

ORDINANCE NO.: 2012-26
SPONSOR: MAYOR NORTON
INTRODUCED: OCTOBER 9, 2012

ASSIGNED TO: FINANCE

AN ORDINANCE AMENDING SECTION 210.06 OF GREEN'S CODIFIED ORDINANCE'S TO INCREASE THE MINIMUM AMOUNT FOR COMPETITIVE BIDS ON CAPITAL PROJECTS AND ACQUISITIONS TO \$50,000.00, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio General Assembly by HB 509, recently amended Section 735.05 of the Ohio Revised Code to increase the minimum amount of a contract requiring competitive bidding from Twenty Five Thousand Dollars (\$25,000.00) to Fifty Thousand Dollars (\$50,000.00); and

WHEREAS, the City of Green believes it to be in the best interest of the City's health, safety, and welfare to also amend their statute to increase the minimum amount required for competitive bidding for capital improvement projects and acquisitions; and

WHEREAS, it is necessary to amend Section 210.06 to change the minimum amount required for competitive bidding.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:

SECTION ONE:

City Council amends Section 210.06 of the Codified Ordinance as follows:

210.06 CAPITAL IMPROVEMENT PROJECTS AND ACQUISITIONS; BIDDING PROCEDURES; ALTERATION OF CONTRACTS.

(a) (1) Whenever a capital improvement project or other acquisition involving the expenditure of appropriations is to be made by the City, and the estimated cost is in excess of ~~twenty five thousand dollars (\$25,000)~~ **Fifty Thousand Dollars (\$50,000.00)**, the Mayor or the Mayor's designee shall advertise a Notice to Bidders in a newspaper of general circulation in accordance with State law requirements. The Mayor or the Mayor's designee shall advertise a Notice to Bidders in a newspaper of general circulation once a week for two consecutive weeks requesting bids for such purpose or construction or improvement, and shall provide the Clerk of Council with a copy of the advertisement at the time it is submitted for publication.

(2) When so authorized, the director of the department involved may advertise a notice to bidders in a newspaper of general circulation once a week for two consecutive weeks requesting bids for such project or acquisition.

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(b) After receiving and opening the bids in the manner prescribed by law, the Mayor or the Mayor's designee shall transmit such bids with the recommendation thereon to Council for consideration at a regular meeting of Council. The information set forth therein shall be presented to Council by resolution.

(c) If a resolution authorizing execution of a contract or an agreement with a successful bidder is approved by Council in accordance with the procedure outlined in divisions (a) and (b) of this section, and such agreement is in fact executed by the City, and if, during the performance of an awarded contract or agreement, it should become apparent that alterations are necessary to the original agreement in an amount exceeding 10% of the original contract amount, such alterations must first be authorized by Council. The need for alterations shall be presented to Council by resolution.

(d) Any acquisition, construction or improvement which involves an expenditure of less than ~~twenty-five thousand dollars (\$25,000)~~ **Fifty Thousand Dollars (\$50,000.00)** may be made on open order, given in the same manner as purchase orders of like amount.

(e) If any necessary alterations to an existing contract are less than 10% of the original contract amount, the Mayor is authorized to enter into such supplemental agreement without Council's authorization.

SECTION TWO:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

City Council declares this Ordinance to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Green and for the further reason that the Development Agreement must be immediately effective in order that the employment opportunities may be available to the residents of this City at the earliest possible time. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: Nov. 13, 2012
Molly Stevens
Molly Stevens, Clerk

[Signature]
Joel Reed, Council President

APPROVED: Nov. 13, 2012
[Signature]
Richard G. Norton, Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: Nov. 13, 2012

ON ROLL CALL: Colopy -yes France -yes Humphrey -yes Knodel -yes
Neugebauer -yes Reed -yes Summerville -yes

Suburbanite publication on Nov 18 and Nov. 25, 2012
Molly Stevens
Molly Stevens, Clerk

10/05/2012 Approved as to form and content by Stephen J. Pruneski, Law Director of 10/4/12