

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <u> X </u>	Waiver 3-Reading Rule <u> </u>
ORDINANCE NO: 2025-10-16	Yes <u> </u>	Second Reading <u> </u>	Yes <u> x </u>
INTRODUCED BY <u> </u>	No <u> </u>	Third Reading <u> </u>	No <u> </u>

**AN ORDINANCE AMENDING THE VILLAGE THRESHOLD FOR
PUBLICLY BID CONTRACTS TO ALIGN WITH STATE POLICY; AND
DECLARING AN EMERGENCY.**

WHEREAS, aligning the Village’s competitive bidding requirements with Ohio Revised Code 9.17 is beneficial for legal compliance, transparency, administrative efficiency, and financial prudence; and

WHEREAS, Ohio Revised Code 9.17 includes an automatic annual adjustment based on a percentage increase (3% beginning in 2025) published by the Ohio Department of Commerce, which saves local governments like Boston Heights from having to pass new ordinances every year to account for inflation and avoids keeping a threshold amount that becomes obsolete over time; and

WHEREAS, it is in the best interest of the Village and its residents to adjust the competitive bidding threshold to align with state law.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Boston Heights, Summit County, Ohio, as follows:

Section 1. That Section 105.10 of the Codified Ordinances of the Village of Boston Heights is hereby amended and shall provide as follows, with additions in **bold and underlined** and the deletions in **bold and stricken**:

(a) (1) Whenever an expenditure of appropriations is to be made by the Village, and the estimated cost is in excess of the **threshold established pursuant to Section 9.17 of the Revised Code** ~~fifty thousand dollars (\$50,000)~~, the Fiscal Officer or other Village Officer authorized by Council shall advertise a Notice to Bidders ~~in a newspaper of general circulation~~ in accordance with **the requirements of Section 123.01 of the Codified Ordinances of the Village of Boston Heights** ~~state law requirements. The Fiscal Officer shall advertise a Notice to Bidders in a newspaper of general circulation once a week for two consecutive weeks requesting bids for such purpose or construction or improvement, and shall provide the Fiscal Officer with a copy of the advertisement at the time the advertisement is submitted for publication.~~

(2) So long as the other requirements of Chapter 105 of the Codified Ordinances of Boston Heights are followed, the Mayor may enter into a contract to purchase supplies, materials, services, insurance, and/or labor involving not more than the threshold established pursuant to Section 9.17 of

the Revised Code during a calendar year without the necessity of competitive bidding.

(b) Bid notices shall state all of the following:

- (1) A general description of the subject of the proposed contract and the time and place where the plans and specifications or itemized list of supplies, facilities, or equipment and estimated quantities can be obtained or examined;
- (2) The time and place where bids will be opened;
- (3) The time and place for filing bids;
- (4) The terms of the proposed purchase; and,
- (5) Conditions under which bids will be received.

(c) After receiving and opening the bids in the manner prescribed by law, **unless already authorized by Council to proceed**, the Mayor and Fiscal Officer shall transmit such bids with the recommendation thereon to Council for consideration at a meeting of Council. The information set forth therein shall be presented to Council by resolution.

(d) The Village **may shall** also maintain in a public place in its office or other suitable public place a bulletin board upon which it shall post and maintain a copy of such notice for at least two weeks preceding the day of the opening of the bids.

(e) If the bid is for a contract for the construction, demolition, alteration, repair, or reconstruction of an improvement, it shall meet the requirements of section 153.54 of the Revised Code. If the bid is for any other contract authorized by section 731.14 or 731.141 of the Revised Code, it shall be accompanied by a sufficient bond or certified check, cashier's check, or money order on a solvent bank or savings and loan association that, if the bid is accepted, a contract will be entered into and the performance of it properly secured.

(f) The Village shall accept the lowest and best bid. Upon acceptance, the Village shall notify the recipient in a reasonable amount of time. The Village reserves the right to reject all bids and advertise.

(g) If there are any indications of bid splitting or deliberate attempts to evade bid limitations then the contract may be void.

Section 2. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

Section 3. That it is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in a duly noticed open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED:

RON ANTAL, MAYOR

ATTEST:

I, SCOTT VARNEY, Fiscal Officer and Clerk of the Council for the Village of Boston Heights, Summit County, Ohio, do hereby certify that the foregoing **Ordinance 2025-10-16** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this **14th day of October 2025**.

SCOTT VARNEY, FISCAL OFFICER