

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

## BOARD APPOINTMENT SUMMARY

**Meeting Date: September 16, 2025**

**Department:** Administration/Office of Equal Business Opportunity

**Advisory Board:** Equal Business Opportunity Advisory Committee

## I. EXECUTIVE BRIEF

**Motion & Title: Staff recommends motion to approve:** the reappointment of the following three (3) members to the Equal Business Opportunity Advisory Committee (EBOAC) for the term September 16, 2025 to September 15, 2028:

<b><u>Reappointment</u></b>	<b><u>Seat</u></b>	<b><u>Designation</u></b>	<b><u>Nominated By</u></b>
Robert Lesko	6	Business Incubator Program	Commissioner Weiss
Juan Pagan	7	Business Organization	Commissioner Weiss
Seabron Smith	13	Financial Institution that assists Small Businesses	Commissioner Weiss

**Summary:** Pursuant to section 2-80.28(f) of the Palm Beach County, Florida Code of Ordinances (2025), the Equal Business Opportunity Advisory Committee consists of 15 citizen members made up of representatives of trade groups and members of the general business community. All board members shall serve for a term of three (3) years with a limit of three (3) consecutive terms. On August 20, 2025, a memo was sent to the Board of County Commissioners (BCC) requesting approval of the nominations. Seabron Smith from the Center for Technology, Enterprise, and Development, Inc. has disclosed his employer's existing contract with the County. Staff has evaluated this contractual relationship and determined that the EBOAC provides no regulation, oversight, management or policy-setting recommendations regarding the disclosed contractual relationship. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443 of the Palm Beach County Code of Ethics. Countywide (RS)

**Background and Justification:** On October 16, 2018, the County enacted the Equal Business Opportunity Program Ordinance (EBO Ordinance) Sections 2-80.20 et seq. Section 2-80.28(f) provides for appointments to be made from specific organizations and representatives of the small business community. The EBOAC serves in an advisory capacity to the Director of the OEBO, County Administrator, and BCC in reviewing the administration of various programs and policies promoting Small Business Enterprise participation in Palm Beach County prime and subcontracting opportunities and make recommendations regarding modifications of such programs, policies, and procedures. The EBOAC meets on a regular basis and no less than four (4) times a year.

**Attachments:**

1. Board/Committee Applications/Resumes
2. Attendance Records
3. Current List of Board Members
4. Memo to BCC dated August 20, 2025
5. Section 2-80.28(f) of the Palm Beach County, Florida Code of Ordinances (2025)

**Recommended by:**

**Department Director**

**Date**

**Legal Sufficiency:**

**Assistant County Attorney**

Date \_\_\_\_\_

## II. REVIEW COMMENTS

### A. Other Department Review:

---

Department Director

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

*The information provided on this form will be used in considering your nomination. Please **COMPLETE SECTION II IN FULL**. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.*

**Section I (Department):** (Please Print)

Board Name: Equal Business Opportunity Advisory Committee Advisory ☒ Not Advisory ☐  
☒ At Large Appointment or ☐ District Appointment /District #: \_\_\_\_\_  
Term of Appointment: 3 Years. From: 9/16/2025 To: 9/15/2028  
Seat Requirement: Business Incubator Program Seat #: 6  
☒ \*Reappointment or ☐ New Appointment  
or ☐ to complete the term of \_\_\_\_\_ Due to: ☐ resignation ☐ other  
Completion of term to expire on: \_\_\_\_\_

\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: \_\_\_\_\_

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Lesko Robert Donald  
Last First Middle  
Occupation/Affiliation: SCORE  
Owner ☐ Employee ☐ Officer ☐  
Business Name: SCORE  
Business Address: 500 S. Australian Ave., suite 115,  
City & State WPB, FL Zip Code: 33401  
Residence Address: 301 Aegean Rd.  
City & State PBG, FL 33401  
Home Phone: ( ) Business Phone: ( ) Ext. \_\_\_\_\_  
Cell Phone: ( 904)568-8630 Fax: ( )  
Email Address: robert.lesko@scorevolunteer.org

Mailing Address Preference: ☐ Business ☒ Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No X

If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Example: (R#XX-XX/PO XX)</u>	<u>Parks &amp; Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____
(Attach Additional Sheet(s), if necessary)			
OR			
NONE	<input checked="" type="checkbox"/>	NOT APPLICABLE/ (Governmental Entity)	<input type="checkbox"/>

**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII of the Palm Beach Code, the Palm Beach County Code of Ethics. Training on the Palm Beach County Code of Ethics can be found on the web at: <http://www.palmbeachcountvetethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-80 is required before appointment, and upon reappointment. All board members must also be familiar with the State of Florida Code of Ethics, (Chapter 112, part III of the Florida Statutes), and the Florida Sunshine Law.

By signing below I agree to abide by the Palm Beach County Code of Ethics, and acknowledge that I have received the required Ethics training (in the manner checked below):

☒ By watching the training program on the Web, DVD or VHS on June 6th 2025  
☐ By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Florida Sunshine Law and the State of Florida Code of Ethics, Chapter 112, part III of the Florida Statutes:

\*Applicant's Signature: Robert Donald Lesko Printed Name: Robert Donald Lesko \_\_\_\_\_ Date: June 6, 2025

Any questions and/or concerns regarding Article XIII of the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountvetethics.com](http://www.palmbeachcountvetethics.com) or contact us via email at [ethics@palmbeachcountvetethics.com](mailto:ethics@palmbeachcountvetethics.com) or (561) 233-0724.

Return this FORM to:  
Megan Harp, Administrative Assistant II  
Office of Equal Business Opportunity  
50 South Military Trail, Suite 202  
West Palm Beach, FL 33415

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Section II Continued:

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Example: (R#XX-XX/PO XX)</u>	<u>Parks &amp; Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____
(Attach Additional Sheet(s), if necessary)			
OR			
NONE	<input checked="" type="checkbox"/>	NOT APPLICABLE/ (Governmental Entity)	<input type="checkbox"/>

**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII of the Palm Beach Code, the Palm Beach County Code of Ethics. Training on the Palm Beach County Code of Ethics can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-80 is required before appointment, and upon reappointment. All board members must also be familiar with the State of Florida Code of Ethics, (Chapter 112, part III of the Florida Statutes), and the Florida Sunshine Law.

By signing below I agree to abide by the Palm Beach County Code of Ethics, and acknowledge that I have received the required Ethics training (in the manner checked below):

☒ By watching the training program on the Web, DVD or VHS on June 6th 2025

☐ By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Florida Sunshine Law and the State of Florida Code of Ethics, Chapter 112, part III of the Florida Statutes:

\*Applicant's Signature: Robert Donald Lesko Printed Name: Robert Donald Lesko Date: June 6, 2025

Any questions and/or concerns regarding Article XIII of the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

Return this FORM to:  
Megan Harp, Administrative Assistant II  
Office of Equal Business Opportunity  
50 South Military Trail, Suite 202  
West Palm Beach, FL 33415

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature: [Signature] Date: 8/25/25

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public. Revised 01/09/2023

Robert D. (Bob) Lesko  
301 Aegean Road  
Palm Beach Gardens, FL 33410  
[robertlesko@msn.com](mailto:robertlesko@msn.com)  
904-568-8360

**Professional:**

- Raytheon Corporation, Pratt & Whitney, 35 years. Progressively higher positions retiring as the Site Manager at the Naval Air Station, Jacksonville, FL. A Publix/Private partnership having full P&L responsibilities. Met or exceeded all financial and customer satisfaction during this 10-year period. Other positions included senior staff establishing the Middle East Propulsion Company in Riyadh, Saudi Arabia and other international locations, Logistic Program Management, International Spare Parts Sales, Financial Forecasting and Capital Budgeting.
- Broward County Government: Office of Budget and Management Services, Implemented Zero Based Budgeting with significant cost savings for my assigned departments.
- Florida Atlantic University/Florida International University Joint Center for Urban and Environmental Services: Multiple assignments as a graduate assistant including Compensation Analysis supporting the Police Benevolent Association, Economic Impact of relocating the Palm Beach County Offices to the City of West Palm Beach and forecasting 10 years of expenditures and revenues for the City of Miami Beach, which formed the basis of my master's thesis.

**Volunteer and Professional Organizations:**

- Current:
  - Certified SCORE mentor since 2015.
  - Palm Beach County Office of Equal Business Opportunity: Advisory Board Member, seat 6: Business Incubator
  - Loggerhead Marinelife Center: Education Docent / Hospital Interpreter, Education Volunteer of the year 2022. (Juno Beach, FL.)
  - Budget Committee, The Isles, since 2020, (Palm Beach Gardens, FL.)
- Previous:
  - Military Affairs Task Force Committee, Duval County (Jacksonville, FL.)
  - First Coast Manufacturing Association, Lean Consortium (Jacksonville, FL.)
  - American Businessmen Association of Riyadh, Military Affairs Committee (Riyadh, Saudia Arabia)
  - Northwood Neighborhood Association (West Palm Beach. FL.)

