

ORDINANCE NO. 2017-04

INTRODUCED BY: COUNCIL AS A WHOLE

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 212.01 ENTITLED "ADVERTISING REQUIREMENTS; BIDS."

WHEREAS, the City of University Heights supports diversity and inclusion in its procurement awards, and encourages the utilization of women and minority-owned businesses as prime and subcontractors as well as the utilization of female and minority workers on construction projects; and

WHEREAS, Council wishes to codify a reporting requirement by bidders and general contractors, whereby such parties must submit information to the City as part of their bid submission indicating what efforts such party has made to contact women and minority-owned businesses to serve as suppliers and subcontractors.

WHEREAS, it is the intention of Council to adopt a standard of practice that failure to provide such information may disqualify a bid or proposal for consideration and contract award.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, OHIO, THAT:

Section 1. Council hereby amends Codified Ordinance Section 212.01 to read in its entirety as follows:

212.01 ADVERTISING REQUIREMENTS; BIDS.

(a) Contracts or agreements which involve the expenditure of fifteen thousand dollars (\$15,000) or less, as provided in Section 212.02, may be made without published notice and without competitive bidding. However, contracts in excess of five thousand dollars (\$5,000) shall require approval of a majority of Council by motion or ordinance.

(b) (1) Except as provided by Section 212.02, in all cases where the expenditure exceeds fifteen thousand dollars (\$15,000), the contract shall be let only to the lowest and best bidder after advertising not less than two consecutive weeks on the City's website and in a newspaper of general circulation in the City, or except if there are no qualified bids received after advertising or re-advertising.

(2) Minority Business Enterprises (MBE), Woman Business Enterprises (F/WBE), Disadvantaged Business Enterprises (DBE) and Small Business Enterprises (SBE) are encouraged to participate and bid on City projects.

(c) The City of University Heights supports diversity and inclusion in its procurement awards, and encourages the utilization of Minority Business Enterprises, Female/Woman Business Enterprises, Disadvantaged Business Enterprises and Small Business Enterprises as prime and subcontractors, and the utilization of women and minority workers on construction projects. In the absence of any other definition, such enterprises shall be defined according to applicable County of Cuyahoga, State of Ohio and/or U.S. guidelines, rules, regulations or laws.

(d) Any party awarded a procurement contract under this ordinance shall be required, prior to final payment by the City under said contract, to report to Council in writing, on forms approved by the City, information relating to the actual participation of any Minority Business Enterprise, Female/Woman Business Enterprise, and/or Disadvantaged Business Enterprise in the performance of any work on the procurement project that was the subject of the bid.

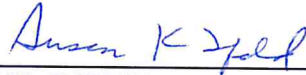
(e) All bids received pursuant to such advertisements shall be opened publicly at the City Hall at the time stated in the advertisement.

Section 2. Existing Codified Ordinance Section 212.01 is hereby repealed.

Section 3. The City shall provide documents with its bid instructions for the purpose of meeting the reporting requirements of this Section 212.01, and said documents shall be in the form(s) attached hereto as Exhibit A and incorporated herein by reference.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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 of all legal requirements.

CITY OF UNIVERSITY HEIGHTS, OHIO



SUSAN K. INFELD, MAYOR

PRESENTED: 1/17/2017

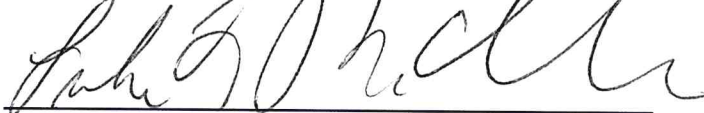
PASSED: 02/06/2017

ATTEST:



KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:



LUKE F. MCCONVILLE, LAW DIRECTOR