

Sec. 66-258. – MWBE Certification and recertification by city.

new

(a)

Certification criteria . A business that desires to be certified by the city as an MWBE shall meet each of the following criteria:

(1)

Has a physical business address located within the geographical county limits (not a mailing address) and has continuously maintained such physical address for at least six months prior to the time of application for certification.

(2)

That is at least 51 percent owned by a minority or minorities, or a woman or women, or, in the case of a publicly-owned business, at least 51 percent of the voting stock of which is owned by minorities or women; and such ownership shall not have been via transfer from a non-minority owner within the past two years;

(3)

For which the minority ownership exercises actual day-to-day management and control of the business;

(4)

That is currently doing business;

(5)

That is legally organized and registered with the Florida Division of Corporations;

(6)

That is registered with the state procurement system under MyFloridaMarketPlace;

(7)

That has all licenses required by local, state and federal law necessary to conduct its business. If a license is required, it must be held by the minority/woman owner;

(8)

Has a current business tax receipt issued by Palm Beach County or a municipality therein;

(9)

That is for profit;

(10)

That is an independent business, not an affiliate or conduit;

(11)

Provides a commercially useful function and is an actual provider of work or services and is not a broker of services or conduit or pass-through; and

(12)

Has identified the commodity that they supply and those commodities must be listed in the certification document.

(b)

Required documentation . A business that desires to be certified by the city as a minority/women business enterprise must submit the city's application form and provide documentation as required by the application process evidencing that it meets each of the criteria. Applicants requesting certification shall be responsible for providing certified translations of all documents not in English.

(c)

Certification . MWBE firms must be certified prior to submittal of a bid/proposal as an MWBE. Applicants granted certification will be notified by mail. The certification document shall indicate the commodity or commodities for which the MWBE is certified. Certified MWBEs shall be included on the city's MWBE listing.

(d)

Small business . A firm may be certified as both an MWBE and a small business, provided it meets the requirements of each certification.

(e)

Denial of certification . Applicants denied certification shall be notified by certified mail and informed of their right to appeal the denial pursuant to the appeal provisions of this article. An applicant denied certification may not reapply for certification for 120 days from the date of the denial letter.

Sec. 66-225. – SBE Certification and recertification by city.

(a)
Certification criteria. A business that desires to be certified by the city as a small business shall meet each of the following criteria:

- (1)
Domiciled in Palm Beach County; and
- (2)
Is an independently owned and controlled business concern organized to engage in commercial transactions and whose gross revenues, including all offices or locations, averaged over the previous three years (if in business less than three years, averaged during the duration of the business), does not exceed the following:
 - a.
For construction — \$9,000,000.00.
 - b.
For goods and services — \$5,000,000.00.
 - c.
For professional services (CCNA) — \$5,000,000.00.
- (3)
Has a current business tax receipt issued by Palm Beach County or a municipality therein;
- (4)
Has a physical business address located within the geographical city limits (not a post office box or mailing address);
- (5)
Has continuously maintained such physical address for at least six months prior to the time of application for certification;
- (6)
Demonstrates that it has sufficient staffing and resources to perform the work or services (commodity type) for which it seeks to be certified;
- (7)
Provides a commercially useful function and is an actual provider of work or services and is not a broker of services; and
- (8)
Has identified the commodity that they supply and those commodities must be listed in the certification document.

(b)
Required documentation. A business that desires to be certified by the city as a small business must submit the city's application form and provide documentation as required by the application process evidencing that it meets each of the criteria. Applicants requesting certification shall be responsible for providing certified translations of all documents not in English.

(c)
Certification. Applicants granted certification will be notified by mail. The certification document shall indicate the commodity or commodities for which the small business is certified. Certified small businesses shall be including on the city's small business listing.

(d)
Denial of certification. Applicants denied certification shall be notified by certified mail and informed of their right to appeal the denial pursuant to the appeal provisions of this article. An applicant denied certification may not reapply for certification for 120 days from the date of the denial letter.

(e)
Recertifications. Certified small businesses are required to submit an affidavit of their continued eligibility as a small business every three years. The city may conduct site visits or review documents to ensure continued compliance as a small business. If there has been a change in ownership interest and/or control since the certification or last recertification, the small business shall make such disclosure and provide all requested information. Supporting documentation may be required for continued certification. A company that fails to submit an affidavit of continued eligibility or fails to submit documentation requested by the procurement division will no longer be deemed certified for purposes of participation as a small business. The criteria for recertification shall be the same as for certification. Appeals shall be in accordance with the appeal provisions of this article.