

City of South Daytona
Office of the City Manager

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3014



Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under "Applicable Exemptions", this indicates that the City has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the "Business Impact Estimate" section below. In addition, even if one or more exemptions are identified, the City may nevertheless choose to provide information concerning the proposed ordinance in the "Business Impact Estimate" section below. This Business Impact Estimate Form may be revised following its initial posting.

Proposed ordinance's title/reference:

Ordinance No. 2026-01. An Ordinance of the City of South Daytona, Florida, amending Chapter 2 of the City of South Daytona Code of Ordinances, Article IV, Purchases Sales and Contracts, modifying Sec. 2-140. Exemptions to Written Quotes and Formal Bid Solicitations, and Sec. 2-141. Bid Protest Procedures; providing for codification, conflicts, severability, applicability, and an effective date. First Reading. Public Hearing.

Applicable Exemptions:

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:

- Development orders and development permits, as those terms are defined in s. 163.3164 and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
- Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
- Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Business Impact Estimate:

The City hereby publishes the following information:

1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

City staff conducts an annual review of the City's purchasing and procurement ordinances to ensure continued compliance with applicable laws, alignment with procurement best practices, and the promotion of transparency, fairness, and fiscal responsibility. As a result of this review, staff recommends amendments to Chapter 2, Article IV, Purchases, Sales and Contracts, of the City Code to clarify procedures, update exemptions, and strengthen bid protest processes.

The proposed Ordinance amends Section 2-140, Exemptions to Written Quotes and Formal Bid Solicitations, by clarifying the City's authority to utilize cooperative purchasing agreements with national purchasing cooperatives such as Sourcewell. Cooperative purchases exceeding \$25,000 require City Council approval, and expired cooperative contracts are not eligible for use.

In addition, for any sole-source purchase with an estimated value of \$30,000 or more, the Ordinance requires advance electronic posting on the City's procurement website for a minimum of seven business days prior to the City Council meeting at which approval is requested. This posting must invite potential vendors to submit information regarding their ability to provide the specified goods or services.

The Ordinance further amends Section 2-141, Bid Protest Procedures, to clarify that a bid protest meeting may be conducted in person, virtually, or by telephone at the discretion of the finance director. Staff believes these amendments reflect current procurement best practices, enhance transparency, and provide clearer guidance to staff and vendors while preserving the City Council's oversight role.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:

None.

(b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:

None.

(c) An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:

None.

3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:

None.

4. Additional information the governing body determines may be useful (if any):

None.

Note: The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.