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ORDINANCE NO. 2011-_____

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

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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

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

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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

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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.

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NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY

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COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

2 *Section 1. Amendments; In General.* Throughout this ordinance, additions are
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. Title. The provisions of this section shall be known
as the "Service-Disabled Veteran Business Program Ordinance."

12 B. Purpose. It is the purpose of the Board of County
Commissioners to rectify the economic disadvantage of service-
disabled veterans, who are statistically the least likely to be self-
employed when compared to the veteran population as a whole and
14 who have made extraordinary sacrifices on behalf of the nation, the
state, Orange County, and the public, by providing opportunities
16 for service-disabled veteran business enterprises as set forth in this
section and as referenced in Section 295.187, Florida Statutes.

20 C. Definition of Terms. For the purpose of this section,
the term:

22 1. Certified service-disabled veteran business
24 enterprise - means a business that has been certified by the State of
Florida's Department of Management Services to be a service-
26 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.

3. Service-disabled veteran business enterprise
- means an independently owned and operated business certified
by the State of Florida that:

(a) Employs 200 or fewer permanent
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;

(d) Is domiciled in this state and located
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.

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);

(2) Seven (7) percent on contract
awards from one hundred thousand

2 dollars (\$100,000.00) to five hundred
thousand dollars (\$500,000.00);

4 (3) Six (6) percent on contract
awards from five hundred thousand
6 dollars and one cent (\$500,000.01) to
seven hundred fifty thousand dollars
8 (\$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 Service-disabled veteran business enterprises may be awarded or
26 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
32 Proposals, service-disable veteran business
enterprises will receive the following point
34 allocation:

36 (1) Service-disabled veteran business
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;

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

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By: _____

Teresa Jacobs

Orange County Mayor

8 ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

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By: _____

12 Deputy Clerk

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