**Education:**

- B.S. Mathematics, Florida Atlantic University
- M.A. Economics, specializing in Econometrics, Florida Atlantic University
- MBA. International Finance. University of Miami

**Military:**

- US Army, 1969-1972, Viet Nam vet, honorably discharged, 100% disabled veteran

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

*The information provided on this form will be used in considering your nomination. Please **COMPLETE SECTION II IN FULL**. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.*

**Section I (Department):** (Please Print)

Board Name: Equal Business Opportunity Advisory Committee Advisory ☒ Not Advisory ☐  
☒ At Large Appointment or ☐ District Appointment /District #: \_\_\_\_\_  
Term of Appointment: 3 Years. From: 9/16/2025 To: 9/15/2028  
Seat Requirement: Business Organization Seat #: 7  
☒ \*Reappointment or ☐ New Appointment  
or ☐ to complete the term of \_\_\_\_\_ Due to: ☐ resignation ☐ other  
Completion of term to expire on: \_\_\_\_\_

**\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: \_\_\_\_\_**

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Pagan Juan J  
Last First Middle  
Occupation/Affiliation: President  
Owner ☐ Employee ☐ Officer ☒  
Business Name: Florida Hispanic American Chamber of Commerce  
Business Address: 4201 Westgate Ave., Suite A-7  
City & State West Palm Beach, FL Zip Code: 33409  
Residence Address: 1456 Rudder Cove  
City & State Wellington, Florida Zip Code: 33414-5522  
Home Phone: ( ) N/A Business Phone: ( ) Ext. \_\_\_\_\_  
Cell Phone: ( 561 ) 602-8525 Fax: ( ) N/A  
Email Address: Paganjj1@aol.com  
Mailing Address Preference: ☒ Business ☐ Residence  
Have you ever been convicted of a felony: Yes \_\_\_\_\_ No X  
If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Example: (R#XX-XX/PO XX)</u>	<u>Parks &amp; Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)  
OR

NONE ☒ NOT APPLICABLE/  
(Governmental Entity) ☐

**By signing below I agree to abide by the Palm Beach County Code of Ethics, and acknowledge that I have received the required Ethics training (in the manner checked below):**

  X   By watching the training program on the Web, DVD or VHS on 05/08/2025  
       By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

**By signing below I acknowledge that I have read, understand and agree to abide by the Florida Sunshine Law and the State of Florida Code of Ethics, Chapter 112, part III of the Florida Statutes:**

\*Applicant's Signature: \_\_\_\_\_ Printed Name: Juan J Pagan 05/08/2025  
Date: \_\_\_\_\_

Any questions and/or concerns regarding Article XIII of the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountvethics.com](http://www.palmbeachcountvethics.com) or contact us via email at [ethics@palmbeachcountvethics.com](mailto:ethics@palmbeachcountvethics.com) or (561) 233-0724.

**Section III (Commissioner, if applicable):**

**Appointment to be made at BCC Meeting on:**

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 01/09/2023



Section II Continued:

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Example: (R#XX-XX/PO XX)</u>	<u>Parks &amp; Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)  
OR

NONE

☒

NOT APPLICABLE/  
(Governmental Entity)

☐

**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII of the Palm Beach Code, the Palm Beach County Code of Ethics. Training on the Palm Beach County Code of Ethics can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-80 is required before appointment, and upon reappointment. All board members must also be familiar with the State of Florida Code of Ethics, (Chapter 112, part III of the Florida Statutes), and the Florida Sunshine Law.

By signing below I agree to abide by the Palm Beach County Code of Ethics, and acknowledge that I have received the required Ethics training (in the manner checked below):

☒ By watching the training program on the Web, DVD or VHS on 05/08/2025  
☐ By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

**AND**

By signing below I acknowledge that I have read, understand and agree to abide by the Florida Sunshine Law and the State of Florida Code of Ethics, Chapter 112, part III of the Florida Statutes:

\*Applicant's Signature: \_\_\_\_\_ Printed Name: Juan J Pagan 05/08/2025  
Date: \_\_\_\_\_

Any questions and/or concerns regarding Article XIII of the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

Return this FORM to:  
Megan Harp, Administrative Assistant II  
Office of Equal Business Opportunity  
50 South Military Trail, Suite 202  
West Palm Beach, FL 33415

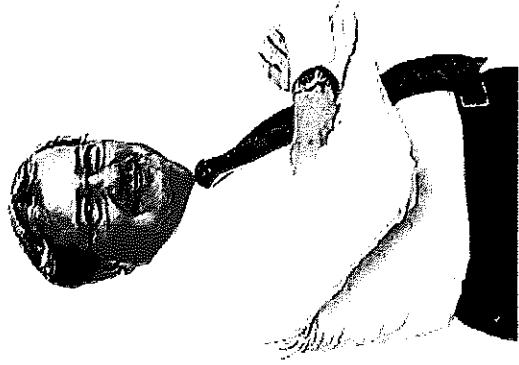
**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on:

Commissioner's Signature: \_\_\_\_\_ Date: 8/25/25

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 01/09/2023



FLORIDA HISPANIC AMERICAN  
CHAMBER OF COMMERCE

[www.HispanicChamber.org](http://www.HispanicChamber.org)

#### • **Juan J Pagan**

- Juan J. Pagan is an Executive Search Consultant with Global Recruiters of West Palm Beach with over 30 years of experience in the pharmaceutical and medical devices industry with F.H.I. and Company. While working with F.H.I. Lilly, Juan worked and lived in Puerto Rico, Philippines, and the U.S. He had numerous cross-functional experiences within the U.S.A. and Latin America International markets. I have ranged from sales management, sales training in the domestic U.S.A. and Latin America, managed care leadership roles, marketing management and human resources in both the United States and International markets.

Through his experience with F.H.I. Lilly, Juan has acquired expertise in the fields of non-sterile, injectors, ophthalmics, men's and women's health and oncology. His most recent position with Lilly was as a manager in the Puerto Health Division with responsibility for the State of Florida and Puerto Rico. In this position, Juan was able to manage with the State of Florida to ensure a more degree of consistency in clinical decision making and financing for health care services.

His track record has been marked by consistent sales growth, over-improving brand awareness and effective market penetration. Most recently, Juan was involved in the Puerto Health Care industry promoting and coordinating their services for Medicare recipients in Palm Beach County with studies of all medicals, market nursing homes, assisted living facilities and hospitals.

Juan attended the University of Puerto Rico, where he obtained a Bachelor degree in Business Administration and Psychology. To further his education he took additional courses toward an MBA before he was promoted and transferred to the headquarters of F.H.I. Lilly & Co. located in Indianapolis, IN. Juan is fluent in Spanish.

Currently, Juan is the President of the Florida Hispanic American Chamber of Commerce in Palm Beach County. In which his mission is to improve and expand the relationship between large and small and minority businesses and to promoting and learning about our business member's products and services. He must have a strong market for our members locally, statewide and across the Nation. He also now and better ways to bring together businesses and the community in Florida. Today, Juan is part of the Palm Beach County Office of Local Business Opportunities, located in Baur, where he is the current Chair. He is serving in the Village of Village Advocacy Committee.

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

*The information provided on this form will be used in considering your nomination. Please COMPLETE SECTION II IN FULL. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.*

**Section I (Department):** (Please Print)

Board Name: Equal Business Opportunity Advisory Committee Advisory ☒ Not Advisory ☐

☒ At Large Appointment **or** ☐ District Appointment /District #: \_\_\_\_\_

Term of Appointment: 3 Years From: 9/16/2025 To: 9/15/2025

Seat Requirement: Financial Institution that assists Small Business Seat #: 13

☒ \*Reappointment **or** ☐ New Appointment

or ☐ to complete the term of \_\_\_\_\_ Due to: ☐ resignation ☐ other

Completion of term to expire on: \_\_\_\_\_

**\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: \_\_\_\_\_**

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Smith Seabron Alonzo  
Last First Middle

Occupation/Affiliation Executive Director

Owner ☐ Employee ☒ Officer ☐

Business Name: Center for Technology, Enterprise and Development, Inc.

Business Address: 401 W. Atlantic Avenue, Suite 09

City & State Delray Beach, Florida Zip Code 33444

Residence Address: 7510 Anson Court

City & State Lake Worth, Florida Zip Code 33467

Home Phone: (561) 968-7205 Business Phone: (561) 243-2038 Ext. \_\_\_\_\_

Cell Phone: (561) 573-1202 Fax: (561) 265-0806

Email Address seabron@TEDcenter.org

Mailing Address Preference: ☒ Business ☐ Residence

Have you ever been convicted of a felony? Yes \_\_\_\_\_ No ☒

If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

Section II Continued:

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

Contract/Transaction No.	Department/Division	Description of Services	Term
Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100
R-2025-0089	Economic Development	Professional/Consultant Services	10/1/2024 to 9/30/2025

(Attach Additional Sheet(s), if necessary)  
OR

NONE ☐ NOT APPLICABLE/ ☐  
(Governmental Entity)

**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII of the Palm Beach Code, the Palm Beach County Code of Ethics. Training on the Palm Beach County Code of Ethics can be found on the web at: <http://www.palmbeachcountylethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-80 is required before appointment, and upon reappointment. All board members must also be familiar with the State of Florida Code of Ethics. (Chapter 112, part III of the Florida Statutes), and the Florida Sunshine Law.

By signing below I agree to abide by the Palm Beach County Code of Ethics, and acknowledge that I have received the required Ethics training (in the manner checked below):

☒ By watching the training program on the Web, DVD or VHS on June 11, 2025  
☐ By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Florida Sunshine Law and the State of Florida Code of Ethics, Chapter 112, part III of the Florida Statutes:

\*Applicant's Signature: Sabrina A. Smith Printed Name: Sabrina A. Smith Date: 6/11/2025

Any questions and/or concerns regarding Article XIII of the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountylethics.com](http://www.palmbeachcountylethics.com) or contact us via email at [ethics@palmbeachcountylethics.com](mailto:ethics@palmbeachcountylethics.com) or (561) 233-0724.

