

PART 6A. SMALL BUSINESS CAPITAL, BONDING, AND OUTREACH PROGRAM

Sec. 126.601. Creation of bond enhancement program.

(a) The City shall issue a Request for Proposals ("RFP") within 60 days of the effective date of this Ordinance and contract with an entity to provide a bond enhancement program for the benefit of Jacksonville Small Emerging Businesses ("JSEBs") as defined below, with an established bond enhancement program entity. The purpose of this program is to provide support services to assist vendors certified hereunder in their efforts to secure performance and payment bonds for public and private contracts. The program shall not provide the underlying bond but shall provide a refined basis for underwriting bonds, in-house bonding authority (where the respondent to the RFP has the capability of writing bonds on its own company), small business support services and contractor monitoring necessary for such bond underwriting, as well as improvement plans for contractors who do not qualify. The contract shall provide for an initial two-year period with three, one-year renewals subject to usual City professional contract terms.

(b) Section 126.201(a)(2)(b) provides that JSEBs do not have to submit bid bonds for projects under \$500,000. Section 126.201(j) provides that JSEBs do not need to provide performance bonds for projects under \$200,000, or such other minimum amount set by the Florida legislature under Fla. Stat. Section 255.05 as amended.

(Ord. 2004-602-E, § 4)

Sec. 126.602. Access to capital.

(a) The City shall create a pool of resources, in conjunction with lending institutions" to assist MBEs and JSEBs with obtaining access to capital (the "AC Program"). JEDCO or a similar private entity approved by the lending institutions shall manage the distribution of said funds, in accordance with guidelines adopted by the lenders and approved by the City in order to ensure proper administration and monitoring and to ensure continuity for the program.

(1) The City's ombudsman, set forth in section 126.619, shall work closely with the existing business specialist and other key Ch.A.S.E. members or similar private entity to ensure that certified JSEBs are receiving recommended assistance.

(2) The Ombudsman, working with the Small Business Center at Gateway ("SBCG") and the First Coast African-American Chamber of Commerce ("FCAACC") or similar private entities shall gather information on all available programs for access to capital, including but not limited to local bank liaisons and programs, SBA programs, BBIC, JEDCO, JEDC and any other program which assists small and or minority businesses to obtain capital.

(3) The Director shall provide biannual reports to the Mayor, with a copy to City Council Audit Committee, identifying the size and number of businesses assisted in the two preceding quarters. Said reports shall include the nature of the service or product provided; the program (whether JSEB, MBE, or Majority); the nature of the contracts awarded and the dollar value of each contract awarded).

(4) The Director and Ombudsman, working with the SBCG and the FCAACC shall also hold biannual open houses or workshops to showcase available assets and obtain information from JSEBs and MBEs on available programs.

(b) The Ombudsman shall staff a series of meetings initiated by the Mayor between the City and any Financial Institutions with offices in Jacksonville who wish to participate in the creation of JSEBs banking managers who will assist JSEBs in obtaining credit. The Ombudsman may be the Director or staff, as may be required, to support applications for various City, state, or federally-funded programs including New Market Tax Credits.

(Ord. 2004-602-E, § 4)

Sec. 126.603. Continuing education and mentoring programs

(a) The City shall engage FCCJ and Edward Waters College and other educational institutions to advise and implement continuing education, training and mentoring programs, including but not limited to training on doing business with the City, subcontracting documentation requirements, accounting for the small business, and related matters for construction related contractors and subcontractors, including technology, bidding, and bonding, and project management. The UNF Small Business Development Center ("UNF/SBDC") and the SBCG shall provide non-construction related small emerging businesses with continuing education and training and mentoring programs, including key management issues such as cash-flow management, business planning, marketing, accounting, and record keeping, human resources management, and other related business development education. FCCJ and Edward Waters College shall hold an initial summit, to inventory existing programs, which provide continuing education, apprentice or mentoring programs and to hear from the community and experts on what further programs or educational assistance may be needed. Thereafter, FCCJ and Edward Waters College shall hold a small business program workshop, to design and suggest the requisite needs, including the formation of a scholarship program for assistance to JSEBs. Funds appropriated for these activities are inclusive of scholarships.

