



COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REQUEST FORM

The Board of County Commissioners meets the 1st and 3rd Thursday of each month in the Columbia County School Board Administrative Complex Auditorium, 372 West Duval Street, Lake City, Florida 32055. The first meeting of every month is at 9:30AM while the second meeting of every month takes place at 5:30PM. All agenda items are due in the Board's office one week prior to the meeting date.

Today's Date: 6/30/2023 Meeting Date: 7/6/2023

Name: John Crews Department: BCC Administration

1. Nature and purpose of agenda item:

Resolution No. 2023R-28 - Adopting A Policy Relating to the Employment Of Small, Women Owned and Minority Businesses for Use in Administering Community Development Block Grants

2. Recommended Motion/Action:

Approve Resolution No. 2023R-28

3. Fiscal impact on current budget.

This item has no effect on the current budget.

RESOLUTION NO. 2023R-28

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF SMALL, WOMEN OWNED AND MINORITY BUSINESSES FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF MINORITIES BY COLUMBIA COUNTY; PROVIDING DEFINITIONS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Columbia County desires to establish a policy supporting small, women owned and minority businesses, and,

WHEREAS, the Board of County Commissioners of Columbia County recognizes an opportunity to affirmatively support small, women owned and minority business in those programs directly funded by the U.S. Department of Housing and Urban Development; and,

WHEREAS, the Board of County Commissioners of Columbia County desires to bring the percentage of minorities employed by the County more closely in line with its percentage of minorities who live in the County; and ,

WHEREAS, the Board of County Commissioners of Columbia County recognize the need to adopt an action plan to implement such goals;

WHEREAS, the Board of County Commissioners of Columbia County recognizes the County as an Equal Employment Opportunity Employer; and,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA, AS FOLLOWS:

1. Policy Relating to the Employment of Small, Women Owned and Minority Businesses.

It shall be the policy of the Board of County Commissioners of Columbia County when soliciting for projects that involve Community Development Block Grant federal funding to require each department, agency, entity, or agent of the County to promote and assist small, women owned and minority businesses in gaining entry to do business with Columbia County. By assisting small, women owned and minority businesses, the County will help to expand and develop the small, women owned and minority section in and around Columbia County.

For projects assisted by programs providing direct financial assistance from the U.S. Department of Housing and Urban Development (hereinafter “HUD”), the County will include the Section III clause of the Housing and Urban Development Act of 1968 in all contracts for work connected with the projects. The County will also comply with the Section III clause in the administration of Community Development Block Grant programs, which requires:

- A. To the greatest extent feasible, opportunities for training and employment are given to low-income project area residents;
- B. To the greatest extent feasible, contract for work in connection with the project will be awarded to businesses located in, or owned in substantial part by persons residing in the project area;
- C. Certifying that parties to the contracts are under no obligation, which would prevent them from complying;
- D. Ensuring that the contractor will send labor organizations with which he or she has had a collective bargaining agreement a notice stating his or her commitments under this section and post this notice in places available to employees;
- E. Ensuring that the contractor will include a "Section III Clause" in every subcontract;
- F. Ensuring that the contractor will not subcontract with anyone that has previously violated "Section III" requirements;
- G. Obligate the contractor to provide a preliminary statement of work force needs prior to signing the contract;
- H. Include "Section III" requirements in Community Development Block Grant bid invitations and contract specifications;
- I. Cooperate with the Secretary of Housing and Urban Development in obtaining compliance from the recipient of the grant's contractors;
- J. Submit to compliance reviews by the HUD when necessary; and,
- K. Permit HUD access to all required records, accounts, reports, books, etc.

It is understood however, that while every opportunity will be afforded to small and minority businesses to enable them to bid on Columbia County's Community Development Block Grant federally funded projects, contracts will continue to be awarded to the lowest or best responsible bidder.

2. Policy Relating to the Employment of Minorities by Columbia County.

It shall be the goal of the Board of County Commissioners of Columbia County to attempt to increase the percentage of minority County employees at the rate of .1 percent of the County's total employee base, per year until the percentage of minority County employees is equal to that of the minority County population.

Columbia County is an equal opportunity employer. No person is unlawfully excluded from consideration for employment because of race, creed, color, religion, national origin, ancestry, sex, age, veteran status, familial status, handicap, or genetics.

The County will attempt to attain the goal by doing the following:

- A. The County will advertise every open position in a newspaper of general circulation within the County prior to filling the open position when the position has not already been filled through existing procedures or policies providing for promotion from within and from Job Service applicants.
- B. Stating in every advertisement that the County is an equal opportunity employer and does not discriminate in its hiring practice.
- C. While Columbia County will attempt to attain the minority employment goal stated herein the following is understood:
- D. Columbia County will attempt to hire the best qualified person for each available position, regardless of race.
- E. While Columbia County will attempt to attain the employment goal set forth herein; the goal is only that and the County accepts no liability if the goal stated herein is not reached.