Return this FORM to:  
Megan Harp, Administrative Assistant II  
Office of Equal Business Opportunity  
50 South Military Trail, Suite 202  
West Palm Beach, FL 33415

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Pursuant to Florida's Public Records Law this document may be reviewed and photocopied by members of the public. Revised 01/09/2023

Section II Continued:

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

Contract/Transaction No.	Department/Division	Description of Services	Term
Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100
R-2025-0089	Economic Development	Professional/Consultant Services	10/1/2024 to 9/30/2025

(Attach Additional Sheet(s), if necessary)  
OR

NONE ☐ NOT APPLICABLE/ ☐  
(Governmental Entity)

**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII of the Palm Beach Code, the Palm Beach County Code of Ethics. Training on the Palm Beach County Code of Ethics can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-80 is required before appointment, and upon reappointment. All board members must also be familiar with the State of Florida Code of Ethics, (Chapter 112, part III of the Florida Statutes), and the Florida Sunshine Law.

By signing below I agree to abide by the Palm Beach County Code of Ethics, and acknowledge that I have received the required Ethics training (in the manner checked below):

☒ By watching the training program on the Web, DVD or VHS on June 11, 2025  
☐ By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Florida Sunshine Law and the State of Florida Code of Ethics, Chapter 112, part III of the Florida Statutes:

\*Applicant's Signature: Sabrina A. Smith Printed Name: Sabrina A. Smith Date: 6/11/2025

Any questions and/or concerns regarding Article XIII of the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

Return this FORM to:  
Megan Harp, Administrative Assistant II  
Office of Equal Business Opportunity  
50 South Military Trail, Suite 202  
West Palm Beach, FL 33415

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature: [Signature] Date: 8/25/25

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public. Revised 01/09/2023



**Department of Housing and  
Economic Development**

**Administration**

100 Australian Avenue  
Suite #500

West Palm Beach, FL 33406  
(561) 233-3600

[www.pbcgov.com](http://www.pbcgov.com)

**Palm Beach County  
Board of County  
Commissioners**

Maria G. Marino  
Mayor

Sara Baxter  
Vice Mayor

Greg K. Weiss

Joel Flores

Marci Woodward

Maria Sachs

Bobby Powell Jr

**County Administrator**

Verdenia C Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

**DATE:** January 17, 2025

**TO:** The Center for Technology, Enterprise  
and Development, Inc

**FROM:** Tessa Wattley, RE Contract Analyst

**RE:** Amendment 001 (R2025-0089) to CDBG Economic  
Development Agreement (R2024-1423) under FY19-20, FY20-  
21 & FY24-25

Dear Mr. Seabron Smith:

Please see enclosed Code Enforcement CDBG Agreement funded under  
combined Fiscal Years 2019-2020, 2020-2021 & 2024-2025, for your  
records

The assigned Reference Number (R#) **"R2025-0089"** must be included for  
all correspondence, invoices and reimbursement requests to the County.

Should you have any questions don't hesitate to contact me or a member  
of our team.

Respectfully,

Tessa Wattley  
Real Estate Contract Analyst  
Department of Housing & Economic Development  
100 Australian Avenue, 5th Floor  
West Palm Beach, FL 33406  
(561) 233-3610 E: [TWattley@pbcgov.org](mailto:TWattley@pbcgov.org)

Cc Jeffrey Bolton, Director  
Contracts Development and Quality Control Division  
Department of Housing and Economic Development

SEABRON A. SMITH  
7510 ANSON COURT  
LAKE WORTH, FLORIDA 33467  
(561) 573-1202  
seabron@TEDcenter.org

---

## SUMMARY

---

A Professional with a history of creating and maintaining successful linkage between the private and public sectors

Demonstrated strengths in Program Development and Business Management, involving the provision of services to thousands of displaced professionals and non-professionals that requires complex business start-up procedures that will promote job creation, resulting in economic growth and community revitalization

Demonstrated strong intergovernmental and interorganizational relations with expertise in research and developmental strategies to achieve organizational goals

## HIGHLIGHTS OF QUALIFICATIONS

- Over 25 years of program development/management and experience with proven expertise in project development & management
- Resourceful in solving problems and maximizing resources
- Skilled in relating to the public with professionalism and sensitivity
- Exceptional written and oral communications skills
- Experienced Grant writer & fundraiser
- Able to set and achieve goals, and manage multiple tasks simultaneously
- Strengths include analytical skills to identify and formulate solutions; policy and procedure development; training and strategic planning
- Experienced in entrepreneurship and small business consulting
- Highly creative, self motivated with exceptional organizational and planning skills
- Demonstrated ability to build and maintain strategic alliances
- Proven record of working successfully in self-directed, entrepreneurial environment
- Substantial experience managing collaborative projects with diverse partners
- Appreciation of private, public and nonprofit sectors
- Experienced in developing new, multidisciplinary models for helping people improve their quality of life

## NOTABLE ACCOMPLISHMENTS

- Researched, identified, analyzed and recommended applicable grant funding opportunities from government agencies (local, state and federal), corporations, and private and public foundations.
- Generated revenue for organization programs and services through timely submission of well researched, well-written and well-documented grant proposals.
- Managed and implemented grant database, funder research files, grant application deadlines and reporting schedules for tracking grant information.
- Responsible for preparation and timely submission of all grant reports, including mid-term, progress reports and final reports to funders.
- Managed and implement donor database.

- Collaborated with CFO to monitor grant expenditures to ensure that funds are spent in accordance with the approved budget, in a timely manner, and in compliance with funder's guidelines.
- Maintained required registrations i.e. 501(c)(3), Dept. of Agriculture Registration, etc.

## PROFESSIONAL EXPERIENCE

CENTER FOR TECHNOLOGY, ENTERPRISE AND DEVELOPMENT, INC. 1997-Present  
**Executive Director**

## EDUCATION

**Bachelor Business Administration**, Albany State College, Albany, Georgia 1978-1981

## PROFESSIONAL MEMBERSHIPS

### Board Membership

City of Delray Beach Downtown Development Authority (Past President)  
 Florida Business Development Corporation  
 Palm Beach County Office of Equal Business Opportunity  
 No More Starving Artist Foundation

### Committees/Associations

Palm Beach County's Small Business Advisory Committee  
 Palm Beach County Housing Authority Program Coordinating Committee  
 Treasure Coast Regional Planning Council's Comprehensive Economic Development Strategy Committee  
 Delray Beach Downtown Master Plan Implementation Committee  
 National Business Incubator Association  
 Chamber of Commerce/Boca Raton, Delray Beach, Boynton Beach  
 Member of the 2004 National Register's Who's Who in Executives and Professionals  
 Palm Beach Partners Business Matchmaker Conference and Expo (Partner)  
 Recognized in 2011 as 1 of the 50 most Powerful Black Professionals in South Florida  
 Lambda Alpha Alpha Chapter of Omega Psi Phi Fraternity, Inc.



## SBE ADVISORY COMMITTEE MEETING 2023 ATTENDANCE SHEET

	Jan 18 <sup>th</sup>	Feb	March 15 <sup>th</sup>	April	May 17 <sup>th</sup>	June	July 19 <sup>th</sup>	Aug	Sept 20 <sup>th</sup>	Oct	Nov 15 <sup>th</sup>	Dec
1. <b>John Elliott</b> Certified Black Business Owner	A		A		A		T/E					
1. <b>Christine Roberts-Kelly</b> Certified Black Business Owner									P		P	
2. <b>Kati Cassiani</b> Certified Hispanic Business Owner	A		A		P		A		A		P	
3. <b>Doris Pastl</b> Certified Woman Business Owner	P		P		P		P		P		P	
4. <b>Alan Gerwig</b> Certified White Male Business Owner	P		V		P		P		A		A	
5. <b>Amy Angelo</b> Business Owner Domiciled in PBC	A		V		P		P		P		P	
6. <b>Robert Lesko</b> Business Incubator Program	A		P		P		P		P		P	
7. <b>Juan Pagan</b> Hispanic Business Organization	P		P		P		P		P		P	
8. <b>Clementine Fleuranvil</b> NAWIC**	A		V		P		P		P		A	
9. <b>Denise Albritton</b> Women's Business Organization	V		V		P		P		P		A	
10. <b>Javin Walker</b> Certified Minority Contractor	P		P		P		P		P		P	
11. <b>Bob Schafer</b> Associated General Contractors	P		V		A		P		P		P	
12. <b>Carole Hart</b> SBDC	V		V		A		P		V		V	
13. <b>Seabron Smith</b> Financial Institution assist SB	V		P		P		P		A		P	
14. <b>Courtney McKenzie Newell</b> Black Chamber of Commerce	A		V		P		V		V		A	
15. <b>Lorna Anderson</b> Professional Services Organization	A		A		P		P		V		A	

\*Did not sign in.

