

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Neighborhoods, Community Services, Public Health and
3 Safety Committee:
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6 **ORDINANCE 2021-672-E**

7 AN ORDINANCE APPROPRIATING \$1,000,000.00 IN
8 DISCRETIONARY NON-COMPETITIVE FUNDS AWARDED BY
9 THE STATE OF FLORIDA DEPARTMENT OF EDUCATION TO
10 KIDS HOPE ALLIANCE ("KHA") FOR THE CITY OF
11 JACKSONVILLE'S NORTHWEST JACKSONVILLE STEM
12 CENTER FOR TEENS, AS INITIATED BY B.T. 21-128;
13 AMENDING THE REVISED SCHEDULE M TO ORDINANCE
14 2021-511-E; APPROVING, AND AUTHORIZING THE
15 MAYOR, OR HIS DESIGNEE, AND THE CORPORATION
16 SECRETARY, AND/OR THE CHIEF EXECUTIVE OFFICER OF
17 KIDS HOPE ALLIANCE, TO EXECUTE AND DELIVER
18 CONTRACTS WITH 100 BLACK MEN OF JACKSONVILLE,
19 INC. AND I'M A STAR FOUNDATION, INC. FOR THE
20 PROVISION OF PROFESSIONAL SERVICES AT THE
21 NORTHWEST JACKSONVILLE STEM CENTER FOR TEENS;
22 INVOKING THE EXCEPTION TO SECTION 126.107(G),
23 *ORDINANCE CODE*, WITH RESPECT TO SERVICES TO BE
24 PROVIDED BY 100 BLACK MEN OF JACKSONVILLE, INC.
25 AND I'M A STAR FOUNDATION, INC.; WAIVING THE
26 REQUIREMENTS OF SECTION 77.111(A) (PROVIDER
27 CONTRACTS), CHAPTER 77 (KIDS HOPE ALLIANCE),
28 *ORDINANCE CODE*, TO EXEMPT THE SERVICES TO BE
29 PROVIDED BY 100 BLACK MEN OF JACKSONVILLE, INC.
30 AND I'M A STAR FOUNDATION, INC. FROM COMPETITIVE

1 will target at-risk youth ages 12 to 18 years from several Title 1
2 schools and neighborhoods located near the STEM Center. In addition,
3 the STEM Center will provide programming that targets young adults
4 ages 19 to 21 years through the Mayor's Youth at Work Partnership
5 Program. Documentation reflecting the initial State of Florida
6 appropriation of funds for the STEM Center in fiscal year 2019-2020,
7 including the notice of award and Request for Application (RFA
8 Discretionary) terms and conditions applicable to use of the funds,
9 as well as a copy of the relevant portions of State of Florida Senate
10 Bill 2500 reappropriating these funds for the STEM Center for fiscal
11 year 2021-2022, are attached hereto as **Exhibit 2** and incorporated
12 herein by this reference.

13 **Section 3. Amending Revised Schedule M to Ordinance 2020-**
14 **511-E.** There is hereby amended for the fiscal year 2021-2022 budget
15 for Kids Hope Alliance ("KHA") by substituting in the place of the
16 Revised Schedule M, approved by Ordinance 2021-511-E, the Second
17 Revised Schedule M, attached hereto as **Revised Exhibit 3**, labeled as
18 "Revised Exhibit 3, 2nd Rev Schedule M, October 4, 2021 - NCSPHS" and
19 incorporated herein by this reference. The Second Revised Schedule
20 M reflects the funds appropriated herein.

21 **Section 4. Approval and Authorization to Execute Agreements**
22 **with 100 Black Men of Jacksonville, Inc. and I'm A Star Foundation,**
23 **Inc.** The Mayor, or his designee, and the Corporation Secretary,
24 and/or the Chief Executive Officer of KHA, are hereby authorized to
25 execute and deliver an agreement between KHA and 100 Black Men of
26 Jacksonville, Inc. in a not to exceed amount of \$200,000.00, and an
27 agreement between KHA and I'm A Star Foundation, Inc. in a not to
28 exceed amount of \$200,000.00, for the provision of professional
29 services at the STEM Center, to include management of the STEM Center
30 and providing STEM industry training and hi-tech programs, as more
31 particularly described in **Exhibit 4**, attached hereto and incorporated

1 herein by this reference, for the contract period commencing July 1,
2 2021 through June 30, 2022, with up to two (2) one (1) year renewal
3 options. The agreements may include such extensions, renewals,
4 additions, deletions and changes as may be reasonable, necessary and
5 incidental for carrying out the purposes thereof, as may be acceptable
6 to the Mayor, or his designee, and/or the Chief Executive Officer of
7 KHA, with such inclusion and acceptance being evidenced by the
8 execution of the agreements by the Mayor, or his designee, and/or the
9 Chief Executive Officer of the Kids Hope Alliance; provided, however,
10 no modifications to the agreements may increase the financial
11 obligations or liability of the City to an amount in excess of the
12 amounts stated in the agreements or decrease the duties and
13 obligations of 100 Black Men of Jacksonville, Inc. or I'm A Star
14 Foundation, Inc., and any such modifications shall be technical only
15 and shall be subject to appropriate legal review and approval by the
16 Office of General Counsel and the Office of Risk Management for
17 appropriate insurance and indemnification terms. For the purposes
18 of this Ordinance, the term "technical changes" is defined as those
19 changes having no financial impact to the City or any other non-
20 substantive changes that do not substantively increase the duties and
21 responsibilities of the City under the provisions of the agreements.

22 **Section 5. Invoking the exception to Section 126.107(g),**
23 **Ordinance Code.** KHA is hereby authorized to procure professional
24 services from 100 Black Men of Jacksonville, Inc. and I'm A Star
25 Foundation, Inc. for the provision of services described in Exhibit
26 4, as authorized in Section 4 above. Pursuant to Section 126.107(g)
27 (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement
28 Code), *Ordinance Code*, such services are exempted from competitive
29 solicitation because the services to be provided are being approved
30 via authorizing legislation pursuant to this Ordinance.

31 **Section 6. Waiver of the requirements of Chapter 77 (Kids**

1 **Hope Alliance), Section 77.111(a) (Provider Contracts), Ordinance**
2 **Code.** The City hereby waives the requirements of Chapter 77 (Kids
3 Hope Alliance), Section 77.111(a) (Provider Contracts), *Ordinance*
4 *Code*, with respect to the contracts with 100 Black Men of
5 Jacksonville, Inc. and I'm A Star Foundation, Inc. approved and
6 authorized in Section 4 of this Ordinance. Section 77.111(a) requires
7 contracts for children's services provided by third parties to be
8 competitively procured by KHA via an evaluated bid process. This
9 waiver is needed in order to allow KHA to directly contract with 100
10 Black Men of Jacksonville, Inc. and I'm A Star Foundation, Inc. to
11 manage the STEM Center and provide the training and program services
12 described in Exhibit 4.

13 **Section 7. Oversight Department.** Kids Hope Alliance shall
14 oversee administration and disbursement of the State funds, the
15 agreements authorized by this Ordinance, and all programming at the
16 STEM Center.

17 **Section 8. 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 Form Approved:

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23 /s/ Paige H. Johnston

24 Office of General Counsel

25 Legislation prepared by: Mary E. Staffopoulos

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