3. Definitions.

- A. SMALL BUSINESS-An independently owned and operated business concern which employs twenty-five (25) or fewer permanent full-time employees, and which has a net worth of not more than one million dollars as applicable to sole proprietorships; the one-million-dollar net worth requirement shall include both personal and business investments.
- B. WOMEN BUSINESS ENTERPRISES-Any small business concern which is organized to engage in commercial transaction, which is at least fifty-one (51) percent owned by women and whose management and daily operations are controlled by such person. A minority business enterprise may primarily involve the practice of a profession.
- C. MINORITY BUSINESS ENTERPRISES-Any small business concern which is organized to engage in commercial transactions, which is at least fifty-one (51) percent owned by minority persons and whose management and daily operations are controlled by such person. A minority business enterprise may primarily involve the practice of a profession.
- D. CERTIFIED MINORITY BUSINESS ENTERPRISES-A business enterprise which has been certified by the State of Florida Department of General Services to be a minority business enterprise in accordance with the provision of the Small and Minority Business Assistance Act of 1985.

- E. MINORITY PERSON-A person whose race is Black, American Indian, Alaskan Native, Asian or Pacific Islander.

4. Action Plan.

In that Columbia County will continuously seek to administer programs funded in part or in total by allocations directly or indirectly from the U.S. Department of Housing and Urban Development, the County desires to enhance the opportunities for small and minority businesses and local businesses to participate in Community Development Block Grants with the County.

To accomplish this objective, the Board of County Commissioners of Columbia County, Florida, establishes and implements the following steps to facilitate the deployment of affirmative action in expenditures for contractual services, commodities and construction contracts on Community Development Block Grant federally funded projects:

- A. To utilize the news media, State Department of General Services list of small, women owned or minority business concerns, local advertising services, citizens advisory boards, regional planning Commissions, listings by federal agencies, and other appropriate sources to identify small, women owned and minority business concerns for possible involvement with the County Community Development Block Grant federally funded contracts.
- B. To maintain and update the listing of small, women owned and minority business concerns and notify them of Community Development Block Grant federally funded contracting opportunities with the County.
- C. To maintain records (copies of memoranda, general correspondence, etc.) to document that all steps in the action plan have been followed.
- D. To establish or utilize an existing position to function as the equal opportunity officer to coordinate the implementation of the Affirmative Action Plan with operators of Community Development Block Grant federally funded County administered projects and programs.
- E. To incorporate the EEO/AA clause set forth in 41CFR 60-741.5(a) into any contracts or subcontracts that meet the definition of "Federally assisted construction contract" in 41CFR 60-1.3.
- F. To, in all solicitations or advertisements for employees placed by or on behalf of the County, state that the County is an Equal Opportunity/Affirmative Action employer.
- G. That the affirmative action program shall be reviewed and updated annually by the County Manager, and likewise the plan of any Federally assisted contract contractor shall also review their program annually.

- H. Any Federally assisted contract contractor shall submit their affirmative action program within 30 days of a request from OFCCP, unless the request provides for a different time. This includes on site availability.
- I. That any Federally assisted contract contractor shall ensure that its personnel processes provide for careful, thorough, and systemic consideration of the job qualifications of the applicants and employees with known disabilities for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.
- J. That any Federally assisted contract contractor shall undertake appropriate outreach and positive recruitment activities such as those listed in 60.741.44 paragraph (f)(1-4) of this section that are reasonably designed to effectively recruit qualified individuals with disabilities.
- K. That any Federally assisted contract contractor shall design and implement an audit and reporting system that will.
 - a. Measure the effectiveness of the contractor's affirmative action program;
 - b. Indicate any need for remedial action;
 - c. Determine the degree to which the contractors' objectives have been attained;
 - d. Determine whether known individuals with disabilities have had the opportunity to participate in all company sponsored educational, training, recreational, and social activities;
 - e. Measure the contractor's compliance with the affirmative action program's specific obligations; and
 - f. Document the action taken to comply with the obligations of paragraph (h)(1(i) through (v) of this section, and retain these documents as employee records subject to the recordkeeping requirements of 60-741.80.

5. Effective Date.

This resolution shall take effect immediately upon its adoption.

DULY ADOPTED by the Board of County Commissioners of Columbia County, Florida this _____ day of _____, 2023.

**BOARD OF COUNTY COMMISSIONERS
COLUMBIA COUNTY, FLORIDA**

BY: _____
Rocky D. Ford, Chairman

ATTESTED:

Approved as to form and legality

James M. Swisher Jr.
Clerk of Court

Joel Foreman, County Attorney