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ORDINANCE NO. 2011-____

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	AN ORDINANCE OF ORANGE COUNTY, FLORIDA,
6	PERTAINING TO THE PROCUREMENT OF GOODS AND
	SERVICES IN ORANGE COUNTY, WHICH IS CREATING
8	"DIVISION 5 SERVICE-DISABLED VETERAN BUSINESS
	PROGRAM" OF THE ORANGE COUNTY CODE;
10	AMENDING COUNTY-CODE SECTION 17-335, TO ADD
	SERVICE-DISABLED VETERAN BUSINESS PROGRAM;
12	SHORT TITLE; PURPOSE; DEFINITION OF TERMS;
	VENDOR PREFERENCE; REPORTING DUTIES OF
14	BUSINESS DEVELOPMENT DIVISION AND RULES,
	POLICIES AND PROCEDURES TO BE ADMINISTERED
16	BY THE BUSINESS DEVELOPMENT DIVISION AND THE
	PURCHASING AND CONTRACTS DIVISION; AND
18	PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the policy of the Board of County Commissioners to foster economic development and business opportunities within Orange County, and to promote the growth and development of local businesses; and

WHEREAS, the Board of County Commissioners intends to enact Ordinance No. 2011-__, codified at Chapter 17, Article III, Division 5, Orange County Code; and

WHEREAS, in 2008, under Section 295.187. Florida Statutes, the State of Florida created the "Florida Service-Disabled Veteran Business Enterprise Opportunity Act" that / encourages counties to offer a similar program to businesses certified under this section; and

WHEREAS, the Board of County Commissioners also intends to rectify the economic disadvantage of service veterans, who made extraordinary sacrifices on behalf of the nation, the state, Orange County and the public, by providing opportunities for service-disabled veteran businesses already certified by the State of Florida by creating a County Service-Disabled Veteran Business Program.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

	Section 1. Amendments; In General. Throughout this ordinance, additions are				
2	shown by underlines, and deletions are shown by strike-throughs, and asterisks (***) indicate				
	portions of text, which have not changed.				
4	Section 2. Amendments to Chapter 17, Article III, Division 5, Section 17-335 are				
	created and amended to read as follows:				
6	Division 5 Service-Disabled Veteran Business Preference				
	Sec. 17-335. Reserved. Service-disabled veteran business				
8	program				
10	A. <u>Title. The provisions of this section shall be known</u> as the "Service-Disabled Veteran Business Program Ordinance."				
L2	B. <u>Purpose</u> . It is the purpose of the Board of County Commissioners to rectify the economic disadvantage of service-				
L4	disabled veterans, who are statistically the least likely to be self- employed when compared to the veteran population as a whole and				
L 6	who have made extraordinary sacrifices on behalf of the nation, the state. Orange County, and the public, by providing opportunities				
18	for service-disabled veteran business enterprises as set forth in this section and as referenced in Section 295.187, Florida Statutes.				
20	C. <u>Definition of Terms.</u> For the purpose of this section,				
22	the term:				
24	1. <u>Certified service-disabled veteran business</u> enterprise - means a business that has been certified by the State of				
26	Florida's Department of Management Services to be a service- disabled veteran business enterprise as defined in paragraph (3).				
28	2. Service-disabled veteran - means a veteran				
30	who is a permanent Florida resident with a service-connected disability as determined by the United States Department of				
32	Veterans Affairs or who has been terminated from military service by reason of disability by the United States Department of				
34	Defense.				