V – Virtually Present   P – Physically Present   A - Absent

T/E – Term Ended

Nov 16, 2022 – Board Voted for bi-monthly meetings

**OFFICE OF EQUAL BUSINESS OPPORTUNITY ADVISORY COMMITTEE**  
**2024 MEETING ATTENDANCE LOG**

	Jan 17 <sup>th</sup>	Feb	March 20 <sup>th</sup>	April	May 15 <sup>th</sup>	June	July 17 <sup>th</sup>	Aug	Sept 18 <sup>th</sup>	Oct	Nov 20 <sup>th</sup>	Dec
1. <b>Christine Roberts-Kelly</b> Certified Black Business Owner	P		A		P		A		P		P	
2. <b>Kati Cassiani</b> Certified Hispanic Business Owner	P		P		P		P		P		P	
3. <b>Doris Pastl</b> Certified Woman Business Owner	P		A		P		A		P		T/E	
4. <b>Alan Gerwig – Seated vacated 1/17/24</b> Certified White Male Business Owner	T/E											
4. <b>Ilan Kottler – Appointed 9/17/24</b> Certified White Male Business Owner									P		P	
5. <b>Amy Angelo</b> Business Owner Domiciled in PBC	P		A		P		P		A		T/E	
6. <b>Robert Lesko</b> Business Incubator Program	V		P		P		P		V		P	
7. <b>Juan Pagan</b> Hispanic Business Organization	P		P		P		P		P		P	
8. <b>Clementine Fleuranvil</b> National Organization of Women in Construction	P		P		P		P		A		P	
9. <b>Denise Albritton</b> Women's Business Organization	P		A		P		A		P		T/E	
10. <b>Javin Walker</b> Certified Minority Contractor	A		P		P		P		V		V	
11. <b>Bob Schafer</b> Associated General Contractors	P		P		V		V		P		P	
12. <b>Carole Hart – Seated vacated 3/26/2024</b> Small Business Development Center	P		A		T/E							
12. <b>Jacqueline Ramirez – Appointed 9/17/24</b> Small Business Development Center									P		P	
13. <b>Seabron Smith</b> Financial Institution that assists Small Business	V		P		P		P		P		P	
14. <b>Courtney Newell</b> Black Chamber of Commerce	V		P		A		A		P		T/E	

\*Did not sign in.

V – Virtually Present   P – Physically Present   A – Absent

T/E – Term Ended

Nov 16, 2022 – Board Voted for bi-monthly meetings

OFFICE OF EQUAL BUSINESS OPPORTUNITY ADVISORY COMMITTEE  
2024 MEETING ATTENDANCE LOG

15. Lorna Anderson Professional Services Organization	V		P		A		A		P		
--	---	--	---	--	---	--	---	--	---	--	--

\*Did not sign in.  
V – Virtually Present    P – Physically Present    A - Absent  
T/E – Term Ended

# OFFICE OF EQUAL BUSINESS OPPORTUNITY ADVISORY COMMITTEE

## 2025 MEETING ATTENDANCE LOG

	Jan 15 <sup>th</sup>	Feb	March 19 <sup>th</sup>	April	May 21 <sup>st</sup>	June	July 16 <sup>th</sup>	Aug	Sept 17 <sup>th</sup>	Oct	Nov 19 <sup>th</sup>	Dec
<b>Seat 1 – Christine Roberts-Kelly</b> Certified Black Business Owner	P		P		P		P					
<b>Seat 2 – Kati Cassiani</b> Certified Hispanic Business Owner	A		P		P		P					
<b>Seat 3 – Angela Barnard</b> Certified Woman Business Owner	P		V		P		P					
<b>Seat 4 – Ilan Kottler</b> Certified White Male Business Owner	A		P		P		P					
<b>Seat 5 – Melanie Roger</b> Business Owner Domiciled in PBC	A		P		P		P					
<b>Seat 6 – Robert Lesko</b> Business Incubator Program	P		P		P		P					
<b>Seat 7 – Juan Pagan</b> Hispanic Business Organization	P		P		A		P					
<b>Seat 8 – Clementine Fleuranvil</b> National Organization of Women in Construction	A		P		P		P					
<b>Seat 9 – Deeawn T. Roundtree</b> Women’s Business Organization	A		V		P		A					
<b>Seat 10 – Javin Walker</b> Certified Minority Contractor	P		P		P		A					
<b>Seat 11 – Bob Schafer</b> Associated General Contractors	V		P		A		P					
<b>Seat 12 – Jacqueline Ramirez</b> Small Business Development Center	P		P		P		P					
<b>Seat 13 – Seabron Smith</b> Financial Institution that assists Small Business	P		P		P		P					
<b>Seat 14 – Thais Sullivan</b> Black Chamber of Commerce	P		V		P		A					
<b>Seat 15 – Lorna Anderson</b> Professional Services Organization	P		A		V		P					

\*Did not sign in.

V – Virtually Present   P – Physically Present   A - Absent

T/E – Term Ended

## EBAC Committee Members

### Seat 1

**Christine Roberts Kelly**

Intention Enterprises LLC

**Certified Black Business Owner**

**Term: 8/22/2023 – 8/21/2026**

### Seat 2

**Kati L. Cassiani**

JJJ Construction Corp.

**Certified Hispanic Business Owner**

**Term: 10/04/2022 – 10/03/2025**

### Seat 3

Angela Barnard

Audio Video Systems, Inc

**Certified Woman Business Owner**

**Term: 12/10/2024 – 12/9/2027**

### Seat 4

**Ilan Kottler**

**Certified White Male Business Owner**

**Term: 9/17/2024 – 7/11/2028**

### Seat 5

**Melanie Roger**

Zeus Consulting Services Corporation

**Business Owner Domiciled in PBC**

**Term: 12/10/2024 – 12/9/2027**

## EBAC Committee Members

### Seat 6

**Robert Lesko**

PB SCORE

**Business Incubator Program**

**Term: 7/12/2022– 7/11/2025**

### Seat 7

**Juan Pagan**

Puerto Rican/Hispanic Chamber of Commerce

**Hispanic Business Organization**

**Term: 7/12/2022 – 7/11/2025**

### Seat 8

**Clementine Fleuranvil**

Accounting of the Palm Beaches, LLC

**National Association of Women in Construction**

**Term: 09/17/2024 – 09/16/2027**

### Seat 9

**Deeawn T. Roundtree**

Rountree Training & Consulting

**Women's Business Organization**

**Term: 12/10/2024 – 12/9/2027**

## EBAC Committee Members

### Seat 10

**Javin Walker**

"2" SBW & Associates, Inc.

**Minority Contractor**

**Term: 10/04/2022 – 10/03/2025**

### Seat 11

**Bob Schafer**

Ranger Construction Industries, Inc.

**Associated General Contractors**

**Term: 10/04/2022 – 10/03/2025**

### Seat 12

**Jaqueline Ramirez**

Small Business Development Center

**Term: 9/17/2024 – 10/15/2027**

### Seat 13

**Seabron Smith**

The Center for Technology Enterprise & Development, Inc.

**Financial Institution that assists Small Businesses**

**Term: 7/12/2022 – 7/11/2025**

### Seat 14

**Thais Sullivan**

Valley Bank

Black Chamber of Commerce

**Term: 12/10/2024 – 12/9/2027**

*Revised 12.11.2024*

## EBAC Committee Members

Seat 15

**Lorna Anderson**

Greywood Consulting Corp

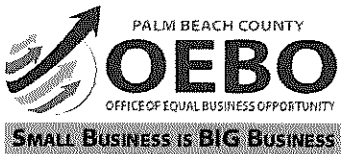
**Professional Services Organization**

**Term: 09/12/2023 – 09/11/2026**





Office of  
Equal Business Opportunity  
50 South Military Trail, Suite 202  
West Palm Beach, FL 33415  
(561) 616-6840  
www.pbc.gov/oebo



Palm Beach County  
Board of County  
Commissioners

Maria G. Marino, Mayor

Sara Baxter, Vice Mayor

Gregg K. Weiss

Joel Flores

Marci Woodward


Maria Sachs

Bobby Powell, Jr.

## INTEROFFICE MEMORANDUM

Date: August 20, 2025

To: The Honorable Maria G. Marino, Mayor and  
Members of the Board of County Commissioners

From: Tonya Davis Johnson, Director   
Office of Equal Business Opportunity

Re: Equal Business Opportunity Advisory Committee  
Recommended Reappointment and Request for Nominations

The Office of Equal Business Opportunity (OEBO) is submitting for your consideration the following recommended nominees for reappointment for Seats six, seven, and 13 as described below of the Equal Business Opportunity Advisory Committee (EBOAC), due to the term expiration. Pursuant to emergency ordinance 2025-014, racial, ethnic, and gender designations for seat designations have been removed.

Attached for your review and approval are the Board Nomination Forms, current resumes, and attendance records for the recommended nominees. Should you wish to nominate others, we ask that you provide your nomination(s) on or before **September 4, 2025**.

<u>Seat #</u>	<u>Seat Designation</u>	<u>Nominee</u>
6	Business Incubator Program	Robert Lesko
7	Business Organization	Juan Pagan
13	Financial Institution that assist Small Businesses	Seabron Smith

Pursuant to section 2-80.28(f) of the Palm Beach County, Florida Code of Ordinances (2025), the Equal Business Opportunity Advisory Committee consists of fifteen citizen members made up of representatives of trade groups and members of the general business community. All board members shall serve for a term of three years with a limit of three consecutive terms.

