

1 Introduced by Council Member Dennis:
2

3 **ORDINANCE 2020-311**

4 AN ORDINANCE AMENDING CHAPTER 24 (FINANCE AND
5 ADMINISTRATION DEPARTMENT), PART 6
6 (PROCUREMENT DIVISION), SECTION 24.605 (EQUAL
7 BUSINESS OPPORTUNITY OFFICE FUNCTIONS);
8 AMENDING CHAPTER 126 (PROCUREMENT CODE), PART
9 6B (JACKSONVILLE SMALL EMERGING BUSINESS
10 PROGRAM), SECTION 126.607 (PERCENTAGE OF WORK
11 TO BE ACCOMPLISHED BY JSEBS), AND SECTION
12 126.610 (JACKSONVILLE SMALL EMERGING BUSINESS
13 GOALS), *ORDINANCE CODE*; PROVIDING FOR
14 CODIFICATION INSTRUCTIONS; PROVIDING AN
15 EFFECTIVE DATE.
16

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

20 **WHEREAS**, to that end, the City devised the Jacksonville Small
21 Emerging Business Program (the "Program") to address several
22 concerns that were found to impede the growth of Jacksonville small
23 businesses; and

24 **WHEREAS**, the City desires to further improve certain aspects
25 of the Program to better assist JSEBS in the community; now
26 therefore

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

28 **Section 1. Recitals.** The Recitals above are true and correct
29 and incorporated by this reference.

30 **Section 2. Amending Chapter 24 (Finance and Administration**
31 **Department), Part 6 (Procurement Division), Section 24.605 (Equal**

1 **Business Opportunity Office functions), Ordinance Code.** Chapter 24
2 (Finance and Administration Department), Part 6 (Procurement
3 Division), Section 24.605 (Equal Business Opportunity Office
4 functions), *Ordinance Code*, is hereby amended to read as follows:

5 **CHAPTER 24 FINANCE AND ADMINISTRATION DEPARTMENT**

6 * * *

7 **PART 6. PROCUREMENT DIVISION**

8 * * *

9 **Sec. 24.605. - Equal Business Opportunity Office functions.**

10 The Equal Business Opportunity Office is hereby an office under the
11 Procurement Division, and the responsibilities set forth below
12 shall be managed by the JSEB Administrator. All employees within
13 the EBO office shall be responsible for deployment and
14 administration of Chapter 126, Part 6, and shall:

- 15 (a) Process certification applications;
- 16 (b) Assist the Chief of Procurement in implementing
17 participation JSEB goals on a project by project basis;
- 18 (c) Monitor City projects for compliance with the requirements
19 of Chapter 126, Jacksonville Ordinance Code;
- 20 (d) Report on the expenditure of City funds paid to certified
21 companies;
- 22 (e) Assist in the resolution of disputes between City vendors
23 regarding issues of payment, performance and overall
24 contract compliance;
- 25 (f) Provide support services to assist certified vendors in
26 their efforts to secure training, bonding and access to
27 capital pursuant to ~~Sections 6A and 6B~~ in Chapter 126,
28 Parts 6A and 6B, Jacksonville Ordinance Code; and
- 29 (g) Provide annual training, together with the Chief of
30 Procurement, to department heads and divisions chiefs, or their
31 designees, and applicable staff of City boards and commissions

1 pursuant to Chapter 126, Part 6B, Ordinance Code; and
2 ~~(g)~~(h) Perform the various duties defined in and/or required by
3 Chapter 126, Jacksonville Ordinance Code.

4 * * *

5 **Section 3. Amending Chapter 126 (Procurement Code), Part**
6 **6B (Jacksonville Small Emerging Business Program), Section 126.607**
7 **(Percentage of work to be accomplished by JSEBs), and Section**
8 **126.610 (Jacksonville Small Emerging Business goals), Ordinance**
9 **Code.** Chapter 126 (Procurement Code), Part 6B (Jacksonville Small
10 Emerging Business Program), Section 126.607 (Percentage of work to
11 be accomplished by JSEBs), and Section 126.610 (Jacksonville Small
12 Emerging Business goals), *Ordinance Code*, are hereby amended to
13 read as follows:

14 **CHAPTER 126 PROCUREMENT CODE**

15 * * *

16 **PART 6B. JACKSONVILLE SMALL EMERGING BUSINESS PROGRAM**

17 * * *

18 **Sec. 126.607. - Percentage of work to be accomplished by JSEBs.**

19 (a) The City shall identify at least 20% of its work in its
20 CIP program during the annual budget submission which
21 shall be accomplished with JSEBs, using prime contracting
22 opportunities and subcontracting goals. The City, through
23 each Department head, shall commit in its budget to award
24 at least 20 percent of its contracts for services, ~~and~~
25 ~~non-construction~~ contracts, including contractual
26 services, professional services, professional design
27 services, construction services or other services, to
28 JSEBs, provided, however, that such awards shall comply
29 with local, state, and federal law and that there exist
30 certified JSEBs to perform the work.

31 (b) In implementing the Program, the Director of Finance and

1 Administration shall first provide opportunities for
2 direct or prime contracting. Such opportunities should be
3 created by breaking procurement packages into smaller
4 components, and separating work that requires licenses
5 from that which does not in separate bid or proposal
6 requests where feasible.

7 (c) Subcontracting opportunities should be provided within
8 vertical construction projects, with horizontal
9 construction project opportunities being provided to the
10 maximum extent possible, by prime or direct contracting.
11 Nevertheless, the subcontracting opportunities shall be
12 provided to those trades typically established as
13 subcontractors.

14 (d) The City may issue joint checks upon the request of the
15 JSEB in order to facilitate bonding, financing, or other
16 requirements of contracting with the City.

17 (e) To assist the City in implementing the Program
18 requirements of this Part 6B, the Equal Business
19 Opportunity Office, through the JSEB Administrator, and
20 the Chief of Procurement shall provide annual training to
21 department heads and divisions chiefs, or their designees,
22 and applicable staff of City boards and commissions
23 regarding the JSEB program and the requirements set forth
24 in Parts 6A and 6B of this Chapter.

25 * * *

26 **Sec. 126.610. - Jacksonville Small Emerging Business goals.**

27 ~~The following goals are for JSEBs in the Program.~~

28 ~~(a)~~ The overall small business goal is at least 20 percent,
29 such that the City shall award at least 20 percent of total
30 City contracts to JSEBs; provided that such awards do not
31 violate state or federal law and provided further that there

1 are certified JSEBs to perform the work. The Director shall
2 award at least 50 percent of the JSEBs contracts through direct
3 contracting.

4 ~~(b) It is expected that the provisions of the race and gender~~
5 ~~neutral program will be sufficient to provide the remaining~~
6 ~~contracts to achieve the goal for the race and gender contract~~
7 ~~goals set forth above.~~

8 * * *

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

17 **Section 5. Effective Date.** This Ordinance shall become
18 effective upon signature by the Mayor or upon becoming effective
19 without the Mayor's signature.

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21
22 Form Approved:

23
24 _____
25 Office of General Counsel

26 Legislation Prepared by: Lawsikia J. Hodges

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