

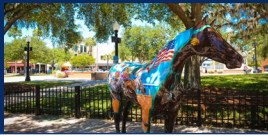
CITY OF OCALA

DIVERSE SMALL BUSINESS ENTERPRISE (DSBE) POLICY



December 1, 2020





Title: Diverse Small Business Enterprise Program

Effective Date: 12/2020

Policy No: PRO-065

I DEFINITIONS

A. A Diverse Small Business Enterprise (DSBE) means a business which is at least fifty-one percent (51%) owned and operated by one or more minority, woman and/or veteran designations.

In the case of a publicly owned business, at least fifty-one percent (51%) of the stock must be owned by minority, women, and/or veteran principal owners.

B. "Minority" is defined as an individual belonging to the following racial and ethnic groups:

- Black Americans
- Hispanic Americans
- Native Americans
- Asian-Pacific Americans
- Subcontinent Asian Americans

C. "Veteran" is defined as a former member of the Armed Forces of the United States (Army, Navy, Air Force, Marine Corps, and Coast Guard) who served on active duty and was discharged under conditions which were other than dishonorable. Reservists called to active duty by Executive Order qualify as veterans.

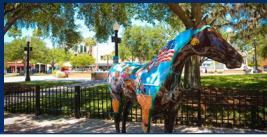
D. "Set-Aside" is defined as contracts or purchases designated for DSBE bidding only.

II PURPOSE AND SCOPE

The purpose and objective of this program is to provide minority, woman and veteran owned businesses (DSBE businesses) with targeted opportunities to participate in the City's contracting and procurement process and to facilitate a level playing field for diverse, small business enterprises.

This program is intended to substantially comply with the City's procurement policy which requires construction contracts and purchase orders for goods, services and materials to be awarded in the best interest and value to the City.

It is the policy of the City to utilize DSBE businesses to the fullest extent possible, or legally permissible, in all procurement activities.



III. PROGRAM ACTION PLAN

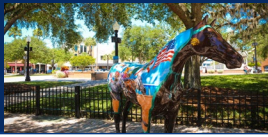
The implementation and administration of the program shall be the responsibility of the DSBE Program Coordinator with oversight by the City's Contracting Officer. The DSBE Coordinator will as their responsibility:

- A. Assist DSBE businesses in overcoming barriers to their participation in the City's procurement process. This includes assistance with certification, forms preparation, notification of contract opportunities and business educational opportunities.
- B. Increase citywide departmental awareness of the City's DSBE objectives and opportunities by providing access to certified DSBE businesses for services or products purchased with/without competitive bidding.
- C. Assist non-certified DSBE businesses with becoming certified as a DSBE member.
- D. Explain DSBE goals and requirements of the program to contractors and vendors.
- E. Review contract awards relative to participation of DSBE businesses, and make recommendations to expand the program.

IV. OUTREACH

The DSBE Program Coordinator will ensure DSBE businesses have every opportunity for full program participation by undertaking the following steps:

- A. Provide DSBE vendors with workshops and other opportunities to:
 - interact with the City's Procurement Department and other DSBE members;
 - teach procedures and policies for submitting bids, proposals and invoices; and
 - provide listings of the products and services purchased across city departments.
- B. Attend and participate in trade fairs and community events.
- C. Establish relationships with minority, women and veteran community leaders.
- D. Distribute business cards and DSBE marketing materials at events and meetings where minorities, women and/or veteran businesses are targeted.
- E. Notify DSBE businesses regarding future bid openings.
- F. Maintain a listing of goods and services provided by current DSBE businesses and make this list available to city departments.



V. CERTIFICATION

- A. Only businesses certified by the City of Ocala DSBE program may be counted toward the department's strategic measure goals.
- B. Businesses wishing to be certified as a DSBE business must submit a completed DSBE Application to smallbiz@ocalafl.org for review and/or approval by the DSBE Program Coordinator. Applicants must provide proof of the following:
 - Business/home office address located within Marion County, Florida;
 - Total net worth (business and personal combined) not greater than \$250,000; and
 - Confirmation the business is at least fifty-one percent (51%) owned and operated by a minority, woman and/or veteran as specified in Section I.