The EBOAC serves in an advisory capacity to the Director of the OEBO, County Administrator, and Board of County Commissioners in reviewing the administration of various programs and policies promoting Small Business Enterprise participation in Palm Beach County prime and subcontracting opportunities and make recommendations regarding modifications of such programs, policies, and procedures. The EBOAC meets on a regular basis and no less than four times a year. Pursuant to emergency ordinance 2025-014, the current diversity of the committee is omitted.

cc: Reginald Duren, Assistant County Administrator  
EBOAC Advisory Committee File

"An Equal Opportunity Employer"

Official Electronic Letterhead

---

## **Sec. 2-80.20. Policy, purpose, and objectives.**

In accordance with this Ordinance, the Board of County Commissioners of Palm Beach County, Florida (BCC) has directed staff to use its best efforts to ensure that all segments of its business population, including, but not limited to, small, local, minority, and women-owned businesses, have an equitable opportunity to participate in the County's procurement process, prime contract, and subcontract opportunities, and that no business shall be excluded from participation, denied benefits of, or otherwise discriminated against, in connection with the award and performance of any contracts with the County on the grounds of race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity or expression, disability or genetic information. Moreover, the specific purposes and objectives of this Part are as follows:

- (1) This Equal Business Opportunity (EBO) Ordinance, and the Policy and Procedure Manual (PPM) guidelines established pursuant to this Part, shall serve the County's compelling interest to remedy the various ongoing effects of marketplace discrimination against Small/Minority/Women Business Enterprises (S/M/WBEs) that are ready, willing, and able to sell goods and services, including construction-related goods and services and professional services (collectively "goods and services"), to the County.
- (2) The narrowly-tailored remedial efforts established in this EBO Ordinance are designed to promote greater availability, capacity development, and contract participation by S/M/WBEs in County contracts, and in doing so, enhance competition to the benefit of the County's residents and taxpayers.
- (3) This EBO Ordinance is intended, in part, to further the County's compelling interest in ensuring that it is neither an active nor passive participant in private sector marketplace discrimination, and to actively promote equal opportunity for all segments of the contracting and business community to participate in County contract opportunities.
- (4) The County shall resort to the use of race- and gender-conscious means for addressing disparities within the realm of its contracting only when it is apparent that the use of race- and gender-neutral means alone will likely be insufficient to remedy the effects of identified discrimination.
- (5) Having found that it has a compelling governmental interest to remedy the effects of discrimination upon County contracts, the Board directs the County Administrator or designee, the Director of Procurement or designee, and the Director of the Office of Equal Business Opportunity (Office of EBO) or designee to collaborate in periodically recommending to the Board possible future amendments necessary to fully effectuate the purposes and objectives established in this EBO Ordinance. Such proposed amendments shall also be narrowly-tailored in accordance with applicable law, and the specific barriers to S/M/WBE participation identified within the County's factual predicate as described below in Section 2-80.25 of this EBO Ordinance.
- (6) It is the policy of the County to take all necessary, reasonable, and legal action to prevent discrimination and to ensure that all businesses, including S/M/WBEs, are afforded the maximum practicable opportunity to participate in the County's purchasing and contracting processes.
- (7) As referenced in Resolution R2017-1770 as amended, it is the policy of the Board to ensure that the firms it engages in business with do not discriminate on the basis of race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity or expression, disability, or genetic information in the solicitation, selection, hiring or commercial treatment of subcontractors, vendors, suppliers, or commercial customers, nor shall any such firms retaliate against any person for reporting instances of such discrimination. The firms shall provide equal opportunity for subcontractors.

- 
- (8) The Office of EBO shall have primary oversight responsibility with the full support and cooperation of all other County offices and departments in the administration of the EBO Program, as well as in the administration of other economic inclusion policies contained in the PPM.

An inclusive, robust, and competitive local marketplace is consistent with the County's public interest in reducing the economic burden on the County residents and taxpayers it serves. In furtherance of its mission to efficiently and cost-effectively serve the public interest on behalf of the residents of Palm Beach County, the County seeks to promote the formation, growth, and competitive viability of its indigenous business population through the economic inclusion policies and procedures set forth in this EBO Ordinance.

(Ord. No. 2018-021, § 1(Exh. A), 10-16-18; Ord. No. 2025-002, § 1, 1-14-25)

#### **Sec. 2-80.28. Program administration.**

- (a) *Originating Departments—Duties and Responsibilities.* It shall be the responsibility of the Procurement Department to ensure that solicitations emanating from the department adhere to the procedures and provisions set forth in this EBO Program. The Originating Department Director or Manager or designee shall assume joint responsibility with the Procurement Department for assuring vendor and contractor compliance with the policy objectives of this program (as stated within the material Solicitation and material deliverable requirements). The Originating Department shall review, on a continuing basis, all aspects of the Program's operations that it is involved in to any degree, and make adjustments to its efforts, as necessary, to assure that the EBO Ordinance's purpose is being achieved. The Originating Department, in collaboration with the Procurement Department and the Office of EBO, shall ensure the following actions are taken to ensure that S/M/WBEs have the maximum practicable opportunity to participate on County contracts:
- (1) Post all Formal Solicitations on the County's website, for the solicitation period required by state law for the type of procurement, and then direct targeted e-mail alerts containing links to the webpage where such County solicitations are posted at least thirty (30) days in advance of bid or proposal due dates where practical. Such e-mail alerts should be directed to all respondents or bidders that have registered with the appropriate commodity/industry codes on the County's VSS system;
  - (2) Encourage all prospective Prime Contractor respondents or bidders for County solicitations to post their subcontract opportunities on the County webpage where the solicitation specifications have been posted by the County.
  - (3) Ensure that the Commercial Nondiscrimination Policy statement, compliance language, and any other material requirements specified by the EBO Ordinance are included in all Solicitation and contract documents;
  - (4) Preview and evaluate all Formal Solicitations in an effort to de-bundle the total requirements of a contract into smaller units to promote maximum and reasonable opportunities for S/M/WBE participation, without making separate, sequential or component purchases in violation of state purchasing laws;
  - (5) Establish procedures to ensure that all contractors submitting correct and undisputed invoices are paid within thirty (30) days and that Subcontractors are paid within ten (10) days after the County pays the Prime Contractor. Insert a requirement in all contracts that Prime Contractors must inform subcontractors of written notice of disputed invoices within five (5) days of receipt, and clearly state in such notices the reasons for the disputed invoice;
  - (6) Ensure that a County contract is not executed and that a Notice to Proceed is not issued until binding agreements between the Prime and subcontracting S/M/WBEs have been executed by all parties and submitted to the Originating Department;

- 
- (7) Ensure that all required statistics and documentation regarding bid, contract, invoice, and payment information are submitted to the Office of EBO as requested;
  - (8) If circumstances prevent the Originating Department from meeting notification requirements contained herein, the Originating Department shall engage in direct and extensive outreach to S/M/WBE associations or other relevant organizations to inform them of the contracting opportunity, unless the circumstances are exigent and an emergency exists that requires immediate action to protect the public health, safety or welfare; and
  - (9) Notify the Director of the Office of EBO or designee of all change orders and amendments to contracts that are subject to this EBO Ordinance and take necessary steps to ensure that APIs applied to the contract by the GSC are also extended and enforced, to the maximum practical extent, with regard to any modified scope of work under the terms of such change orders and contract amendments.
- (b) *Office of EBO—Duties and Responsibilities.* The following duties and responsibilities of the Office of EBO are in addition to those set forth in Section 2-80.23:
- (1) *General Duties.* The EBO Ordinance will be administered and managed by the Director of the Office of EBO or designee. The Director of the Office of EBO shall attend all Board agenda meetings to address any S/M/WBE or EBO Program issues. The Office of EBO shall be responsible for the overall administration of the County's EBO Program. At a minimum, the Office of EBO shall:
    - a. Report to the County and the public, based on available data, on at least an annual basis as to the County's progress toward satisfying the EBO Ordinance purposes and objectives.
    - b. Formulate, establish, distribute and implement additional forms, rules and procedures for EBO Program waivers, improvements and adjustments to the goal-setting methodologies and other EBO Program features;
    - c. Have advance substantive input in a contract specification review process consistent with this EBO Ordinance to ensure that contract solicitation specifications are not unnecessarily restrictive and unduly burdensome to S/M/WBE firms;
    - d. Receive and analyze external and internal information, including statistical data and anecdotal testimony regarding the barriers encountered by S/M/WBE firms in attempting to obtain contract opportunities at the County, and the relative effectiveness of various APIs in addressing those barriers;
    - e. Monitor and support the program policies and procedures and propose modifications to appropriate County officials as necessary to fully achieve the purpose and objectives of the EBO Program policies and procedures;
    - f. Provide public education and advocacy internally and externally regarding the purposes and objectives of the EBO Ordinance;
    - g. Maintain a directory of certified SBEs and M/WBEs;
    - h. Provide seminars and technical assistance referrals to S/M/WBE firms to enhance their ability to effectively compete for County contracts;
    - i. Investigate alleged violations of this EBO Ordinance and provide written recommendations to appropriate authorities for remedial action and imposition of sanctions and penalties when necessary;
    - j. Determine Prime Contractor compliance with EBO Ordinance requirements prior to award and again prior to release of final retainage;
    - k. Oversee the maintenance of an accurate contract performance and compliance reporting system;

---

Created: 2025-08-20 11:13:00 [EST]

