

Introduced by Council Members Arias, Johnson and Amaro and  
Co-Sponsored by Council Member Freeman and amended by the  
Neighborhoods, Community Services, Public Health and Safety  
Committee:

**ORDINANCE 2025-411-E**

AN ORDINANCE REGARDING THE JACKSONVILLE SMALL  
AND EMERGING BUSINESS ("JSEB") PROGRAM; AMENDING  
SECTION 26.205 (OFFICE OF EQUAL BUSINESS  
OPPORTUNITY - BUSINESS COMPLIANCE), PART 2  
(FUNCTIONS AND ACTIVITIES), CHAPTER 26 (ECONOMIC  
DEVELOPMENT), *ORDINANCE CODE*, TO CLARIFY DUTIES  
OF THE OFFICE OF EQUAL BUSINESS OPPORTUNITY -  
BUSINESS COMPLIANCE AND REMOVE CONFLICTS WITH  
CHAPTER 126; AMENDING PART 6 (JACKSONVILLE SMALL  
AND EMERGING BUSINESS PROGRAM), CHAPTER 126  
(PROCUREMENT CODE), *ORDINANCE CODE*, TO CLARIFY  
DUTIES OF THE JSEB ADMINISTRATOR, INCREASE JSEB  
PROGRAM MINIMUM FUNDING TO \$750,000 SUBJECT TO  
THE AVAILABILITY OF FUNDING, CLARIFY REPORTING  
REQUIREMENTS, CLARIFY PARAMETERS OF  
MICRO-BUSINESS PROGRAM, AND CREATE A PRIME  
MENTOR STATUS PROVIDING FOR UP TO 9 ADDITIONAL  
YEARS IN THE PROGRAM AS MENTORS; PROVIDING FOR  
CODIFICATION INSTRUCTIONS; PROVIDING AN  
EFFECTIVE DATE.

**WHEREAS,** the City of Jacksonville ("City") determined in 2004  
that growing Jacksonville Small and Emerging Businesses ("JSEBs") was  
beneficial to the City and its individual residents; and

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

6       **WHEREAS**, the City desires to further improve certain aspects  
7 of the Program to better assist JSEBs, for-profit and non-profit  
8 alike, in achieving their individual and collective goals and to  
9 promote continued participation in the Program, ensuring continuity  
10 and mentorships within the Program; and

11       **WHEREAS**, a Special Committee on the Jacksonville Small &  
12 Emerging Business ("Special Committee") was established on March 17,  
13 2025, to review the Program and make improvements and recommendations  
14 to the Program based on feedback from various Program participants,  
15 City staff, and community stakeholders; and

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

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

25       **WHEREAS**, a copy of the Special Committee's Final Report is  
26 attached hereto as **Exhibit 1**; and

27       **WHEREAS**, Ordinance 2024-175-E approved a reorganization of the  
28 Executive Branch of City government, which included moving the Office  
29 of Equal Business Opportunity - Business Compliance ("EBO Office"),  
30 which oversees the JSEB Program, from the Procurement Division to the  
31 Office of Economic Development; however the EBO Office duties as

articulated in Section 26.205, *Ordinance Code*, conflict with provisions of Chapter 126, Part 6, *Ordinance Code*, requiring clarification; now therefore

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

**Section 1. Amending Section 26.205 (Office of Equal Business Opportunity - Business Compliance), Part 2 (Functions and Activities), Chapter 26 (Economic Development), Ordinance Code.**

Section 26.205 (Office of Equal Business Opportunity - Business Compliance), Part 2 (Functions and Activities), Chapter 26 (Economic Development), *Ordinance Code*, is hereby amended to read as follows:

**CHAPTER 26 - ECONOMIC DEVELOPMENT**

**\* \* \***

**PART 2. - FUNCTIONS AND ACTIVITIES**

**\* \* \***

**Sec. 26.205. - Office of Equal Business Opportunity - Business Compliance.**

There is created as a function in OED the Office of Equal Business Opportunity - Business Compliance. The Office of Equal Business Opportunity - Business Compliance ("EBO Office") ~~shall have the responsibilities set forth below and~~ shall be managed by the ~~JSEB ("Jacksonville Small and Emerging Business")~~ Administrator, ~~who shall be responsible for managing the JSEB Program,~~ described in Chapter 126, Part 6. All ~~employees within~~ The the EBO Office shall be responsible for deployment and administration of Chapter 126, Part 6, and in addition shall:

~~(a) Process certification applications;~~

~~(b) Coordinate with the Chief of Procurement in implementing participation JSEB goals on a project by project basis;~~

~~(c) Monitor City projects for compliance with the requirements of Chapter 126 of the Code; and~~

~~(d) Report on the expenditure of City funds paid to certified~~

~~companies to the City Council Finance Committee semi-annually, with the first report to include the first six months of the fiscal year due by May 15 and the second report to include the full fiscal year's activity due by November 30;~~

