

# EXECUTIVE BRIEF REGULAR MEETING

**AGENDA DATE:** November 2, 2021

**DEPARTMENT:** Financial Services and City  
Attorney

**TITLE:**

Ordinance No. 2021-15 – Second Reading - amending the Procurement Code

**SUMMARY:**

Ordinance No. 2021-15 proposes to amend the City's Procurement Code to expand the local and small business preference, add a veteran business enterprise preference, and create a "green initiatives" preference.

**BACKGROUND AND JUSTIFICATION:**

In 2019, the City substantially updated its Procurement Code, which is found in sections 2-111 through 2-117 of the City's Code of Ordinances. Commissioner Malega recently asked about whether the local and small business preferences in section 2-117 for Invitations For Bid (IFBs) could be expanded, and additional preferences added. In researching the issue, City staff and the City Attorney determined the City could expand the local and small business preferences to include other solicitations (RFPs and RFQs) and add a veteran business enterprise preference similar to section 295.187, Florida Statutes (Florida Veteran Business Enterprise Opportunity Act). In further discussion with the City Commission, the City Commission provided consensus to the expansion of the existing preferences and the addition of the veteran preference. The City Commission also unanimously requested a "green initiatives" preference to be added to recognize and award solicitations to environmentally-conscious vendors.

Accordingly, Ordinance No. 2021-15 proposes to make the following changes to the Procurement Code in section 2-117:

- Expand the local business and small business existing preferences to be used in RFPs and RFQs, not just IFBs.
- Add a veteran business enterprise preference for IFBs, RFPs, and RFQs.
- Add a "green initiatives" preference for IFBs, RFPs, and RFQs.
- Clarify that except for the "green initiatives" preference only one (1) preference can be identified in a response to a solicitation.
- Clarify the order of preferences in an IFB (best award determination) as (1) veteran business enterprise preference; (2) local business preference; and, (3) small business preference.

The ordinance passed unanimously on first reading at the October 19, 2021 Commission meeting.

**MOTION:**

Move to approve/disapprove Ordinance No. 2021-15 amending the Procurement Code.

**ATTACHMENT(S):**

Fiscal Impact Analysis – N/A  
Ordinance 2021-15