5. Service-aisablea veleran business emerprise
- means an independently owned and operated business certified
by the State of Florida that:
(a) Employs 200 or fewer permanent
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full-time employees:
(b) Together with its affiliates has a net
worth of \$5 million or less or, if a sole proprietorship, has a net
worth of \$5 million or less including both personal and business
investments;
(c) Is organized to engage in
commercial transactions;
commercial transactions,
(d) In dominited in this state and located
(d) <u>Is domiciled in this state and located</u>
in the Orlando Metropolitan Statistical Area of Lake, Orange.
Osceola, and Seminole County:
(e) Is at least fifty-one percent (51%)
owned by one or more service-disabled veterans; and
(f) The management and daily business
operations of which are controlled by one or more service-disabled
veterans or, for a service-disabled veteran with a permanent and
total disability, by the spouse or permanent caregiver of the
veteran.
D. Vendor Preference.
D. Vendor Prejerence.
1. Professances for service disable veteran husiness
1. Preferences for service-disable veteran business
enterprises shall be applied as follows:
(a) On bid awards (sealed bids) the following
bid preference scale shall apply to bids
submitted by service-disable veterans business
enterprises as long as the bid does not exceed
the low bid by more than:
(1) Eight (8) percent on contract
awards up to one hundred thousand
dollars (\$100,000.00);
<u></u>
(2) Seven (7) percent on contract

2	dollars (\$100.000.00) to five hundred thousand dollars (\$500.000.00):
4	(3) Six (6) percent on contract
6	awards from five hundred thousand dollars and one cent (\$500,000.01) to
8	seven hundred fifty thousand dollars (\$750,000.00);
10	(4) Five (5) percent on contract awards from seven hundred fifty
12	thousand dollars and one cent (\$750,000,01) to two million dollars
14	(\$2,000,000.00);
16	(5) Four (4) percent on contract awards from two million dollars and
18	one cent (\$2,000,000.01) to five million dollars (\$5,000.000.00); or
20	(6) Three (3) percent on contract
22	awards over five million dollars and one cent (\$5,000,000.01)
24	
26	Service-disabled veteran business enterprises may be awarded or recommended for award of contracts when their bids are within the above allowed percentage in comparison to the low responsive and
28	responsible bid(s).
30	(b) On proposals in response to Request for Proposals, service-disable veteran business
32	enterprises will receive the following point allocation:
34	(1) Service-disabled veteran business
36	enterprise proposers competing as a prime shall receive five (5) points;
38	(2) Service-disabled veteran business
40	enterprise proposers with service-disabled veteran business enterprise sub-consultants
42	on their team shall receive two points for each sub-consultant up to a maximum of ten
44	(10) points:

		(3) Proposers with service-disabled		
2		veteran business enterprise sub-consultants		
		on their team shall receive two points for		
4		each sub-consultant up to a maximum of ten		
	•	(10) points.		
6		·		
		2. The Manager, Purchasing and Contracts		
8		Division, when considering two or more bids, proposals, or replies		
		for the procurement of commodities or contractual services, at least		
10		one of which is from a certified service-disabled veteran business		
		enterprise, that are equal with respect to all relevant considerations.		
12		including price, quality, and service, shall award such procurement		
		or contract to the certified service-disabled veteran business		
14		enterprise.		
		3. If a service-disabled veteran business		
16		enterprise entitled to the vendor preference under this section and		
		one or more businesses entitled to this preference or another		
18		vendor preference provided by the Orange County Code submit		
30		bids, proposals, or replies for procurement of commodities or		
20		contractual services that are equal with respect to all relevant		
22		considerations, including price, quality, and service, then the Manager, Purchasing and Contracts Division, shall award the		
22		procurement or contract to the business having the smallest net		
24		worth.		
27		wotur.		
26		E. Report.		
28		The Business Development Division shall report annually		
		to the Board of County Commissioners the utilization of certified		
30		service-disabled veteran business enterprises accessing the		
		County's procurement services.		
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		F. Rules, Policies and Procedures.		
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		The Business Development Division and the Purchasing		
36		and Contracts Division, as appropriate, may adopt rules, policies		
		and procedures as necessary to implement this section.		
38	C 3			
	Section 3.	Effective Date.		
40	This o	rdinance shall become effective pursuant to general law.		
-	this oralitatice shall become effective parsaant to general law.			
	APPR	OVED AND ADOPTED by the Board of County Commissioners of Palm Beach		
42	County, on the	e day of, 2011.		

2		ORANGE COUNTY, FLORIDA By: Board of County Commissioners
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6		By: Teresa Jacobs
8	ATTEST: Martha O. Haynie, County Comptroller As Clerk of the Board of County Commissioners	Orange County Mayor
10		
12	By: Deputy Clerk	
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