~~(e) Assist in the resolution of disputes between City vendors regarding issues of payment, performance and overall contract compliance;~~

~~(f) Provide support services to assist JSEBs in their efforts to secure training, bonding and access to capital pursuant to Chapter 126, Part 6 of the Code;~~

(b) ~~(g)~~ Provide annual training, in consultation with the Chief of Procurement, to department heads and division chiefs, or their designees, and applicable staff of City boards and commissions regarding compliance with ~~pursuant to~~ Chapter 126, Part 6 of the Code. ~~;~~ and

~~(h) Perform the various duties defined in and/or required by Part 6, Chapter 126 of the Code.~~

**Section 2. Amending Part 6 (Jacksonville Small and Emerging Business Program), Chapter 126 (Procurement Code), Ordinance Code.**  
Part 6 (Jacksonville Small and Emerging Business Program), Chapter 126 (Procurement Code), *Ordinance Code*, is hereby amended to read as follows:

**CHAPTER 126 - PROCUREMENT CODE**

**\* \* \***

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

**SUBPART A. - GENERAL PROVISIONS**

**\* \* \***

**Sec. 126.604. - Definitions.**

The following words and phrases as used in this Part shall have the following meaning:

*Direct contracting* shall mean any contract between the City and

1 a JSEB that has been awarded to a JSEB as a prime contractor  
2 pursuant to Chapter 126 of the Code.

3 *EBO Office* shall mean the Office of Equal Business Opportunity  
4 - Business Compliance ~~Equal Business Opportunity Office~~  
5 established pursuant to Chapter ~~26~~ 24, Part ~~2~~ 6 of the Code.

6 *Front, broker, or pass-through* shall mean a JSEB that is not  
7 registered as a supplier or distributor through the Florida  
8 Department of Revenue, or a JSEB subcontractor who does not  
9 self-perform 100 percent of the subcontractor work pursuant to  
10 the Schedule of Participation, or a JSEB prime contractor who  
11 does not self-perform at least 40 percent of the work for the  
12 project.

13 *JSEB* shall mean ~~a person or~~ an entity certified as a  
14 "Jacksonville Small and Emerging Business" pursuant to the  
15 requirements set forth in Subpart D of this Part 6. Unless  
16 otherwise specified, the term *JSEB* includes both for-profit  
17 businesses and non-profit businesses.

18 *JSEB Administrator* shall mean as described in Section 126.606  
19 herein. ~~the individual responsible for administering and~~  
20 ~~managing the JSEB Program pursuant to Chapter 26, Part 2 of the~~  
21 ~~Code.~~

22 *Micro-business JSEB* shall mean as described in Section 126.615  
23 herein. ~~a JSEB having annual gross revenue, averaged over the~~  
24 ~~immediately preceding three year period, not exceeding~~  
25 ~~\$3,000,000 as to a for-profit business.~~

26 *Program* shall mean the Jacksonville Small and Emerging Business  
27 Program set forth in this Part 6.

28 *Project Specific Goals* shall mean specific JSEB subcontractor  
29 participation goals, as set by the JSEB Administrator and Chief  
30 of Procurement, that a prime contractor must adhere to in a City  
31 awarded contract.

*Program Goals* shall mean the goals for the Program set forth in Subpart D herein.

*Schedule of Participation* shall mean the bidder/proposer's detailed list of all JSEB and non-JSEB subcontractors from which the bidder/proposer solicited bids or quotations in accordance with Section 126.616 herein.

**Sec. 126.605. - Minimum Program Funding Requirement.**

Subject to availability of funding, the Program, as provided for in this Part, shall be funded at a minimum of \$750,000 ~~\$500,000~~, excluding staff, in the annual budget appropriation. A minimum of \$200,000 of such \$750,000 ~~\$500,000~~ minimum funding requirement shall be used to fund the training programs, community outreach and program marketing set forth in Section 126.610 herein.

**SUBPART B. - PROGRAM ADMINISTRATION**

**Sec. 126.606. - JSEB Administrator.**

(a) *Responsibilities.* The JSEB Administrator shall administer and manage the Program, including:

\* \* \*

(10) Posting all contracting opportunities on the EBO ~~Equal Business Opportunity~~ Office website under "JSEB Program";

(11) Identifying each ~~all~~ JSEBs on the EBO ~~Equal Business Opportunity~~ Office website within three business days of certification;

(12) Advertising all pre-bid conferences in applicable JSEB newspapers, direct-mail or e-mail notices to JSEBs, as appropriate, and otherwise seek to increase the interest of all JSEBs certified in the scopes of work of the contract;

(13) Providing interested JSEBs with timely, adequate information about the plans, specifications and

requirements of the contract to allow them to respond to the solicitation either directly or by referral to the City department seeking the procurement;

