

ORDINANCE NO. 62-2021

INTRODUCED BY: COUNCILMAN CHITESTER

**AN ORDINANCE AMENDING OLMSTED FALLS
CODIFIED ORDINANCE PART SIX
“ADMINISTRATION,” SECTION 248.02 ENTITLED “BID
REQUIREMENTS”, SECTION 248.03 ENTITLED
“APPROVALS” AND SECTION 248.11 ENTITLED
“DEFINITIONS” REGARDING PURCHASING
PROCEDURES**

WHEREAS, it is deemed appropriate and necessary to update the city’s codified ordinances regarding purchasing procedures in order to create better government fiscal efficiencies. Now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:

SECTION 1. That Sections 248.02, 248.03 and 248.11 of current Chapter 248 are hereby amended to read as shown in Exhibit “A” attached hereto and incorporated herein by reference, and current Sections are therefore repealed.

SECTION 2. All prior legislation inconsistent with this legislation in whole or in part are hereby repealed to the extent necessary to avoid conflict with this legislation.

SECTION 3. Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the health, safety and welfare of the residents of the City of Olmsted Falls for the further reason that it is immediately necessary to update the Codified Ordinances. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

Paul Stibich, President of Council

PASSED: _____

APPROVED: _____
James Graven, Mayor *Date*

APPROVED AS TO FORM: _____
Andrew D. Bemer, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

	Yea	Nay
Stibich	_____	_____
Jones	_____	_____
Jansen	_____	_____
McFadden	_____	_____
Munteanu	_____	_____
Buchholz	_____	_____
Chitester	_____	_____

Exhibit "A"

PART TWO – ADMINISTRATION CODE CHAPTER 248 – PURCHASING PROCEDURE

248.02 BID REQUIREMENTS.

(a) Generally. For a purchase of up to ~~two~~ **TEN** thousand ~~five hundred~~ dollars **(\$10,000)** ~~(\$2,500)~~, a minimum of three verbal quotes shall be obtained and noted on the requisition therefor. For a purchase of over two **TEN** thousand ~~five hundred~~ dollars **(\$10,000)** ~~(\$2,500)~~ up to the maximum amount stated in Section 735.05 of the Ohio Revised Code, a minimum of three quotes shall accompany the requisition therefor, two of which shall be written. A purchase over the maximum amount stated in Section 735.05 of the Ohio Revised Code shall be made in accordance with Section 224.01.

(b) Blanket Orders. A requisition for purchase may be valid for a period of up to one fiscal year and involve numerous goods and services from one vendor. A single set of quotes shall satisfy the bid requirement for all of the materials to be purchased from each vendor. **THE CITY MAY PREPARE "BLANKET" CERTIFICATES IN ACCORDANCE WITH ORC SECTION 5705.41, NOT TO EXCEED CURRENT APPROPRIATIONS AND \$200,000.00 FOR EACH "BLANKET" CERTIFICATE.**

(c)(1) Waiver of Multiple Bid Requirement. If the appropriate department director determines that only one bid can be obtained for particular goods or services or that such items have been purchased within three months for a purchase of up to two **TEN** thousand ~~five hundred~~ dollars **(\$10,000)** ~~(\$2,500)~~, he or she may present the reasons to ~~the appropriate committee of~~ **CITY** Council when he or she presents the requisition, and **COUNCIL** ~~the committee~~ may waive the multiple bid requirement for the particular purchase. If ~~the appropriate committee of~~ **CITY** Council determines that only one bid can be obtained for particular goods or services for a purchase of over two **TEN** thousand ~~five hundred~~ dollars **(\$10,000)** ~~(\$2,500)~~, and up to the maximum amount stated in Section 735.05 of the Ohio Revised Code, ~~it may present the reasons to Council when it presents the requisition and~~ Council may waive the multiple bid requirement for the particular purchase.