- 
- l. Provide staff support for the GSC and the EBOAC; and
  - m. Collaborate with County Departments to streamline the invoice and payment procedures at the County so as to accelerate payments for prime contractors. To the extent there is an undisputed portion of the invoice that can be paid and to the extent that payment is required by the Local Government Prompt Payment Act, F.S. § 218.70 et seq., the County shall proceed with the prompt payment of that portion of the invoice.
- (2) *Certification.* Certification of all S/M/WBE firms shall be the ultimate responsibility of the Office of EBO. The Office of EBO shall be responsible for reviewing all S/M/WBE Certification and recertification forms used by its selected certifying agent or organization to ensure that they are sufficient for purposes of gathering information consistent with the standards, definitions and intent established by this EBO Ordinance. The Office of EBO shall also maintain an automated and up-to-date web-based registry of all certified S/M/WBE firms that is readily available to the general public, as well as to County personnel.
- a. In executing its responsibility in connection with these Certifications, the Office of EBO may, at the Director's discretion, contract with a regional governmental or certification agency/organization for the purpose of issuing Certifications in a manner that is consistent with the eligibility standards established under this EBO Ordinance.
  - b. A firm eligible for Certification(s) under this EBO Ordinance shall be an Independently Owned and Operated business. The ownership and Control by Minority Group Members or Women shall be real and substantial, and shall be indicated by customary incidents of ownership as demonstrated by an examination of the substance, rather than the form, of ownership and operating arrangements. In determining whether a potential firm is an Independently Owned and Operated business, the certifying agency considers all relevant factors including, but not limited to:
    - 1. The date the business was established;
    - 2. The adequacy of its resources to perform the contracted work;
    - 3. The degree to which financial, equipment leasing, supplier and other relationships with non-minority businesses vary from industry practice.
  - c. The Minority Group Member or women owners must possess and exercise the power to direct the management and policies of the firm and to make day-to-day decisions, as well as any decisions on matters of management policy, and operations. The firm shall not be subject to any formal or informal restrictions which limit the customary discretion of the Minority Group Member or women owners. There shall be no restrictions by partnership agreements, charter requirements, operating agreements or other arrangements which prevent the Minority Group Member or women owners from making business decisions for the firm without the cooperation or vote of any owner that is not minority or female.
  - d. Recognition of the business as a separate entity for tax or corporate purposes is not necessarily sufficient for recognition as an S/M/WBE. Certification as S/M/WBE firms will be in accordance with the definitions established in this EBO Ordinance and the PPM.
  - e. A claim of minority status as a Minority Group Member must be directly related to the applicant's parents' status. Neither birthplace nor marriage has any bearing on minority status of the Certification applicant. All Minority Group and women owners of certified firms must be Individuals that are lawfully residing in, or are citizens of, the United States or its territories.
  - f. A firm seeking Certification or Recertification status under this EBO Ordinance shall cooperate fully with the County (or its designated certification agent) in supplying additional information and in facilitating a site visit of the enterprise which may be requested in order to make a determination. Failure or refusal to cooperate shall result in denial or repeal of Certification.

- 
- g. Proof of Certification by another certifying entity may be accepted by the County in lieu of the County's own Certification process if the certifying entity adheres to the same or similar policies and standards as those established by the County. To the extent the County's factual predicate for its EBO Ordinance requires, under applicable law, a narrower definition of S/M/WBE firm categories (e.g., due to ethnicity/gender of ownership or relevant geographic market considerations), the County shall limit the categories of S/M/WBE firms certified by other jurisdictions that shall be eligible for participation in the County's EBO Program as necessary to ensure that the Race-Conscious remedial relief provided by the County's Program remains appropriately narrowly-tailored.
  - h. Before accepting another jurisdiction's S/M/WBE Certification program, the Office of EBO shall examine the definitions, standards and Certification practices of the program to ensure that it adheres to established County Certification guidelines.
  - i. If the owners of the business who are not Minority Group Members or women are disproportionately responsible for the operation of the firm, the firm is not controlled by minorities and/or women and may not be considered to be an M/WBE within the meaning of this EBO Ordinance. Where the actual management of the business is contracted out to Individuals other than the owner, those persons who have the ultimate power to hire and fire the managers may, for the purposes of this EBO Ordinance, be considered as controlling the business.
  - j. All securities that constitute ownership or Control of a corporation for purposes of establishing it as an M/WBE under this EBO Ordinance shall be held directly by Minority Group Members or women. Securities held in trust, or by any guardian for a minor, may not be considered as being held by Minority Group Members or women in determining the ownership or Control of a corporation.
  - k. The contributions of capital or expertise by the Minority Group Member or women owners to acquire their interests in the business shall be real and substantial. Examples of insufficient capital contributions include:
    - 1. A promise to contribute capital;
    - 2. A note payable to the business or its owners who are not socially and economically disadvantaged. Minority Group Members or Women; and
    - 3. Contributions in labor or expertise that result solely in employee compensation, without participation in business profits as an owner.
  - l. Special consideration of the following additional circumstances in determining eligibility:
    - 1. Newly-formed businesses and businesses whose ownership or Control has changed since the date of the advertisement of the contract shall be closely scrutinized to determine the reasons for the timing of the formation of, or change in, the businesses;
    - 2. A previous or continuing employer-employee relationship between or among present owners shall be carefully reviewed to ensure that the employee-owner has management responsibilities and capabilities discussed in this EBO Ordinance; and
    - 3. Any relationship between an M/WBE and a business that is not an M/WBE, but that has an interest in the M/WBE, shall be carefully reviewed to determine if the interest of the non-minority business conflicts with the ownership and Control requirements of this EBO Ordinance.
    - 4. Once certified, an S/M/WBE firm shall update its status triennially by submitting a Certification affidavit. If ownership or control of the firm has changed, the S/M/WBE firm

---

shall submit a new Certification affidavit to the Office of EBO (or its contracted Certification agency) within thirty (30) days of the change.

5. The certifying entity will notify applicants of staffs determinations on certification and recertification status.
- m. Once denied certification, a firm may not reapply for certification until one (1) year has lapsed since the date of final determination regarding certification denial.
- n. A firm shall be decertified when it no longer meets the eligibility requirements for certification, and such decertified firms shall not be eligible to reapply for one (1) year from the date of the final adverse decision.
- o. Within twenty (20) days of the issuance of letter stating the basis for denial of certification status, the applicant may seek reconsideration of the decision by submitting a request for reconsideration in writing to the Director of the Office of the EBO. The applicant shall state the basis for its request for reconsideration. The applicant may also seek a conference with the Director for purposes of being heard on the matter. Upon completion of conference and administrative review of the request for reconsideration, the Director of the EBO Office shall issue a final written determination within thirty (30) days of conclusion of the conference. The Director of the EBO shall take one (1) of the following actions on the request for reconsideration:
  1. Reverse the decision. If a determination is made that certification was denied contrary to the provisions of the code, the director may reverse the decision of certification denial, and a certification certificate shall be issued.
  2. Uphold the certification denial decision. If denied, the applicant has the right to request an appeal before a special master as follows:
    - A. The request for a special master hearing shall be in writing to the director of the EBO, and shall be made within five (5) business days of issuance of the director of the EBO's determination. The request for a hearing shall be accompanied by an appeal bond in the amount of: 1) one thousand five hundred dollars (\$1,500.00) for solicitations less than one million dollars (\$1,000,000.00); 2) three thousand dollars (\$3,000.00) for solicitations one million dollars (\$1,000,000.00) to less than five million dollars (\$5,000,000.00); or 3) five thousand dollars (\$5,000.00) for solicitations five million dollars (\$5,000,000.00) or greater, which shall be remitted in the form of a money order, certified check, cashier's check, or a bank check payable to Palm Beach County.
    - B. At no time shall the applicant or any other person contact a special master regarding any issue pertaining to, or involving, the appeal. Contact between the county and the special master shall be limited to scheduling and other administrative issues, including the provision and copying of public records pertinent to the appeal.
    - C. The Office of EBO shall establish rules and regulations by separate policy and procedure detailing the selection of special masters, the appeals process, and the conduct governing appeal hearings. Such rules shall provide that the special master may not consider any evidence which was not available at the time of the application or recommendation for decertification or recommendation for denial of certification or recertification. Such rules shall also provide that the special master shall render a written decision within ten (10) business days of the hearing.

- 
- D. Special Masters shall have the jurisdiction and authority to hear and decide appeals. The special master shall make a recommendation as to whether the appeal should be upheld or denied.
- i. If the special master upholds the appeal, the special master shall recommend the director of the EBO issue a certification certificate. In these instances, the EBO shall return the appeal bond to the applicant.
  - ii. If the special master denies the appeal, the special master shall recommend that the certification be withheld, and in these instances, the applicant's bond shall be forfeited.
- p. Certification, once granted, remains in effect for three (3) years, except in accordance with the graduation and suspension provisions of this EBO Ordinance.
- (3) *Compliance Responsibilities.* The Office of EBO, along with contracting staff of each County department, shall monitor compliance with these EBO Program requirements during the term of the contract. If it is determined that there is cause to believe that a Prime Contractor or Subcontractor has failed (or will likely fail) to comply with any of the requirements of this EBO Ordinance, or with the contract provisions pertaining to S/M/WBE utilization, the Director of the Office of EBO or designee shall so notify the Originating Department and the contractor. The Director of the Office of EBO or designee may require such reports, information, and documentation from contractors, respondents or bidders and the head of any County department, division, or office as are reasonably necessary to determine compliance with the EBO Ordinance requirements, within fifteen (15) calendar days after the notice of noncompliance is issued. If the requested materials are not received within fifteen (15) calendar days, then a finding of noncompliance is determined and appropriate penalties and sanctions will apply as stated in this EBO Ordinance and the PPM.

Joint responsibility is shared by the Director of the Office of EBO or designee and the Originating Department or designee to attempt to resolve a contractor's, subcontractor's, or vendor's noncompliance with the requirements of this EBO Ordinance, including any non-compliance with contract provisions pertaining to S/M/WBE utilization, within fifteen (15) calendar days after the apparent noncompliance is discovered. A written notice of the noncompliance should immediately be sent by the Office of EBO or designee to those contractors, subcontractors, or vendors that are in noncompliance, and to the Director or Manager of the Originating Department or designee. If noncompliance cannot be resolved within fifteen (15) calendar days after notice is sent, the Director of the Office of EBO or designee and the Director or Manager of the Originating Department or designee shall submit written recommendations to the County Administrator or designee, and if the County Administrator or designee concurs with the finding, such sanctions as stated in this EBO Ordinance and the PPM shall be imposed.

Whenever the Director of the Office of EBO or designee finds, after investigation, that an Originating Department has failed to comply with the provisions of this EBO Ordinance or the contract provisions pertaining to S/M/WBE utilization, a written finding specifying the nature of the noncompliance shall be transmitted to the Originating Department, and the Director of the Office of EBO or designee shall attempt to resolve any noncompliance through conference and conciliation. Should such attempt fail to resolve the noncompliance, the Director of the Office of EBO or designee shall transmit a copy of the finding of noncompliance, with a statement that conciliation was attempted and failed, to the County Administrator or designee who shall take appropriate action under this EBO Ordinance to secure compliance.

