

Introduced by the Council President at the request of the Mayor and
Co-Sponsored by Council Members Carlucci, Pittman and Johnson and
amended by the Finance Committee:

ORDINANCE 2025-285-E

AN ORDINANCE AMENDING SECTION 118.107
(NONPROFITS TO RECEIVE FUNDING THROUGH A
COMPETITIVE EVALUATED AWARD PROCESS), PART 1
(GENERAL PROVISIONS), CHAPTER 118 (CITY GRANTS),
ORDINANCE CODE, TO ESTABLISH WAIVER AND
DISCLOSURE REQUIREMENTS; PROVIDING THE FORM OF
THE AFFIDAVIT TO BE FILED BY NONPROFITS PURSUANT
TO THE PROCEDURES OUTLINED HEREIN; PROVIDING FOR
CODIFICATION INSTRUCTIONS; PROVIDING AN
EFFECTIVE DATE.

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

**Section 1. Amending Section 118.107 (Nonprofits to receive
funding through a competitive evaluated award process; waiver and
disclosures), Part 1 (General Provisions), Chapter 118 (City Grants),
Ordinance Code. Section 118.107 (Nonprofits to receive funding
through a competitive evaluated award process; waiver and
disclosures), Part 1 (General Provisions), Chapter 118 (City Grants),
Ordinance Code, is hereby amended to read as follows:**

CHAPTER 118 - CITY GRANTS

PART 1. - GENERAL PROVISIONS

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**Sec. 118.107. - Nonprofits to receive funding through a competitive
evaluated award process; waiver and disclosures.**

(a) Except as provided for in Section 118.106 above, all City

funds appropriated to nonprofit organizations shall be subject to a competitive evaluated award process under Chapters 118 or 126, Ordinance Code, as applicable. A "competitive evaluated award process" means that funding shall be competitively procured under the procedures set forth in Parts 6 or 8, Chapter 118, or Part 3, Chapter 126, Ordinance Code, via an evaluated bid process as outlined therein. This provision is specifically not intended to prevent the use of Section ~~126.107~~ 126.108 (a), (b), (c), (d), (e), (f), (h), (i), (j), (k), or (l), Ordinance Code ~~or (h), Ordinance Code, or single source procurement or noncompetitive purchases under Sections 126.206 and 126.312, Ordinance Code. However, the use of Section 126.107(g), Ordinance Code, to direct contract with nonprofits would require a waiver of this Section 118.107 with a detailed explanation as to why the direct contract with the nonprofit is necessary.~~

(b) Any waiver of subsection (a) above shall require:

- (1) a detailed explanation as to why the direct contract with the nonprofit is necessary,
- (2) filing by the nonprofit of an affidavit, in a form approved by the Office of General Counsel, that indicates whether the Mayor, an appointed Department Director or Officer/Manager overseeing an Office of the Executive Branch, all personnel within the Office of the Mayor, with the exception of administrative support personnel, or a Council Member, or the spouse or children of the Mayor, an appointed Department Director or Officer/Manager overseeing an Office of the Executive Branch, all personnel within the Office of the Mayor, with the exception of administrative

1 support personnel, or a Council Member, is or is not
2 employed by the nonprofit organization or serves on
3 the nonprofit Board of Directors, prior to filing of
4 any legislation. Failure to submit an accurate
5 affidavit shall cause the award to be voidable by the
6 City. The affidavit shall be attached as an Exhibit
7 to the filed legislation.

8 (3) If the only connection listed in the affidavit is
9 non-paid service on the Board of Directors of the
10 nonprofit organization, the legislation can be filed
11 without a solicitation of additional suppliers as set
12 forth below.

13 (4) If a connection in subsection (2) above is listed,
14 subject to the exception outlined in subsection (3)
15 above, prior to filing, the bill introducer, or the
16 Mayor's Office if the bill is filed by the Council
17 President on behalf of the Mayor, shall submit a
18 requisition to the Procurement Division, on a form to
19 be developed by the Procurement Division, to solicit
20 additional suppliers who may be willing and able to
21 provide goods or services via Request for Information
22 ("RFI"). This RFI, which will incorporate the scope
23 of the project and basic minimum requirements, will
24 be posted on the website, by the Procurement Division,
25 for a minimum fourteen (14) day period. The Purchasing
26 Division shall notify the applicable using agency and
27 potential bill sponsor of the posting and receipt of
28 any responses.

29 (5) If there is more than the one original response, the
30 contract shall be competitively bid pursuant to
31 Chapter 126, unless the bill sponsor or the Mayor, as

applicable, files legislation which shall include a statement as to the number of responses to the RFI.

(c) Waiver of subsection (a) of this Section or any of the requirements in subsection (b) of this Section shall require approval of two-thirds of the Council members present.

Section 2. Providing the Form of Affidavit. The Affidavit of Disclosure, in substantially the form attached hereto as **Exhibit 1** and incorporated herein by this reference, shall be completed and submitted by the respective nonprofits for compliance with the procedures outlined herein. Any substantial change to the Affidavit of Disclosure shall require City Council approval.

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

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

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Dylan Reingold

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