



Legislation Text

File #: O-268-21, Version: 1

Councilwoman Moline

Declaring the City of Toledo's Commitment to a Veteran Friendly Business Enterprise Program for Contractors, Subcontractors and Suppliers Participating in City Contracts; and declaring an emergency.

WHEREAS, based on the most recent Census data, there are more than 13,000 veterans residing in Toledo and more than 1,400 veteran-owned businesses operating in Toledo; and

WHEREAS, the Toledo region has a long history of supporting the military and its veterans; and

WHEREAS, Veteran Friendly Business Enterprise programs benefit veterans by rewarding them for their sacrifice of military service; helping to ease the transition from military service to civilian life; and developing new, local employment opportunities for veterans; and

WHEREAS, Veteran Friendly Business Enterprise programs are beneficial to the local community and the municipalities implementing these programs by encouraging the establishment of new businesses and increasing business tax revenue, providing new growth opportunities for existing businesses, promoting job creation, and attracting loyal and well-disciplined people to government contracting opportunities; and

WHEREAS, it is hereby the policy of the City of Toledo that Veteran Friendly Business Enterprises shall have the maximum practical opportunity to participate in the performance of contracts that are City-funded or include City of Toledo tax incentives; and

WHEREAS, the City of Toledo currently offers Minority Business Enterprise (MBE) certification and a goal-oriented program established to strengthen the participation of MBE contractors, subcontractors and suppliers in City contracts via Toledo Municipal Code, and City Council desires to implement a similar program to benefit Veteran Friendly Business Enterprises; NOW, THEREFORE,

Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor is hereby authorized and directed to establish a Veteran Friendly Business Enterprise (VFBE) Program. Such program shall affirmatively seek the participation of VFBE contractors and subcontractors in overall in City-funded construction projects as well as in City-funded purchases of goods, materials, supplies and services, including purchases of \$40,000 or less which are not subject to the formal competitive bidding process.

SECTION 2. That the Office of Diversity and Inclusion of the City shall:

- a. Establish procedures and guidelines for the implementation of this Ordinance and oversee such implementation;

- b. Determine which business entities are Veteran Friendly Business Enterprise contractors, subcontractors or suppliers as defined herein, and issue a certificate to any business entity which meets the definition of a VFBE;
 - i. If a business is currently certified by the State of Ohio as a VFBE, full reciprocity will be granted to that business to be certified as a VFBE by the City of Toledo;
 - ii. If a business is not currently certified by the State of Ohio as a VFBE, it may become certified by the City of Toledo upon meeting the same steps for certification established by the State of Ohio;
- c. Submit a report at least annually to City Council and the Mayor which reviews and highlights the performance of City departments and agencies in complying with this Ordinance. Such report shall state the degree or extent to which each City department has met the goals of this Ordinance, identify any VFBE contracting problems if applicable, and make recommendations for improvements to the VFBE program. Such report shall include a copy of the roster of certified VFBE contractors, subcontractors and suppliers.

SECTION 3. For the purposes of this Ordinance, the term:

- a. “Veteran” means any person who has completed service in the armed forces, including the national guard of any state, or a reserve component of the armed forces, who has been honorably discharged or discharged under honorable conditions from the armed forces or that has been transferred to the reserve with evidence of satisfactory service.
- b. “Veteran Friendly Business Enterprise” means a business that satisfies at least one of the following criteria:
 - i. At least ten percent of its employees are veterans or on active service;
 - ii. At least fifty-one percent of the applicant business is owned by veterans or persons on active service;
 - iii. If the applicant business is a corporation fifty-one percent of which is not owned by veterans or persons on active service, at least fifty-one percent of the board of directors are veterans or persons on active service; or
 - iv. The business is certified by the United States Department of Veterans Affairs as a Service-Disabled Veteran-Owned Small Business or a Veteran-Owned Small Business and the owner(s) of the business meets the definition of Veteran as defined herein; or
 - v. The business is certified by the State of Ohio as a Veteran Friendly Business Enterprise pursuant to the authority established in Ohio Revised Code Section 9.318 or as may hereafter be amended.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety, and property and for the further reason that it is necessary to effectively and timely implement programming to encourage economic development and support opportunities for veterans in City of Toledo contracts.

Vote on emergency clause: yeas 12, nays 0.

Passed: May 25, 2021, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

May 26, 2021
Wade Kapszukiewicz
Mayor