

1 ORDINANCE NO. 2023-350

2

3 SPONSOR Executive Shapiro

4

5 DATE November 13, 2023 COMMITTEE Finance

6

7 **An Ordinance amending Chapter 177 of the Codified Ordinances of the County of Summit,**
8 **entitled “Board of Control; Contract Procedures,” to make certain updates and revisions**
9 **to the purchasing process of the County, increasing thresholds as allowed by the passage of**
10 **Ohio House Bill 33, for the Executive’s Department of Finance and Budget, and declaring**
11 **an emergency.**

12

13 WHEREAS, the Executive and the Executive’s department of Finance and Budget
14 recommend the changes outlined in Exhibit A, a copy of which is attached to this Ordinance and
15 incorporated herein as if fully restated, in order to promote efficiency and better reflect the
16 current purchasing environment; and

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18 WHEREAS, rules and regulations addressing contracts, board of control thresholds, and
19 bidding were enacted to prevent fraud, collusion, favoritism, conflict of interest and
20 improvidence in the awarding of public contracts; and

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22 WHEREAS, the threshold amounts were last updated in 2015, and since then market and
23 economic changes and average pricing have led to a different purchasing environment and
24 difficulties such as securing multiple bids for small contracts that are above the current threshold;
25 and

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27 WHEREAS, in 2023, the Ohio Statehouse passed House Bill 33, making updates to the
28 Ohio Revised Code sections regarding competitive bidding thresholds and county credit card
29 policy, increasing thresholds in various sections from \$50,000.00 to \$75,000.00, from \$5,000.00
30 to \$10,000.00, from \$2,000.00 to \$5,000.00, and from \$1,000.00 to \$5,000.00, and permitting
31 political subdivisions to raise said thresholds; and

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32 WHEREAS, the proposed changes to purchasing thresholds better reflect the current
33 purchasing environment and will allow the County to proceed with procurement in a more
34 efficient and timely manner while continuing current practices to ensure the lowest responsive
35 and responsible contracts are selected; and

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37 WHEREAS, in 2022, thirty-one (31) items were presented to Council in the \$50,000.00
38 to \$75,000.00 range, of which twenty-nine (29) items were selected as sole source, state term
39 pricing bid or equivalent, best practical source, most qualified, met emergency needs, or were
40 change orders to existing contracts; and

41

42 WHEREAS, in 2022, thirty-two (32) items were presented to Board of Control in the
43 \$5,000 to \$25,000 range, of which thirty-one (31) items were for professional services, fiduciary
44 contracts, or were change orders to existing contracts; and

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46 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
47 it is necessary and in the best interest of the County of Summit to amend Chapter 177 of the
48 Codified Ordinances of the County of Summit for the aforementioned reasons; and

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50 WHEREAS, the Executive proposes adding “Veteran” to the definition of a
51 Disadvantaged Business to promote support for small businesses in our community that are
52 owned and controlled by veterans; and

1 ORDINANCE NO. 2023-350

2 PAGE TWO

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4 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
5 of Ohio, that:

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7 SECTION 1

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9 Chapter 177 of the Codified Ordinances of the County of Summit, entitled "Board of
10 Control; Contract Procedures," is hereby amended as set forth in Exhibit A, a copy of which is
11 attached to this Ordinance and incorporated herein as if fully restated.

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13 SECTION 2

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15 This Ordinance is hereby declared an emergency in the interest of the health, safety, and
16 welfare of the residents of Summit County and for the further reason that it is necessary to
17 immediately amend Chapter 177 of the Codified Ordinances of the County of Summit in order to
18 allow the County to proceed with procurement in a more efficient manner while continuing
19 current practices to ensure the lowest responsive and responsible contracts are selected.

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21 SECTION 3

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23 Provided this Ordinance receives the affirmative vote of eight members, it shall take
24 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
25 effect and be in force at the earliest time provided by law.

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27 SECTION 4

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29 It is found and determined that all formal actions of this Council concerning and relating
30 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
31 deliberations of this Council and of any of its committees that resulted in such formal action,
32 were in meetings open to the public, in compliance with all legal requirements, including Section
33 121.22 of the Ohio Revised Code.

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36 INTRODUCED November 13, 2023

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38 ADOPTED November 27, 2023

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40 DocuSigned by:

487AE1C02A604A7...

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42 CLERK OF COUNCIL

DocuSigned by:

C65A048FE4BA42A...

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44 PRESIDENT OF COUNCIL

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44 APPROVED November 27, 2023

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46 DocuSigned by:

CBD33E40D287473...

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48 EXECUTIVE

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50 ENACTED EFFECTIVE November 28, 2023

Voice Vote – YES: 10 – 0: Darrow, Dickinson, Donofrio, McKenney,
Rodgers, Schmidt, Sims, Walters, Wiedie Higham, Wilhite
Absent: DeVitis