

ORDINANCE NO. 2018-16

INTRODUCED BY: MAYOR MICHAEL DYLAN BRENNAN

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 212.01 ENTITLED “ADVERTISING REQUIREMENTS; BIDS” AND ORDINANCE 212.03 ENTITLED “EXECUTION AND APPROVAL,” FOR THE PURPOSE OF INCREASING THE MAYOR’S SPENDING AUTHORITY TO \$15,000 AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor’s spending authority was last increased approximately nineteen (19) years ago; and

WHEREAS, in the nearly two decades since the Mayor’s spending authority was last increased, the cost of goods and services has risen dramatically; and

WHEREAS, the current spending limit precludes the City’s administration from accomplishing certain ordinary and necessary functions without Council approval, which often creates undue delay in the performance of administrative functions;

NOW, THEREFORE, BE IT ORDAINED 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, or as provided in Section 212.02, may be made without published notice and without competitive bidding. However, contracts in excess of fifteen thousand dollars (\$15,000) 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. Council hereby amends Codified Ordinance Section 212.03 to read in its entirety as follows:

212.03 EXECUTION AND APPROVAL.

All contracts and agreements for public work, services and/or supplies shall be executed in the name of the City by the Mayor, and if for an amount exceeding fifteen thousand dollars (\$15,000) shall be authorized and approved by Council.

Section 4. Existing Codified Ordinance Section 212.03 is hereby repealed.

Section 5. It is hereby found and determined that all formal actions of the 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 with all legal requirements.

Section 6. This Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, safety, health and welfare of the citizens of the City of University Heights. The emergency being the need to allow the Mayor to make or approve immediate expenditures for repair and maintenance of an essential Fire Department vehicle without delay. It shall therefore become effective upon its passage.


CITY OF UNIVERSITY HEIGHTS


Michael Dylan Brennan, Mayor

First Reading: 03/19/2018

Passed: 03/26/2018

ATTEST:


Kelly M. Thomas, Clerk of Council

APPROVED AS TO FORM:


Luke McConville, Law Director