(14) Maintaining a list of JSEBs and posting such list on the EBO ~~Equal Business Opportunity~~ Office website;

(15) Adjusting the annual averaged gross receipts for good cause shown, subject to the appeals procedure set forth in Section 126.621 herein;

(16) Performing onsite inspections of the JSEB local offices and business locations; ~~and~~

(17) Facilitating and coordinating all aspects of the Program so as to provide Program participants and prospective participants with a primary Program contact; and -

(18) Reporting on the expenditure of City funds paid to certified companies to the City Council Finance Committee semi-annually, with the first report to include the first six months of the fiscal year due by May 15 and the second report to include the full fiscal year's activity due by November 30; such report shall include the number of contracts awarded to JSEBs compared to the total number of contracts awarded by City annually, either directly or as subcontractors, and the dollar-amount of contracts awarded to JSEBs compared to the total dollar-amount of contracts awarded by City annually.

(b) *Department Training.* Each City department, office or board shall identify to the JSEB Administrator the person with the

responsibility of ensuring JSEB participation in such department, office or board. Such person shall prepare quarterly reports to the JSEB Administrator identifying for the three month quarter period the extent of non-JSEB and JSEB participation, including the number and dollar value of contracts awarded to JSEBs and City funds actually disbursed to JSEBs, either directly or as subcontractors, in any procurement within its department, office or board.

(c) *Courtesy Application Reviews and Meeting Conferences.* The JSEB Administrator, or ~~his~~ designee, shall provide courtesy reviews of a small business's JSEB application to confirm whether the application has complied with the requirements of this Part. The JSEB Administrator may conduct such courtesy reviews in person or electronically with the small business upon request and appointments shall be scheduled on a first come, first serve basis as time allows. Additionally, the JSEB Administrator, or ~~his~~ designee, may meet with prospective JSEBs interested in the Program to provide information regarding the Program's support and outreach services available to JSEBs as set forth in this Part.

\* \* \*

**SUBPART C. - PROGRAM SUPPORT SERVICES; MARKETING AND OUTREACH;  
DISPARITY STUDY UPDATE**

\* \* \*

**Sec. 126.609. - Access to capital.**

\* \* \*

(c) The JSEB Administrator, on a quarterly basis, shall provide a report on the activity in the AC Program for the preceding three-month period. Such reports will be posted on the EBO ~~Equal Business Opportunity~~ Office website and the JSEB website.

\* \* \*

(e) The JSEB Administrator shall provide a quarterly activity



1 report for the preceding three months to the JSEB Monitoring Committee  
2 for its use in complying with the reporting requirements pursuant  
3 to Section 126.607 herein. Such reports will be posted on the EBO  
4 ~~Equal Business Opportunity~~ Office website and the JSEB website.

5 **Sec. 126.610. - Training programs; program marketing; community**  
6 **outreach.**

7 \* \* \*

8 (b) *Program marketing and community outreach.* The EBO  
9 ~~Equal Business Opportunity~~ Office shall be responsible for developing  
10 and implementing marketing campaigns, recruitment activities, and  
11 scholarship programs to increase the number of JSEBs in the Program.  
12 Any funds appropriated for such activities shall be inclusive of  
13 scholarships. The EBO ~~Equal Business Opportunity~~ Office shall also  
14 engage in community outreach by hosting small business program  
15 workshops regarding the Program and the support services available  
16 to prospective JSEBs. Additionally, the EBO  
17 ~~Equal Business Opportunity~~ Office shall survey JSEBs every two years  
18 on a survey form approved by the JSEB Monitoring Committee to  
19 ascertain what education, training and mentoring programs JSEBs need  
20 most. The EBO ~~Equal Business Opportunity~~ Office shall consider such  
21 survey results in determining which education, training, and  
22 mentoring programs to pursue under this Section.

23 **Sec. 126.611. - Insurance program review.**

24 The City's Risk Manager shall prepare a report on available  
25 insurance programs for Florida small businesses and make  
26 recommendations regarding methods or programs to assist JSEBs in  
27 obtaining requisite insurance. Said report shall be prepared and  
28 submitted every six months to the JSEB Administrator. The JSEB  
29 Administrator and the City's Risk Manager shall meet quarterly  
30 regarding available insurance programs. The JSEB Administrator shall  
31 publish a copy of the report on the EBO

~~Equal Business Opportunity~~ Office website.

\* \* \*

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

\* \* \*

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

\* \* \*

(b) The certification status of all JSEBs shall be reviewed every 36 months from the date of initial certification through a re-certification application. Failure of the business to seek re-certification by filing the necessary documentation with the EBO ~~Equal Business Opportunity~~ Office within 60 days from the date of receipt of written notification from the EBO ~~Equal Business Opportunity~~ Office may result in de-certification.