(C)(2) IN ALL CASES OF EXPENDITURES EXCEEDING BIDDING THRESHOLD SET FORTH IN OHIO R.C. 735.05, THE REQUIREMENTS OF DIVISION (a) OF THIS SECTION MAY BE WAIVED BY COUNCIL IF THE EXPENDITURE FALLS WITHIN ONE OF FOLLOWING CATEGORIES. IN ALL CASES, THE PURCHASE SHALL BE APPROVED BY COUNCIL.

- (1) PURCHASE FROM THE STATE UNDER OHIO R.C. 125.04 OR 5513.01;**
- (2) PURCHASE FROM A GOVERNMENTAL BODY;**
- (3) PURCHASE OF A UNIQUE PROFESSIONAL SERVICE;**
- (4) EMERGENCY PURCHASES AS DESCRIBED IN SECTION 248.10;**
- (5) PURCHASES INCAPABLE OF BEING COMPETITIVELY BID, SUCH AS A SOLE SOURCE PROVIDERS;**
- (6) PURCHASES FROM ANOTHER SUPPLIER UPON EQUIVALENT TERMS, CONDITIONS, AND SPECIFICATIONS.**

248.03 APPROVALS.

(a) Initial Presentation. Requisitions for purchases up to five THOUSAND ~~hundred~~ dollars (\$5,000) ~~(\$500.00)~~ may be approved by the supervisor without the approval of the ~~appropriate committee~~ of Council. A requisition shall be presented to the appropriate department director for a purchase of over five THOUSAND ~~hundred~~ dollars (\$5,000) ~~(\$500.00)~~ and up to two TEN thousand, ~~five hundred~~ dollars (\$10,000) ~~(\$2,500)~~, and to the ~~appropriate committee~~ of Council. ~~for a purchase of over two thousand, five hundred dollars (\$2,500) and up to fifteen thousand dollars (\$15,000).~~ If disapproved, the requisition shall be so marked, signed and dated by the appropriate department director ~~or the chairperson of the appropriate committee of Council~~ and returned to the department supervisor. If approved, the requisition shall be so marked, signed and dated by the appropriate department director ~~or the chairperson of the appropriate committee of Council~~ or the Mayor.

~~(b) Review. For a purchase of from five hundred dollars (\$500.00) up to two thousand, five hundred dollars (\$2,500), a copy of the requisition, other than the original, or a summary of the pertinent information of all of the requisitions approved during an appropriate period of time, shall be presented to the appropriate committee of Council for review. Any such purchase can become a matter of discussion but it cannot be disapproved. For a purchase of more than two thousand, five hundred dollars (\$2,500), and up to fifteen thousand dollars (\$15,000), written notice of such purchase shall be presented to Council for review and approval.~~

(b) ~~(e)~~ Council Disapproval. If Council disapproves the requisition, it shall be returned to the department supervisor, marked "Rejected by Council", with the date and the Clerk of Council's signature.

(c) ~~(d)~~ Recordation. The Clerk of Council shall record the disposition of the requisition, whether approved or disapproved, in the Journal of the Proceedings of Council.

248.11 DEFINITIONS.

As used in this chapter:

(a) "Department supervisor" means either an employee of the City, such as the Police Chief, the Fire Chief or the ~~Maintenance Supervisor~~ Service Director in the Service Department, ~~or a Chairman of a board or commission.~~

(b) "The appropriate department director" and "~~the appropriate committee of Council~~" mean as follows:

Department	Department Director
Safety (Police & Fire)	Safety Director
Service	Service Director
Law	Law Director
Finance	Finance Director

Department Supervisor	Department Director	Committee of Council
Police Chief	Safety	Safety
Fire Chief	Safety	Safety
Maintenance Supervisor	Service	Service
Parks and Recreation Board Chairman	Finance	Community Development
Environmental Protection Board	Finance Chairman	Community Development
Civil Service Commission Chairman	Finance	Community Development
Planning Commission Chairman	Finance	Community Planning
Board of Zoning Appeals Chairman	Finance	Community Planning
Architectural Board of Review Chairman	Finance	Community Planning
Any other such person	Finance	Finance

These designations shall be subject to modification upon additions or deletions of departments, boards, commissions or committees of Council.