(b) FCCJ, Edward Waters College, UNF/SBDC, SBCG and the FCAACC shall report their findings back to the Mayor within 180 days from the effective date of this ordinance FCCJ and Edward Waters College shall engage such private firms as may be necessary to provide such training.

(Ord. 2004-602-E, § 4)

Sec. 126.604. Accounting Grant Program for Certified JSEBs and MBEs.

The City shall establish an Accounting Grant Program which shall either (1) provide for up to one \$500 reimbursement in matching funds for each certified JSEB and MBE, to procure accounting services from a Certified Public Accountant, which will include the provision of a book value for the business; or (2) provide all but \$25 of a fee charged by the UNF/SBDC program for a Fiscal Physical, which will include the provision of a book value for the business.

(Ord. 2004-602-E, § 4)

Sec. 126.605. Semi-monthly payments to certified JSEBs.

The City shall pay certified JSEBs semi-monthly, upon proper payment application to the applicable City Department. City Departments are to perform all necessary inspections and otherwise endeavor to ensure that prompt review and as applicable approval of certified JSEB work is completed within four days of receipt of invoice. The City shall pay all approved invoices from certified JSEBs within three business days of receipt by the Administration and Finance Department. City Departments shall provide monthly statements to the Director identifying the timing of JSEB payments for contracts within their departments. These statements are to be organized and provided to the Mayor, with a copy to the City's Chief Operating Officer ("COO"), quarterly by the Director. Prime contractors shall be obligated to pay subcontractors within three days of receipt from the City of funds, and must confirm payment to the City. Subcontractors will be notified by the City when a payment application from a prime contractor has been submitted reflecting work performed by a subcontractor.

(Ord. 2004-602-E, § 4; Ord. 2005-944-E, § 1)

Sec. 126.606. Insurance program review.

The Risk Manager for the City shall prepare a report on available insurance programs for Florida small businesses, and make recommendations regarding methods or programs to assist certified JSEBs in obtaining requisite insurance. Said report shall be provided to the Mayor, with a copy to Council, on or before January 15, 2005 and thereafter shall be prepared and submitted biannually, with a copy being sent to JSEBs.

(Ord. 2004-602-E, § 4)

Sec. 126.607. Collecting data to evaluate the Program.

(a) The City shall issue an RFP within 60 days of the effective date of this ordinance to engage a consultant to develop and use measures to quantify and categorize the contracts being awarded to all contractors and consultants, including JSEBs. Said consultant shall submit the format for its work to the Mayor, with a copy to the COO, Director and the Council within 60 days of the award of the RFP.

(b) Thereafter the consultant shall prepare quarterly reports in the format filed as described in Section (a) above and shall include data on prime contractors and subcontractors bidding on and awarded City projects, including at a minimum without limitation: the race, gender, or nationality of the contractor or consultant, along with the scope of services, SOIC code, size of contracts awarded in the categories used by Fla. Stat. Section 287.017 and 255.0525. The Director shall report on a quarterly and an annual basis to the Mayor and the Council on the number and value of contracts awarded, by category or work, contract size, characteristic of company (i.e., African American, Hispanic, Native American, Asian, Women, and Majority) and whether certified or not.

(c) There is established a JSEB Monitoring Committee, to review the status of the goals of this Program, including the number and dollar value of contracts awarded, the training, capital, and bonding programs, and difficulties or accomplishments of the Program, along with a comparison of the achievements under the Program compared with the goals. This Committee shall meet with the Director quarterly, who shall generate a report for the Mayor with a copy to the COO and the Council within 14 days of each quarterly meeting. The Mayor shall appoint three members of the Committee, and the City Council shall appoint two members. The Committee shall be comprised of two non-JSEB contractors, one appointed by each of the Mayor and the Council, two JSEB contractors, one appointed by each of the Mayor and the Council, and one private citizen for three-year staggered terms. The Mayor shall appoint a Chair and the Chair shall serve until such a time as another Chair shall be appointed by the Mayor. The Mayor and Council shall strive to reflect the diversity of Duval County in its appointments; each of the five members shall be confirmed by Council. The JSEB Committee shall be governed by Chapter 50 (Boards and Commissions).

(Ord. 2004-602-E, § 4; Ord. 2006-826-E, § 1)