

ORDINANCE NO. 25-98
BY: Ifeolu Claytor

Amending Section 141.03 of the Administrative Code of the Codified Ordinances of the City of Shaker Heights to increase the threshold amount established pursuant to the City Charter for competitive bidding and approval of certain purchases by Council.

WHEREAS, Article VI, Section 7 of the City Charter, adopted by the voters of the City on November 2, 1999, provides that the "Council shall authorize by ordinance, in January of the year 2000 and any odd-numbered year thereafter, a specific dollar amount above which funds of the City may not be expended except pursuant to contract made with the lowest and best bidder after public advertising and receipt of bids in a manner provided by ordinance...Provided, however, the City may authorize, by ordinance, expenditures of the funds of the City without public bidding in dollar amounts exceeding the limit set by Council in specific cases, such as: for the acquisition of real estate; for the discharge of noncontractual claims against the City; for personal services; for the joint use of facilities or exercise of powers with other political subdivisions; for the product or services of public utilities (including those municipally operated); or, in the case of urgent emergency, for the immediate protection of public property or public safety...No other expenditure of more than the amount set by Council shall be made, except pursuant to contract made with the lowest and best bidder as specified above"; and

WHEREAS, Council adopted Section 141.03 of the Administrative Code of the Codified Ordinances in Ordinance 00-08, enacted on January 24, 2000, increasing the specific dollar amount threshold above which funds of the City may not be expended except pursuant to formal competitive bidding or an ordinance of Council from \$10,000 to \$25,000, and such threshold amount has not been changed in the past 25½ years; and

WHEREAS, the Director of Finance, who also serves as the City's Director of Purchases, has recommended that the threshold in Section 141.03 be increased from \$25,000 to \$50,000, in order to: reflect the impact of inflation over the 25½ years since the current threshold was established; reduce delays resulting from the present acquisition process and limits; allow smaller companies to be included in the acquisition process without incurring the excessive costs and time associated with the formal public bidding process; achieve lower prices and a savings to the City because the cost of formal public bidding, such as the requirement for bid bonds, will not be passed on to the City in the form of higher bid prices or negatively impact small businesses; and

WHEREAS, the City's less formal procurement process contains significant safeguards to prevent abuses or lapses which could result in higher costs to the City in making purchases below the threshold established in Section 141.03.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. Section 141.03 of the Administrative Code of the Shaker Heights Codified Ordinances as currently in effect is hereby repealed.

Section 2. Section 141.03 of the Administrative Code of the Shaker Heights Codified Ordinances is hereby amended to read as follows:

141.03 COMPETITIVE BIDDING.

The Council may authorize, ~~in specific cases,~~ expenditures of the funds of the City in amounts exceeding ~~fiftytwenty-five~~ thousand dollars (\$~~50,00025,000~~) without public bidding, in specific cases, such as: for the acquisition of real estate, for the discharge of noncontractual claims against the City, for personal services, for the joint use of facilities or exercise of powers with other political subdivisions, for the product or services of public utilities (including those municipally operated) or in the case of urgent emergency, for the immediate protection of public property or public safety, but no other expenditure of more than ~~fiftytwenty-five~~ thousand dollars (\$~~50,00025,000~~) shall be made, except pursuant to contract made with the lowest and best bidder after public advertising for bids for two (2) consecutive weeks in a manner most likely to provide notice to the public and potential biddersnewspaper of general circulation in the City. The lowest and best bid shall be determined and contract awarded upon the written approval of the Mayor, the Chief Administrative Officer, the Director of Finance and the head of the department involved, except that the Mayor may refer such determination to Council. —For emergency purchases over \$50,000, the purchase must be approved by Council either before the purchase is made, if possible, or as soon after the purchase is made as practicable, and Council shall be notified of such purchase at the time such purchase is made.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and this ordinance shall, therefore, take effect immediately upon its enactment and approval by the Mayor.

Enacted August 25, 2025.

Approved this ____ day of _____, 2025.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council