The Director of the Office of EBO, or designee, shall submit a written annual report to the County Administrator and the Board on the progress of the County toward the utilization goals and objectives



---

established by this EBO Ordinance together with the identification of any problems and specific recommendations for improving the County's performance.

The Director of the Office of EBO or designee and Originating Departments shall work closely with the Office of the County Attorney to include language in all County contracts that ensures compliance with the EBO Ordinance. This language should also include a time period for the contractor to correct any and all deficiencies no later than fifteen (15) calendar days after notification of non-compliance.

The Director of the Office of EBO shall also establish certification, recertification, and graduation procedures for S/M/WBE firms to be certified by an independent third-party entity as being at least fifty-one (51) percent owned, controlled, and managed in accordance with eligibility standards and definitions established by this EBO Ordinance, and the size standards set forth in the PPM. Processing of certification applications shall be at no cost to the applicants. Director of the Office of EBO shall diligently review the practices and standards of prospective certifying entities to ensure that they are consistent with best practices for maintaining economic inclusion program integrity.

- (4) *Reporting Requirements—Office of EBO.* The Director of the Office of EBO or designee shall monitor the implementation of this EBO Program and periodically and issue quarterly performance reports on the level of S/M/WBE participation achieved on completed contracts. Semiannual and annual written reports on the progress of the program and the various program elements shall be presented to the BCC and County Administrator. Such reports shall include the achievement of contract participation goals for S/M/WBEs by ethnicity and gender of ownership, by industry segment, by location, and by API. The Director of the Office of EBO or designee shall also issue a written report on an annual basis to the County Administrator and the Board that summarizes contract payments to Contractors and all Subcontractors for each of these categories. This written report should also address stated program objectives including, but not limited to, enhancement of competition as reflected in solicitation response activity, growth in availability and business capacity for S/M/WBE firms, removal of barriers to S/M/WBE contract participation, reduction or elimination of disparities in contract awards and contract payments to M/WBE firms in County contracts. Other specific performance measures by which the success of the EBO Ordinance might be evaluated (depending upon the availability of data) include: (a) growth in the numbers of SBE and M/WBE firms winning their first contract awards from the County; (b) growth in the County's overall SBE and M/WBE Prime Contracting dollar volume; (c) growth in the numbers of SBE and M/WBE firms that are bondable and in the collective bonding capacity of SBE and M/WBE firms; (d) growth in the numbers of SBE and M/WBE firms that successfully graduate from the programs and remain as viable competitors after the passage of two (2) years; (e) growth in the numbers of graduated SBE and M/WBE firms that successfully compete for County contracts; (f) growth in the size of the largest County contracts won and successfully performed by SBE and M/WBE firms respectively; (g) comparability in the annual growth rates and median sales of SBE firms and M/WBE firms as compared to other firms; and (h) growth in the percentage of contract dollar participation of M/WBE firms in the private sector of the Relevant Marketplace. The written report should also contain any recommendations for modifications, suspension, or termination of any portion of this EBO Program, with justifications for each such recommendation.
- (c) *Contractor/Vendor Responsibilities.* To facilitate the Office of EBO completing its responsibilities in administering EBO Program elements, a contractor/vendor shall:
  - (1) Ensure that ALL proposed subcontractors/subconsultants register in VSS before contract award. It is the vendor's responsibility to ensure VSS registration includes ALL commodity codes for goods and/or services the vendor provides. If vendor fails to register commodity codes for the goods and/or services in which vendor provides, vendor WILL NOT receive solicitation email alerts.
  - (2) Permit the Office of EBO to inspect any relevant matter, including records and the jobsite, and to interview Subcontractors and workers (field compliance).

- 
- (3) Ensure that all proposed subcontractors/subconsultants or suppliers (S/M/WBE and Non-SBE) are included on properly executed Schedules 1 and 2. When a minimum mandatory API Goal applies, failure to submit properly executed Schedules 1 and 2 will result in a determination of non-responsiveness to the solicitation.
  - (4) If performing a County Construction contract, ensure that all Subcontractors are paid any undisputed amount to which the Subcontractor is entitled within ten (10) calendar days of receiving a progress or final payment from the County and otherwise comply with the County's contract terms and conditions which set forth the obligations of the Prime Contractor and Subcontractors and the remedies for delinquency or nonpayment of undisputed amounts.
  - (5) Notify the County in writing of any changes to their S/M/WBE utilization and/or subcontracting plan. All changes (substitutions and/or terminations) must be approved in advance and in writing by the Office of EBO.
  - (6) Amendment for unforeseen circumstances: If at any time after submission of a solicitation response and before execution of a contract, the apparent successful respondent or bidder determines that a certified S/M/WBE listed on the participation schedule has become or will become unavailable, then the apparent successful respondent or bidder shall immediately notify the Office of EBO. Any desired change in the S/M/WBE participation schedule shall be approved in advance by the Office of EBO and shall indicate the Prime Contractor's Good Faith Efforts to substitute another certified S/M/WBE Subcontractor (as appropriate) to perform the work. Any desired changes (including substitutions or termination and self-performance) must be approved in writing in advance by the Office of EBO.
  - (7) Notify the Originating Department and Office of EBO regarding any transfer or assignment of a contract with the County.
  - (8) Retain records of all Subcontractor payments for a minimum of four (4) years following project termination date.
- (d) *Exceptions and Waivers.*
- (1) If a respondent or bidder is unable to comply with the API requirements imposed by GSC under the terms of this EBO Ordinance, such respondent or bidder shall submit, as required in the Solicitation, a request for a waiver or partial waiver at the time as required in the Solicitation. Such waiver request shall include specified documentation that demonstrates satisfactory Good Faith Efforts were undertaken by respondent or bidder to comply with the requirements as described under the selected API. The Good Faith Effort waiver request shall be submitted to the County at least seven (7) days prior to the bid closing date as stated in the Solicitation, and shall be reviewed, evaluated, and scored in the first instance by the Office of EBO within seven (7) days of receipt. If the Office of EBO determines that adequate Good Faith Efforts have been demonstrated by the respondent or bidder to warrant a partial or total waiver of the applied API, then the Solicitation shall be amended accordingly to reflect the partial or total waiver, and the any bids received by the County in the interim shall be returned unopened. The amended solicitation shall then be advertised to all prospective respondents or bidders, including, but not limited to the respondent or bidder that requested the waiver. However, if the Office of EBO determines that the respondent or bidder failed to submit documentation sufficient to demonstrate that Good Faith Efforts were undertaken by respondent or bidder to support its waiver or partial waiver request, the request for waiver or partial waiver shall be denied, and the Solicitation shall remain unchanged. Any bid that fails to comply with API requirements stated in the Solicitation after the period allowed for waiver requests has lapsed shall be deemed non-responsive. In the event of an adverse waiver or partial waiver request decision, the respondent or bidder shall have the right to request reconsideration of the adverse decision by the Director of the EBO Office, and if still aggrieved, shall be subsequently entitled to the process for an appeal to a Special Master as referenced in EBO Ordinance Section 2-80.28(b). The

---

contract award process shall only be upheld until the EBO Director reconsideration and Special Master appeal processes have concluded.

- (2) If, after bid or proposal due date, a contractor is unable, through no fault of its own, to meet the participation requirements for S/M/WBEs specified at response submittal, the contractor must immediately seek substitute S/M/WBEs to fulfill the requirements; the requested substitution must be approved by the Director of the Office of EBO or designee and the Originating Department Director or designee. If, after reasonable Good Faith Efforts, the contractor is unable to find an acceptable substitute S/M/WBE, a post-bid opening waiver may be requested. The request shall document the reasons for the contractor's inability to meet the goal requirement. In the event the contractor is found not to have performed Good Faith Efforts in its attempt to find a suitable a substitute for the initial S/M/WBE proposed utilization, one (1) or more of the penalties and sanctions of the EBO ordinance may be imposed. No waiver is required if an S/M/WBE counting toward the participation requirements for S/M/WBEs specified at response submittal exceeds the SBE size standards stated in the EBO Ordinance or PPM, as amended, and graduates from the EBO Ordinance during the course of the resulting contract. In such cases, an S/M/WBE counting toward a participation goal will count toward the goal for the life of the contract and until the contract ends.
- (3) Upon submission of a prospective draft Solicitation to the Office of EBO, and prior to the public release of solicitations, an Originating Department or Department of Purchasing may request the Director of the Office of EBO or designee to waive or modify the application of API requirements for S/M/WBE participation by submitting its reasons in writing. In the event consensus cannot be reached regarding the request, the request for exception of the solicitation from the EBO Ordinance shall be resolved by the County Administrator or designee. The County Administrator or designee may grant such an exception or modification of application of an API upon a determination that:
- The extraordinary and necessary requirements of the contract render application of the APIs infeasible or impractical;
  - The nature of the goods or services being procured are excluded from the scope of this EBO Ordinance; or
  - Sufficient qualified S/M/WBEs providing the goods or services required by the contract are unavailable in Palm Beach County despite every reasonable attempt to locate them.

Otherwise, such Solicitations shall be forwarded to the Director of the Office of EBO or designee for review and also to the GSC for possible application of APIs. Any further requests from an Originating Department or Purchasing Department for modification of Goal amounts or other APIs as established by the GSC shall be presented to the County Administrator or designee, whose decisions on such requests shall be final.

