

ORDINANCE NO. 28-2014
(AMENDED MAY 6, 2014)

Offered by All of Council

AN ORDINANCE TO AMEND SECTION 141.03 OF THE CODIFIED ORDINANCES OF THE VILLAGE TO INCREASE THE COMPETITIVE BIDDING THRESHOLD AND TO SET FORTH OTHER PURCHASING PARAMETERS

WHEREAS, the State General Assembly has increased the competitive bidding threshold for non-charter Villages from \$25,000 to \$50,000; and

WHEREAS, the Village is permitted, pursuant to its Home Rule powers and its Charter, to set a competitive bidding threshold different than set forth in statutory law; and

WHEREAS, this Council has determined that it would be in the best interest of the Village to increase the current competitive bidding threshold set forth in Section 141.03 of the Codified Ordinances of the Village to \$50,000 to be in line with statutory law for non-charter Villages and to enact other regulations.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That Section 141.03 of the Codified Ordinances of the Village be amended to read as follows:

141.03 CONTRACT AUTHORITY; BIDS.

~~(a) The Director of Public Service serving as Director of Purchasing, shall provide specifications and advertisements and shall attempt to obtain at least three quotations for the purchase of supplies or materials for any work involving not more than twenty-five thousand dollars (\$25,000) to the extent there are appropriations therefor.~~

(a) The Mayor or the Director of Public Service serving as Director of Purchasing, with the approval of the Mayor and Finance Director, may expend up to fifteen thousand dollars (\$15,000), to the extent there are appropriations therefor, for any public improvement, or the purchase or lease of equipment, materials and supplies, or to obtain professional or personal services or for any other lawful purpose.

(b) The Mayor or the Director of Public Service serving as Director of Purchasing, with the approval of the Mayor and Finance Director, may expend an amount between fifteen thousand dollars (\$15,000) and twenty-five thousand dollars (\$25,000), to the extent there are appropriations therefor, provided that at least two quotations shall be obtained prior to purchase.

(c) The Mayor or the Director of Public Service serving as Director of Purchasing, with the approval of the Mayor and Finance Director, may make an

expenditure which is between twenty-five thousand dollars (\$25,000) and fifty thousand dollars (\$50,000), to the extent there are current appropriations therefor, upon the prior approval of a majority of Council, which approval may be given by a motion and vote at any regular or special meeting of Council. Authorization provided by Council shall only be effective if all members of Council are provided a written explanation of the amount and purpose of the proposed expenditure prior to said motion and vote. The Director of Public Service serving as Director of Purchasing shall provide specifications and advertisements and shall attempt to obtain at least three quotations.

(bd) When an expenditure or item exceeds ~~twenty-five~~ fifty thousand dollars (~~\$25,000~~ \$50,000), such expenditure shall first be authorized and directed by a ~~Motion or~~ Resolution of Council. When so authorized and directed, the Clerk shall advertise for not less than two, nor more than four, consecutive weeks as provided by the general laws of the State of Ohio. The bids shall be opened by the Clerk or person designated by the Clerk at the time, date and place specified in the advertisement to bidders or specifications. The Council shall then determine the lowest and best qualified bidder and shall authorize the Mayor and Director of Finance to enter into a written contract with the lowest and best qualified bidder.

(ce) In all circumstances, the Council reserves the right to reject any and all bids and to waive informalities in bidding.

(df) In all cases of expenditures of ~~twenty-five~~ fifty thousand dollars (~~\$25,000~~ \$50,000) and above, the above criteria may be waived by Council if the expenditure ~~fails~~ falls within one of the following categories:

- (1) Purchase from the State under Ohio R.C. 125.04 or 5513.01.
- (2) Purchase from a governmental body.
- (3) Purchase of professional services.
- (4) Emergency purchases.
- (5) Purchases incapable of being competitively bid.
- (6) Purchase from another supplier upon equivalent terms, conditions and specifications but at a lower price than is offered by the State under Ohio R.C. 125.04(c).
- (7) **Any other exception to competitive bidding applicable to municipal corporations set forth in the Ohio Revised Code or other Ohio law.**

(eg) In all cases of purchases under subsection (f) above, the purchase shall be approved by Council through Resolution.

~~(f) For all purchases between fifteen thousand dollars (\$15,000) and twenty five thousand dollars (\$25,000), the Director of Public Service shall obtain at least two quotations and obtain approval of the Mayor and Director of Finance prior to purchase.~~

SECTION 2. That Section 141.03 of the Codified Ordinances of the Village, as it existed prior to the effective date of this Ordinance is hereby repealed.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: May 6, 2014


President of Council


Mayor

Dated: 5-6-14

ATTEST:

Clerk of Council