

1st reading 2-5-2025
2nd reading 2-12-2025
3rd reading 3-5-2025
Voted on 3-5-2025
Ayes: 1 Nays: 0
PASSED DEFEATED

1/17/2025

ORDINANCE NO. 2025-2

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 107, CONTRACTS, OF THE CODIFIED ORDINANCES OF ORANGE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has learned that the state has increased the threshold for mandatory public bidding for some political subdivisions from fifty thousand dollars (\$50,000) to seventy-five thousand dollars (\$75,000); and

WHEREAS, the Mayor has recommended that the Mayor's discretionary spending authority be increased from fifteen thousand dollars (\$15,000) to twenty-five thousand dollars (\$25,000); and

WHEREAS, Council desires to change the Village's contracting procedures to account for the inflationary factors in the various financial limits identified in the Village's Codified Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, STATE OF OHIO:

SECTION 1. That existing subsections (c) – (h) of Sections 107.01, Contract Procedures, of Chapter 107, Contracts, of the Codified Ordinances of Orange Village are amended to provide as follows:

"107.01 CONTRACTS PROCEDURES.

(c) Authorization for Design and/or Specifications. In the event the investigation or a good faith estimate by the Mayor indicates that the cost of a proposed project, purchase, lease or provision of services will exceed ~~forty~~ **seventy-five** thousand dollars (~~\$50,000~~) (**\$75,000**), the approval of Council by a motion and majority vote is necessary to authorize the expenditure of funds for the design and/or specification thereof.

(d) Public Bidding. Except as provided in subsection (e), any contract which: (i) provides for an expenditure in excess of ~~forty~~ **seventy-five** thousand dollars (~~\$50,000~~) (**\$75,000**); and, (ii) is for the construction of a public improvement or the purchase or lease of equipment, supplies or materials, or the provision of a service to the Village, shall be authorized only upon a motion, adopted by a majority vote of the members of Council, to award the contract to the lowest and best bidder after advertising for a time and in a manner that the Village determines shall be effective in notifying a sufficient number of bidders as determined by the Village in its discretion. By way of example, and not as a limitation, the advertisement may be in a newspaper of general circulation in the Village, or publication on the Village's website, or both.

(e) Exceptions to Public Bidding. Contracts whose costs are estimated to exceed ~~fifty~~ **seventy-five** thousand dollars (~~\$50,000~~) (**\$75,000**) and that meet the following conditions are not subject to competitive bidding and may be approved by Council, in its discretion, by motion and a majority vote of its members:

(f) Mayor's Discretionary Spending Authority. The Mayor may expend up to ~~fifteen~~ **twenty-five** thousand dollars (~~\$15,000~~) (**\$25,000**), in accordance with the Village's current appropriations, for any public improvement, or the purchase or lease of equipment, materials and supplies, or to obtain professional or personal services or for any other lawful purpose. The Mayor shall notify Council of such expenditure at the next meeting of Council.

(g) Mayor's Conditional Spending Authority. The Mayor may make an expenditure which is between ~~fifteen~~ **twenty-five** thousand dollars (~~\$15,000~~) (**\$25,000**) and fifty thousand dollars (\$50,000), upon the prior approval of four members of Council, which approval may be made in writing or by a motion and vote at any regular or special meeting of Council. Authorization provided by Council in writing shall only be effective if all members of Council are sent a written explanation of the amount and purpose of the proposed expenditure, and the reason for the necessity of action prior to the next meeting of Council. Further, all written authorizations for such expenditures shall be announced at the next regular or special meeting of Council by the Mayor, and such announcement shall include a report of how the members of Council were notified in writing and the reason why immediate action was necessary.

(h) Real Estate. The Mayor may purchase, sell or lease real property valued below ~~fifteen~~ **twenty-five** thousand dollars (~~\$15,000~~) (**\$25,000**), provided that a current appropriation supports any such purchase or lease of real estate and provided that Council is notified of such purchase, sale or lease at the time of the next Council meeting (including any work session). The Council may, by ordinance, provide for the purchase, sale or lease of real property, valued at or in excess of ~~fifteen~~ **twenty-five** thousand dollars (~~\$15,000~~) (**\$25,000**), with or without public bidding, on such terms and for such value as Council, in the exercise of its discretion, may deem reasonable and in the best interest of the Village.”

SECTION 2. That existing Section 107.02 Professional Design Services; of the Codified Ordinances of Orange Village is amended to provide as follows:

“107.02 PROFESSIONAL DESIGN SERVICES; PUBLIC WORKS.

(a) Definitions.

(1) "Professional Design Firm" means any person, firm or corporation legally engaged in rendering professional design services.

(2) "Professional Design Services" means services within the scope of practice of an architect or landscape architect registered under Chapter 4703 of the Revised Code or a professional engineer or surveyor registered under Chapter 4733 of the Revised Code.

(3) "Public Works Contract" means any contract awarded by the Village for the construction, alteration or repair of any public building, public highway or other public work.

(4) "Design-build Services" means services that form an integrated delivery system for which a person is responsible to a public authority for both the design

and construction, demolition, alteration, repair or reconstruction of a public improvement.

(b) The Village is hereby exempted from following the procedures set forth in Sections 153.65 through 153.73 of the Ohio Revised Code for ~~contracting~~ for **engaging** Professional Design Services or Design-build Services.

(c) The Mayor may contract for Professional Design Services related to a Public Works Contract when the amount of the Professional Design Services is less than ~~fifteen~~ **twenty-five thousand** dollars (~~\$125,000~~). The Mayor may determine the Professional Design Firm's qualifications and abilities in such manner as the Mayor deems most suitable.

(d) In the event that the cost of the Professional Design Services for a Public Works Contract will equal or exceed ~~fifteen~~ **twenty-five** thousand dollars (~~\$15,000~~) (**\$25,000**), the Council shall have the authority, by motion passed by majority vote, to authorize the Mayor to sign such Professional Design Services contract. Council may satisfy itself as to the Professional Design Firm's qualifications and abilities in the manner it deems most suitable.”

SECTION 2. That existing subsections (c) through (h) of Section 107.01 and Section 107.02 107.02, of Chapter 107 Contracts, of the Codified Ordinances and any Ordinance or any part of any Ordinance that conflicts with this Ordinance, is repealed to the extent of the conflict.

SECTION 3. That the actions of this Council concerning and relating to the passage of this legislation 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 including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 4. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the inhabitants of Orange Village, and further, for the reason to help facilitate the daily operation of the Administration of Orange Village; wherefore this Ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor.

PASSED: MARCH 5, 2025

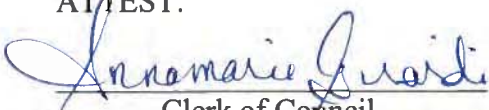


Council President

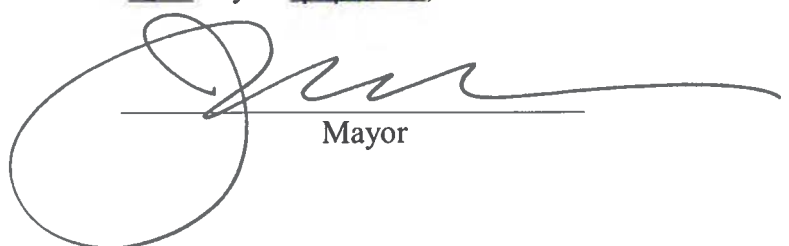
Submitted to the Mayor for approval on this 5th day of MARCH, 2025

Approved by the Mayor this 5th day of MARCH, 2025

ATTEST:



Clerk of Council



Mayor