- (4) The Director of the Office of the EBO may waive the application of APIs to enhance S/M/WBE utilization for a specific contract in accordance with the procedures set forth in the EBO Ordinance Section 2-80.22.
- The Originating Department or Purchasing certifies to the Director of the Office of EBO and County Administrator or designee:
  - That an emergency exists which requires goods or supplies to be provided with such immediacy that it is unable to comply with the requirements of this Part;
  - That the prospective contractor is an S/M/WBE or, if not, that the prospective contractor will make a Good Faith Effort to utilize S/M/WBEs; and
  - That the conditions imposed by law, or the external source of funding for the contract or grant effectively prohibits the application of the EBO Ordinance.

Final approval of all such exceptions and waivers shall be made by the County Administrator or designee.

---

(e) *Penalties and Sanctions.*

- (1) The Director of EBO or designee in consultation with the Originating Department regarding the failure of a contractor, vendor, respondent or bidder or other business representative to comply with any portion of this EBO Ordinance, shall recommend any or all of the following penalties be imposed upon the non-complying party by the Procurement Director:
    - a. Suspension of contract.
    - b. Withholding of funds.
    - c. Termination of contract based upon a material breach of contract pertaining to EBO Program compliance.
    - d. Suspension or Debarment of a respondent or bidder, contractor or other business entity from eligibility for providing goods or services to the County for a period not to exceed three (3) years.
    - e. Liquidated damages equal to the difference in dollar value of S/M/WBE participation as committed to in the contract, and the dollar value of S/M/WBE participation as actually achieved.
  - (2) It is a violation of this EBO Ordinance to:
    - a. Fraudulently obtain, retain or attempt to obtain, retain or aid another in fraudulently obtaining, retaining or attempting to obtain or retain Certification status as an S/M/WBE for purposes of this EBO Ordinance.
    - b. Willfully falsify, conceal or cover up by a trick, scheme or device, a material fact or make any false, fictitious or fraudulent statements or representations, or make use of any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry pursuant to the terms of this EBO Ordinance.
    - c. Willfully obstruct, impede or attempt to obstruct impede any authorized official or employee who is investigating the qualifications of a business entity which has requested Certification as an S/M/WBE.
    - d. Fraudulently obtain, attempt to obtain or aid another person fraudulently obtaining or attempting to obtain public monies to which the person is not entitled under the terms of this EBO Ordinance.
    - e. Make false statements to any entity that any other entity is or is not certified as an S/M/WBE for purposes of this EBO Ordinance.
  - (3) Any person who violates these provisions shall be subject to penalties and sanctions established by this EBO Ordinance and related policies and procedures posted in the PPM, and also to the maximum penalty provided by law.
- (f) *Equal Business Opportunity Advisory Committee (EBOAC).* The Director of the Office of EBO or designee in collaboration with the County Administrator or designee shall nominate a fifteen-member citizens committee made up of representatives of trade groups and members of the general business community (as specified below), and subject to formal appointment by the Board, this advisory group shall serve as the Equal Business Opportunity Advisory Committee to: (a) assist the Director of the Office of EBO or designee, the County Administrator or designee, and the Board in reviewing the administration of various programs and policies that promote S/M/WBE participation in County prime contract and subcontract opportunities; and (b) make recommendations to the Director of the Office of EBO or designee, the County Administrator or designee, and Board concerning modifications of such programs, policies, and procedures established pursuant to this EBO Code. As vacancies become available, they shall be filled as soon as practicable through the same nomination and appointment process.
- (1) Membership: The EBOAC shall consist of the following members:

- 
- a. One (1) African American business owner certified as a small business by the county;
  - b. One (1) Hispanic business owner certified as a small business by the county;
  - c. One (1) women business owner certified as a small business by the county;
  - d. One (1) white male business owner certified as a small business by the county;
  - e. One (1) business owner domiciled in the county;
  - f. One (1) representative of a business incubator program;
  - g. One (1) representative of a Hispanic business organization;
  - h. One (1) representative of the National Association of Women in Construction;
  - i. One (1) representative of a women's business organization;
  - j. One (1) certified minority contractor;
  - k. One (1) representative of the Associated General Contractors Association;
  - l. One (1) representative of the Small Business Development Center;
  - m. One (1) representative of a financial institution that assists small businesses;
  - n. One (1) representative of a Black Chamber of Commerce of Palm Beach County;
  - o. One (1) representative of a professional services organization.
- (2) *Appointment Process/Terms/Vacancies/Reimbursements.* Members shall be appointed at large by the Board of County Commissioners and shall serve for staggered terms of three (3) years. Members must be Palm Beach County residents and may only serve for three (3) consecutive three-year terms. Vacancies shall be filled in the same manner as the original appointments for the remainder of the vacant term. Each member shall serve without compensation and may be removed without cause by the Board of County Commissioners at any time. Travel reimbursement is limited to expenses incurred only for travel outside the county necessary to fulfill board member responsibilities when sufficient funds are budgeted and available, and upon approval of the County Administrator or designee.
- (3) *Additional Duties and functions.* The committee shall have the following duties and functions:
- a. Review and evaluate the effectiveness of small business programs within county government;
  - b. Monitor and evaluate the effectiveness of the county's small business policies and procedures, resolutions and ordinances, including their implementation by the various county departments;
  - c. Study and evaluate the necessity for further county regulations and procedures regarding small business participation;
  - d. Receive and where necessary, analyze information concerning the presence of discrimination in the bidding and contracting process and recommend to the Board of County Commissioners further steps to alleviate such discrimination;
  - e. Prepare, adopt and present an annual report to the Board of County Commissioners;
  - f. Research and review other jurisdictions' small business programs;
  - g. Act as a conduit between the county and the community, industry; organizations, trade associations, chambers of commerce and small and minority/women businesses;
  - h. Plan and participate in education and training for small businesses; and

- 
- i. Research and recommend to the Board of County Commissioners race- and gender-neutral mechanisms which will assist small businesses.
  - j. Monitor and report on level of minority/women business enterprise participation.
  - k. Monitor legislative initiatives and other issues and activities which impact small and M/WBE businesses and advise the Board of County Commissioners concerning same.
- (4) *Meetings and organizations.* The committee shall meet on a regular basis (but no less than four (4) times per year). A majority of members appointed shall constitute a quorum. In the presence of a quorum, committee business shall be conducted by a vote of a majority present. The meetings shall be governed by the Robert's Rules of Order. Reasonable public notice of all committee meetings shall be provided, and all such meetings shall be open to the public at all times.
- (5) *Assistance to the committee.* The committee may request information from any department or agency of the county, local, regional, state, or federal government for information or advice in the performance of its work. The Office of EBO shall be responsible for providing staffing and data needs for the EBOAC.
- (6) *Chair and Vice-Chair.* A chair and vice-chair shall be initially appointed by the County Administrator and subsequently elected by a majority of the committee and shall serve for a term of one (1) year. The duties of the chair shall be to:
- a. Call committee meetings and set the agenda for the same;
  - b. Preside at committee meetings;
  - c. Establish subcommittees, appoint subcommittee chairs, and charge subcommittees with specific tasks;
  - d. Perform other functions as the committee may assign by rule or order.
- The vice-chair shall perform the duties of the chair in the chair's absence, and such other duties as the chair may assign.
- If a vacancy occurs in the office of the chair, the vice-chair shall become the chair for the unexpired term. If a vacancy occurs in the office of the vice-chair, the committee will elect another member to fill the unexpired term of the vice-chair.
- (7) *Attendance.* Members shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three (3) consecutive meetings or failure to attend more than two-thirds ( $\frac{2}{3}$ ) of the meetings scheduled during a calendar year. Participation for less than three-fourths ( $\frac{3}{4}$ ) of a meeting shall constitute lack of attendance. Members removed under this section shall not continue to serve until a new appointment is made and removal shall create a vacancy.
- (8) *Conflict of interest.* Committee members shall be governed by the applicable provisions of the Palm Beach County Ethics Resolution R-94-693, as may be amended.
- (g) *Goal Setting Committee.* The Goal Setting Committee (GSC) is to be appointed and chaired by the County Administrator or designee. The GSC shall include, at a minimum, the Director of the Office of EBO or designee, the Director of the Purchasing Department or designee, the Director of Contract Development and Control or designee, the Director of FDO or designee, the Director of Public Safety or designee, the Director or designee of the Originating Department whose contract(s) are under consideration by the GSC (if the Originating Department is neither FDO nor Purchasing) all without duplication of designees. The GSC establishes S/M/WBE goals for the EBO Program (e.g., Annual Aspirational Goals and contract-by-contract subcontracting goals and determining which M/WBE segments are eligible for Segmented Subcontracting Goals annually) based upon Industry Categories, vendor availability, project-specific characteristics, and M/WBE utilization. The GSC also makes determinations about which APIs are to be applied to specific contracts based upon various criteria.

---

Rather than review each solicitation the GSC may determine that a particular API is appropriate for a category of contracts or a group of contracts.

- (1) At a minimum, the GSC shall:
- a. Meet as often as it deems necessary to accomplish its duties as outlined in this Part, but not less than once monthly;
  - b. Formulate, recommend to the County Administrator or designee and implement additional rules and procedures for EBO Program goal-setting and other aspects of its duties in selecting and applying specific APIs to County solicitations and contracts in an efficient and effective manner; and
  - c. Monitor and support the implementation of the EBO Program.

(h) *Support to Goal Setting Committee and EBO Advisory Committee.* The Office of EBO shall provide staff support and logistical support for the Goal Setting Committee and the EBOAC as necessary. Such support shall include, but not be limited to, scheduling, facilitating data requests, analysis, communications, and meeting logistics.

(Ord. No. 2018-021, § 1(Exh. A), 10-16-18; Ord. No. 2024-006, § 2, 3-12-24; Ord. No. 2025-002, § 8, 1-14-25)