

RESOLUTION NO. _____ - 2015

A RESOLUTION ADOPTING A THREE PERCENT (3%) MINIMUM GOAL FOR CERTIFIED VETERAN-OWNED SMALL BUSINESSES AND SERVICE DISABLED VETERAN-OWNED BUSINESSES FOR CERTAIN OF THOSE LEXINGTON-FAYETTE URBAN COUNTY CONTRACTS RELATED TO CONSTRUCTION AND/OR PROFESSIONAL SERVICES, AND AUTHORIZING THE DIVISION OF PURCHASING TO ADOPT AND IMPLEMENT GUIDELINES AND/OR POLICIES CONSISTENT WITH THE PROVISIONS AND INTENT OF THIS RESOLUTION BY NO LATER THAN JULY 1, 2015.

WHEREAS, the Lexington-Fayette Urban County Government desires to honor the extraordinary service rendered to the United States of America, the Commonwealth of Kentucky, and the Lexington-Fayette Urban County Government by those veterans who have served in the Nation's military, naval or air service, including reserve components thereof, and of the National Guard; and

WHEREAS, the Urban County Council has determined that it should encourage the retention of veteran-owned small businesses and service disabled veteran-owned businesses in performing certain contracts with the Lexington-Fayette Urban County; and

WHEREAS, the Urban County Council wishes to establish goals with respect to these businesses consistent with those found in federal law or regulation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Lexington-Fayette Urban County Government be and hereby adopts a three percent (3%) minimum goal for certified Veteran-Owned Small Businesses and certified Service Disabled Veteran-Owned Businesses for certain of those Urban County Government contracts related to Construction and/or Professional Services, and further provides for the following related thereto:

- a. That the terms Veteran-Owned Small Business and Service Disabled Veteran-Owned Business shall be defined and interpreted consistent with federal law or regulation as it may be amended from time-to-time.
- b. That the Division of Purchasing is authorized to adopt and implement guidelines and/or policies consistent with the provisions and intent of this Resolution which shall include, but are not necessarily limited to, including these goals in the advertisements for bids or requests for proposals and the

qualifications of bidders or respondents, requiring good faith efforts, providing assistance to qualified contractors or respondents, and creating a certification process for those businesses qualifying pursuant to this Resolution.

- c. That all construction-related contracts funded by the Urban County Government that are required to be formally bid pursuant to law are to include a process under which these goals and the appropriate aspects of the guidelines or policies are addressed.
- d. That all professional service contracts funded by the Urban County Government in an amount exceeding \$25,000 are to include a process under which these goals and the appropriate aspects of the guidelines or policies are addressed.
- e. That the guidelines or policies related to these goals shall be adopted and implemented by the Division of Purchasing by no later than July 1, 2015.

Section 2 - That it is the intent of the Urban County Government that these goals are in addition to those goals adopted under the Administrative Plan for Implementation of a ten percent (10%) goal for Disadvantaged Business Enterprises as provided in Resolution No. 167-91, and that Resolution No. 167-91 is in no way amended or modified as a result of this Resolution.

Section 3 - If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

DRAFT 04-14-15

CLERK OF URBAN COUNTY COUNCIL

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