

1 Introduced by Council Member Dennis and amended by the  
2 Neighborhoods, Community Services, Public Health & Safety  
3 Committee:

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6 **ORDINANCE 2020-311-E**

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

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

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

27 **WHEREAS**, the City desires to further improve certain aspects  
28 of the Program to better assist JSEBs in the community; now  
29 therefore

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

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

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

9                   **CHAPTER 24 FINANCE AND ADMINISTRATION DEPARTMENT**

10                                   \* \* \*

11                                   **PART 6.     PROCUREMENT DIVISION**

12                                   \* \* \*

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

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

- 19           (a) Process certification applications;
- 20           (b) Assist the Chief of Procurement in implementing  
21 participation JSEB goals on a project by project basis;
- 22           (c) Monitor City projects for compliance with the requirements  
23 of Chapter 126, Jacksonville Ordinance Code;
- 24           (d) Report on the expenditure of City funds paid to certified  
25 companies;
- 26           (e) Assist in the resolution of disputes between City vendors  
27 regarding issues of payment, performance and overall  
28 contract compliance;
- 29           (f) Provide support services to assist certified vendors in  
30 their efforts to secure training, bonding and access to

1 capital pursuant to ~~Sections 6A and 6B in~~ Chapter 126,  
2 Parts 6A and 6B, Jacksonville Ordinance Code; and  
3 (g) Provide annual training, together with the Chief of  
4 Procurement, to department heads and divisions chiefs, or their  
5 designees, and applicable staff of City boards and commissions  
6 pursuant to Chapter 126, Part 6B, Ordinance Code; and  
7 ~~(g)~~ (h) Perform the various duties defined in and/or required by  
8 Chapter 126, ~~Jacksonville~~ Ordinance Code.

9 \* \* \*

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

19 **CHAPTER 126 PROCUREMENT CODE**

20 \* \* \*

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

22 \* \* \*

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

24 (a) The City shall identify a goal of at least 20% of its work  
25 in its CIP program during the annual budget submission  
26 which shall be accomplished with JSEBs, using prime  
27 contracting opportunities and subcontracting goals. The  
28 City, through each Department head, shall commit in its  
29 budget to award at least 20 percent of its contracts for  
30 services, ~~and non-construction contracts,~~ including

1 contractual services, professional services, professional  
2 design services, construction services or other services,  
3 to JSEBs, provided, however, that such awards shall comply  
4 with local, state, and federal law and that there exist  
5 certified JSEBs to perform the work.

6 (b) In implementing the Program, the Director of Finance and  
7 Administration shall first provide opportunities for  
8 direct or prime contracting. Such opportunities should be  
9 created by breaking procurement packages into smaller  
10 components, and separating work that requires licenses  
11 from that which does not in separate bid or proposal  
12 requests where feasible.

13 (c) Subcontracting opportunities should be provided within  
14 vertical construction projects, with horizontal  
15 construction project opportunities being provided to the  
16 maximum extent possible, by prime or direct contracting.  
17 Nevertheless, the subcontracting opportunities shall be  
18 provided to those trades typically established as  
19 subcontractors.

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

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

\* \* \*

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

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

~~(a) The overall small business goal is at least 20 percent, such that the City shall award at least 20 percent of total City contracts to JSEBs; provided that such awards do not violate state or federal law and provided further that there are certified JSEBs to perform the work. The Director shall award at least 50 percent of the JSEBs contracts through direct contracting.~~

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

\* \* \*

**Section 4. 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, including renumbering of sections. 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 5. Effective Date.** This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

Amended 8/11/20

Enacted 8/11/20

1 /s/ Paige H. Johnston

2 Office of General Counsel

3 Legislation Prepared by: Lawsikia J. Hodges

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