\* \* \*

**Sec. 126.615. - Jacksonville Small and Emerging Business Program Goals; ~~Other~~ Program Directives; Micro-business Program.**

\* \* \*

(b) *Department Program commitments; training.* The City, through each department head, shall commit in its budget to award at least 20 percent of its contracts for services, including contractual services, professional services, professional design services, construction services or other services, to JSEBs, provided, however, that such awards shall comply with local, State, and federal law and that there exist JSEBs to perform the work. To assist the City in implementing the Program requirements of this Part, the EBO ~~Equal Business Opportunity~~ Office, through the JSEB Administrator and in consultation with the Chief of Procurement shall provide annual training to department heads and division chiefs, or their designees, and applicable staff of City boards and commissions regarding the JSEB program and the requirements set forth in this Part.

\* \* \*

(f) *Micro-business program.* The JSEB Administrator ~~in consultation with the Chief~~ shall be responsible for developing and implementing a micro-business program. The purpose of the micro-business program shall be to ensure that a micro-business JSEB ~~(as defined in Subpart A of this Chapter)~~ has an adequate share of direct contracting and subcontracting opportunities in the Program. To qualify as a micro-business, a for-profit JSEB shall have an annual gross revenue, averaged over the immediately preceding three-year period, not exceeding \$3,000,000. Such program may include participation requirements based on tiered levels of annual averaged gross revenue, ~~not to exceed the annual averaged gross revenue amount set forth in Section 126.613 herein.~~ The JSEB Administrator shall promulgate rules and guidelines regarding such program without further Council approval.

\* \* \*

**Sec. 126.618. - Good faith efforts in lieu of meeting Program goals.**

For a contract with JSEB subcontracting goals, a contractor must comply by either meeting the goal or demonstrating Good Faith Efforts to achieve it that are consistent with the requirements set forth in this Part. In determining whether a bidder/proposer has made Good Faith Efforts, in lieu of achieving the stated goals, the JSEB Administrator shall consider all relevant factors, which include:

(a) The ability of other bidders/proposers in meeting the Project Specific Goal(s) may be considered as follows:

- (1) A contact log showing the name, address, and contact number (phone or fax) used to contact the proposed JSEB certified in the scope of work, nature of work requested for quote, date of contact, person making the effort;
- (2) The description of work for which a quote was requested;

- (3) The amount of the quote given, if one was obtained;
- (4) The list of divisions of work not subcontracted and an explanation why not; and
- (5) Subcontractor information as requested by forms developed by the EBO ~~Equal—Business Opportunity~~ Office.

\* \* \*

**Sec. 126.620. - Continuing obligations of JSEBs, and graduation, JSEB Prime Members and Prime Mentors.**

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

(a) It is the responsibility of the JSEB to notify the EBO ~~Equal Business Opportunity~~ of any changes in its circumstances affecting its continued eligibility for the Program. Failure to do so may result in the JSEB's decertification and preclusion from future participation.

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

(c) JSEBs that have participated in the JSEB program for a total of nine years from the date of the JSEB's first contract as a prime contractor of the City or as a subcontractor retained by a prime contractor of the City, whichever is earlier, may earn the designation JSEB Prime Member and are strongly encouraged to serve as mentors to other participants in the Program.

(d) JSEBs that have participated in the JSEB program for a total of 15 years from the date of the JSEB's first contract as a prime

1 contractor of the City or as a subcontractor retained by a prime  
2 contractor of the City, whichever is earlier, and subject to the  
3 extensions for good cause provided in Section 126.613, shall graduate  
4 from the Program. However, a JSEB Prime Member that serves as a mentor  
5 to other Program participants for at least two (2) consecutive years  
6 immediately prior to reaching the 15-year participation limit shall  
7 be eligible for an additional term of up to nine (9) years in the  
8 Program, designated as a "Prime Mentor." To remain eligible, a Prime  
9 Mentor must maintain Program eligibility as described in this Part  
10 and actively continue to mentor JSEB participants during the extended  
11 term. Prime Mentors are not eligible for contracts set aside including  
12 contracts from participation goals whether as prime contractor or  
13 subcontractor.

14 **Section 3. Codification Instructions.** The Codifier and the  
15 Office of General Counsel are authorized to make all chapter and  
16 division "tables of contents" consistent with the changes set forth  
17 herein. Such editorial changes and any other necessary changes to  
18 make the *Ordinance Code* consistent with the intent of this legislation  
19 are approved and directed herein, and changes to the *Ordinance Code*  
20 shall be made forthwith and when inconsistencies are discovered.

21 **Section 4. Effective Date.** This Ordinance shall become  
22 effective upon signature by the Mayor or upon becoming effective  
23 without the Mayor's signature.

24  
25 Form Approved:

26  
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Shannon M<sup>a</sup>cGillis

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