D
22 (PROGRAM ELIGIBILITY PROCEDURES, AND OTHER
23 REQUIREMENTS) PART 6 (JACKSONVILLE SMALL AND
24 EMERGING BUSINESS PROGRAM), CHAPTER 126
25 (PROCUREMENT CODE), *ORDINANCE CODE*, TO REMOVE
26 MANDATORY GRADUATION AT NINE YEARS, STRONGLY
27 ENCOURAGING MENTORSHIP PARTICIPATION, AND
28 EXTENDING MANDATORY GRADUATION TO FIFTEEN YEARS;
29 PROVIDING FOR CODIFICATION INSTRUCTIONS;
30 PROVIDING AN EFFECTIVE DATE.
31

1 **WHEREAS**, the City of Jacksonville ("City") determined in 2004
2 that growing Jacksonville small and emerging businesses ("JSEBs") was
3 beneficial to the City and its individual residents; and

4 **WHEREAS**, to that end, the City devised the Jacksonville Small
5 Emerging Business Program (the "Program") to address several concerns
6 that were found to impede the growth of small businesses, including
7 bonding issues, access to capital, training, city procurement
8 barriers, and lack of resources for growth; and

9 **WHEREAS**, a Special Committee on the Jacksonville Small &
10 Emerging Business ("Special Committee") was established on January
11 5, 2024, to review the Program and make improvements and
12 recommendations to the Program based on feedback from various Program
13 participants, City staff, and community stakeholders; and

14 **WHEREAS**, the Special Committee held multiple meetings and heard
15 from various guest speakers and presenters, including JSEB vendors,
16 and other stakeholders, interested parties, and the public; and

17 **WHEREAS**, based on the Special Committee's review of the Program,
18 the City desires to further improve certain aspects of the Program
19 to better assist JSEBs in achieving their individual and collective
20 goals and to promote continued participation in the Program, ensuring
21 continuity and mentorships within the Program; now therefore

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

23 **Section 1. Amending Section 126.608 (Creation of Bond**
24 **Enhancement Program), Subpart C (Program Support Services; Marketing**
25 **Outreach; Disparity Study Update), Part 6 (Jacksonville Small and**
26 **Emerging Business Program), Chapter 126 (Procurement Code), Ordinance**
27 **Code.** Section 126.608 (Creation of Bond Enhancement Program), Subpart
28 C (Program Support Services; Marketing Outreach; Disparity Study
29 Update), Part 6 (Jacksonville Small and Emerging Business Program),
30 Chapter 126 (Procurement Code), *Ordinance Code*, is hereby amended to
31 read as follows:

1 126.614 (JSEB and Program eligibility), Part 6 (Jacksonville Small
2 and Emerging Business Program), Chapter 126 (Procurement Code),
3 *Ordinance Code*, is hereby amended to read as follows:

4 **CHAPTER 126 - PROCUREMENT CODE**

5 * * *

6 **PART 6. - JACKSONVILLE SMALL AND EMERGING BUSINESS PROGRAM**

7 * * *

8 **SUBPART D. - PROGRAM ELIGIBILITY, PROCEDURES, AND OTHER**
9 **REQUIREMENTS**

10 * * *

11 **Sec. 126.614. - JSEB and Program eligibility.**

- 12 (a) Only businesses that meet the criteria of the Program may be
13 certified for participation in the Program. The applicant has
14 the burden of persuasion.
- 15 (b) The certification status of all JSEBs shall be reviewed every
16 36 ~~24~~ months from the date of initial certification through
17 a re-certification application. Failure of the firm to see
18 re-certification by filing the necessary documentation with
19 the Equal Business Opportunity Office within 60 days from
20 the date of receipt of written notification from the Equal
21 Business Opportunity Office may result in de-certification.
- 22 (c) It is the responsibility of the JSEB to notify the JSEB
23 Administrator of any change in its circumstances affecting
24 its continued eligibility for the Program. Failure to do so
25 may result in the firm's de-certification.
- 26 (d) The JSEB Administrator shall decertify a firm that does not
27 meet the eligibility criteria.
- 28 (e) A JSEB may receive no more than five prime contracts set
29 aside, including prime contracts from participation goals,
30 per year or an aggregate total prime contracts set aside per
31 year in the amount of \$4,000,000, whichever is greater.

1 (f) Joint ventures between JSEBs and non-JSEBs are not eligible
2 for the Program, unless they provide structured, detailed,
3 mentoring opportunities, proof of which shall be provided to
4 the JSEB Administrator.

5 **Section 3. Amending Section 126.620 (Continuing**
6 **obligations of JSEBs and graduation), Subpart D (Program Eligibility,**
7 **Procedures, and Other Requirements), Part 6 (Jacksonville Small and**
8 **Emerging Business Program), Chapter 126 (Procurement Code), Ordinance**
9 **Code.** Section 126.620 (Continuing obligations of JSEBs and
10 graduation), Subpart D (Program Eligibility, Procedures, and Other
11 Requirements, Part 6 (Jacksonville Small and Emerging Business
12 Program), Chapter 126 (Procurement Code), *Ordinance Code*, is hereby
13 amended to read as follows:

14 **Sec. 126.620. - Continuing obligations of JSEBs and graduation.**

15 A JSEB shall apply for re-certification every 36 24 months from
16 the date of initial certification through a re-certification
17 application developed by the JSEB Administrator. Failure of the firm
18 to seek re-certification by filing the necessary documentation with
19 the Equal Business Opportunity Office within 60 days from the date
20 of receipt of written notification from the Equal Business Opportunity
21 Office may result in de-certification.

22 (a) It is the responsibility of the JSEB to notify the Equal
23 Opportunity Office of any changes in its circumstances
24 affecting its continued eligibility for the Program. Failure
25 to do so may result in the firm's decertification and
26 preclusion from future participation.

27 (b) The JSEB that no longer meets certification may be decertified
28 at any time.

29 (c) A firm, or qualifying individuals, who have participated in
30 the JSEB program for a total of nine years from the date of
31 the JSEB's first contract as a prime contractor of the City

1 or as a subcontractor retained by a prime contractor of the
2 City, whichever is earlier, may earn the designation JSEB
3 Prime Member and are strongly encouraged to serve as mentors
4 to other participants in the Program shall graduate from the
5 Program.

6 (d) A firm, or qualifying individuals, who have participated in
7 the JSEB program for a total of fifteen years from the date
8 of the JSEB's first contract as a Prime Contractor of the
9 City or as a subcontractor retained by a prime contractor of
10 the City, whichever is earlier, and subject to the extensions
11 for good cause provided in Section 126.613, shall graduate
12 from the Program.

13 **Section 4. Codification Instructions.** The Codifier and the
14 Office of General Counsel are authorized to make all chapter and
15 division "tables of contents" consistent with the changes set forth
16 herein. Such editorial changes and any other necessary to make the
17 *Ordinance Code* consistent with the intent of this legislation are
18 approved and directed herein, and changes to the *Ordinance Code* shall
19 be made forthwith and when inconsistencies are discovered.

20 **Section 5. Effective Date.** This Ordinance shall become
21 effective upon signature by the Mayor or upon becoming effective
22 without the Mayor's signature.

23 Form Approved:

24
25 /s/Shannon MacGillis

26 Office of General Counsel

27 Legislation Prepared By: Shannon MacGillis

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