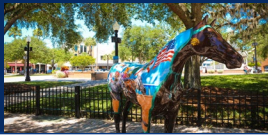
VI. DECERTIFICATION

The City may decertify a DSBE vendor if the Contracting Officer determines any of the following as true:

- The DSBE vendor no longer satisfies the certification requirements;
- The DSBE owner, officer or agent thereof has made fraudulent misrepresentations to the City regarding utilization of DSBEs or colluded with another contractor/vendor making misrepresentation; or
- The DSBE vendor or any owner, officer or agent during times they are certified by the City are convicted of a felony in a court of law.

VII. NOTIFICATION REQUIREMENTS AND PROCUREMENT POLICIES

- A. When a business is accepted by the DSBE program as a minority, woman and/or veteran business, the business will be added by the DSBE Coordinator to the DSBE vendor database used in soliciting bids or contracts set aside for minority, woman and/or veteran businesses as well as other purchasing and contracting opportunities.
- B. There will be no limits to the number of businesses within the DSBE vendor database. There is also no limit to the number of services and/or products for which each business is qualified to provide.
- C. When a business is accepted as a minority, woman and/or veteran business, that business may bid on contracts specifically set aside under this program. They may



also participate in the City's formal vendor process concurrent with participation as a certified DSBE vendor.

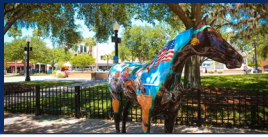
VIII DENIAL OF CERTIFICATION

If the City of Ocala denies a business' application or decertifies said application, the business may not reapply until 12 months have passed from the date the denial letter was sent by the DSBE Coordinator.

IX AWARD STANDARDS

- A. Any contract specifically set aside for the DSBE program may be competitively bid, either through public advertising or through informal bidding and are awarded typically when responsive bids from at least two qualified bidders are received.
- B. The specifications for a set-aside contract shall clearly and conspicuously state an award may only go to a business duly registered with and approved by the City of Ocala as a DSBE vendor.
- C. The Contracting Officer shall have the responsibility of approving all solicitations for bids prior to their offering.
- D. The Contracting Officer shall approve all DSBE contracts prior to execution by the City and/or the submission of contracts to the City Council for review and approval.
- E. Any bid may be rejected for a set-aside contract and the solicitation may be rebid as an ordinary contract in any of the following situations:
 - In evaluating the minority, woman and/or veteran business' bids, it is determined that acceptance of any of the bids would subject the City to an unreasonable expense or to a contract otherwise unacceptable pursuant to the City's published/required contracting and procurement laws, policy, and rules;
 - At least two bids are not received from qualified vendors approved as minority, woman and/or veteran businesses, as appropriate; or
 - The minority, woman and/or veteran business knowingly supplied false information where the contract would not otherwise have been awarded.

Immediately after rejecting all bids, the Contracting Officer may direct the rebid of the solicitation as an ordinary award. DSBE businesses may participate in this rebidding as per vendor registration requirements of the Procurement Department.



X REPORTING

The DSBE Program Coordinator will compile a quarterly report. The report will include a narrative summarizing the progress the City has made in DSBE utilization for each quarter. It will describe specific steps the DSBE program in partnership with stakeholders has taken and highlight successful contracting opportunities with DSBE businesses, outreach activities, and special circumstances contributing to overall program goals, achievements and/or failures.

This report will also describe how the DSBE program is implementing and refining strategic initiatives to increase the participation of minority, woman, and veteran owned businesses in the DSBE program.

XI PROTESTED SOLICITATIONS AND AWARDS

Protests must be made in accordance to City of Ocala's Procurement Protested Solicitations and Awards Policy: PRO-080.