177.05 ADVERTISEMENT FOR BIDS.

(a) Upon authorization by Council, the Executive, through the Department of Purchasing, shall advertise for bids for items or services one week in a newspaper of general circulation in the County and post the advertisement on the County’s website on the world-wide web. Additional advertisement may be made in other newspapers, magazines or journals. For the purposes of this section, “newspapers of general circulation in the County” include the Beacon Journal and the Akron Legal News, Inc., or their successors and assigns. The newspaper advertisement shall be published at least two weeks before the opening of bids and shall include a statement that the notice is posted on the County’s website on the world-wide web, the County website’s internet address and instructions describing how the notice may be accessed on the County’s website.

(b) Council’s authorization to advertise for bids pursuant to subsection (a) hereof shall include an estimated price of the items or services. Council may, in its full discretion, at the time of advertisement authorize execution of a contract upon award by the Board of Control. Contracts awarded by the Board of Control shall not be executed by the Executive unless authorized by Council. If prior authorization to execute a contract has not been enacted, award by the Board of Control shall be contingent upon confirmation by Council.

(c) Every advertisement shall state the place where specifications may be obtained, the place where bids will be received, the day, place and time when bids will be opened, and that the County reserves the right to reject all bids.

(d) Additionally, if the bids are being procured through an online/electronic bid procurement process or system, pursuant to Section 177.06(f), the advertisement shall state that the bids are being received electronically and must be submitted electronically, shall state the name of any outside online/electronic bid procurement process or system used by the County and shall contain pertinent information on how prospective bidders may enroll in said online/electronic bid procurement process or system to submit a bid online.

177.06 BID OPENING, SECURITY, RECOMMENDATIONS AND TRANSMITTAL.

(a) Bids shall be submitted sealed; shall be signed by the bidder and contain the full name and address of every person or company submitting the bid and an affidavit of the corporate form, partnership form, or individual form of the business entity.

(b) Bids shall comply in all substantial respects with the terms of the bid offer, the specifications and County ordinances.

(c) Each bid in the amount of twenty-five thousand dollars ($25,000) or more shall be accompanied by a bid bond signed by a surety company authorized to do business in Ohio, or by a cashier’s check or certified check on a solvent bank, which bond or check shall be in an amount not less than three percent (3%) of the amount of the
bid, and in no event less than forty-five dollars ($45.00). Such bond or check shall be
given as security that if the bid is accepted, a contract will be executed in conformity with
the bid. Bids less than twenty-five thousand dollars ($25,000) require no bid bond.

(d) Bids timely received and opened shall be examined by the Executive or
the Executive's authorized representative. Recommendations shall then be made and
transmitted with the bids to the head of the department, division or office involved.

(e) Upon receipt of bids, the head of the department, division or office
involved may make further recommendations and shall transmit the bids, all
recommendations and the estimate to the Board of Control for consideration at its next
meeting.

(f) The Executive may implement and solicit bids through an
online/electronic bid procurement process or system, which shall be used for both the
distribution of specifications and other pertinent information and the submission of bids
by vendors. The Executive may utilize an online/electronic bid procurement process or
system from a third-party vendor unaffiliated with any entities submitting bids or may
develop the same. Said online/electronic bid procurement process or system, and all bids
submitted through the same, shall comply with all other provisions of this Section 177.06.
The online/electronic bid procurement process or system may also be used to solicit
quotes where the financial threshold necessitating a competitive bidding process is not
met.

177.08 PROFESSIONAL SERVICE CONTRACTS.

(a) The Executive shall accept and compile qualification statements from
any person or business entity seeking to obtain the award of any service contract which is
exempt from competitive bidding pursuant to Section 177.07(a)(4), including, but not
limited to, accountants, architects, appraisers, auditors, consultants, engineers,
construction project managers and surveyors. The hiring of attorneys providing legal
services, financial advisors in connection with the sale of notes and bonds, appraisers
performing services for the Fiscal Officer under Section 5713.01 of the Ohio Revised
Code and physicians for the County is expressly excluded from the process set forth
herein. Provided, however, that the award of any such contract must be approved by the
Board of Control, and where required by Council. This list shall be updated at least
annually.

(b) Qualification statements shall include the education, experience, skills,
personnel, equipment and any relevant information which aids in evaluating the person or
business entity.

(c) The Executive may, at any time, solicit qualification statements from any
person or business entity as may be necessary.

(d) Upon determination by the Executive that professional or unique services
are necessary for a specific purpose, the Executive may request proposals to be
submitted. Each request for a proposal shall set forth the nature and extent of the services
to be provided, any terms and conditions required, and the duration. The Executive shall
notify at least five of the persons or business entities who have submitted qualification
statements pertaining to the services to be provided, unless less than five persons or
business entities have submitted qualification statements pertaining to the services to be
provided, in which case all persons or business entities who have submitted qualification
statements pertaining to such services shall be contacted. Provided, however, that where
the professional services to be provided are twenty-five thousand dollars ($25,000) or
less, the Executive may solicit three written quotes and make the award based upon those
quotes.

(e) Any person or business entity may submit a proposal, which states the
scope of services to be provided and terms or conditions. No person or business entity
shall be excluded from submitting a proposal.

(f) The Executive shall review proposals received, negotiate compensation to
be paid, and submit a recommendation to the Board of Control. The Executive may
submit more than one recommendation. The Board may reject any or all proposals and
may direct the Executive to submit additional proposals. The Executive may request
additional proposals and may modify, in any respect, the request for proposals.

(g) The Board of Control may award a contract which shall be in writing
certified pursuant to Ohio R.C. 5705.41 and any amendments thereto. Any professional
contract awarded by the Board of Control for compensation in an amount exceeding
twenty-five thousand dollars ($25,000) shall be approved by County Council. No such
contract shall be approved by Council before a copy of the contract has been filed with
the Clerk of Council, unless this requirement is dispensed with on a given contract by a
vote of at least two-thirds of the members of County Council; and no such contract shall
be executed by the Executive until so approved. Where Council suspends the rules
pursuant to this section the professional services contract shall be filed with the Clerk of
Council within sixty days.

In the event that any County elected officeholder proposes to have the County contract
with a person or business entity for professional services and the aggregate of the
proposed contract and any other contracts between the County and that person or
business entity during that calendar year for services to that officeholder’s department
would exceed twenty-five thousand dollars ($25,000), and where no additional
competitive quotes or bids had been taken for the project, the proposed contract may be
awarded only upon express authorization of County Council. Additional proposals may
be submitted by the Executive for any contract when an award is not approved.

(h) In the event that any addition(s) cumulatively exceed fifteen percent
(15%) or fifteen thousand dollars ($15,000), whichever is greater, subsequent additions
shall also be authorized by the Board of Control, executed by the Executive, and certified
pursuant to Ohio R.C. 5705.41 and any amendments thereto.

(i) In the event any addition(s) cumulatively exceed thirty percent (30%) of
the original contract amount, or twenty-five thousand dollars ($25,000), subsequent
additions shall also be authorized by County Council.

(i) The Executive may, in his or her discretion, request proposals for services
pursuant to this Section using the online/electronic bid procurement process or system
authorized under 177.06(f), provided, however, that the provisions of this Section 177.08
shall otherwise govern the request and submission of proposals.