

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0055

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Department of Law</b>	<b>An Ordinance</b> amending Ordinance No. O2011-0014, as amended, which enacted the Cuyahoga County Contracting and Purchasing Procedures Ordinance; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Cuyahoga County Council enacted the Cuyahoga County Contracting and Purchasing Procedures Ordinance in Ordinance No. O2011-0014, as amended; and,

WHEREAS, the Ohio Department of Transportation has objected to the County's use of the factors listed in Section 4.7 and the certifications listed in Section 4.8 of the Contracting and Purchasing Procedures Ordinance in federally and state funded contracts; and,

WHEREAS, Council deems it proper to amend Sections 4.7 and 4.8 of the Contracting and Purchasing Procedures Ordinance to avoid any potential loss of federal or state funding for projects governed by the Contracting and Purchasing Procedures Ordinance; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to continue the usual and daily operation of the County.

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO THAT:**

**SECTION 1:** Section 4.7 of the Cuyahoga County Contracting and Purchasing Procedures Ordinance, Ordinance No. O2011-0014, as amended, is hereby further amended to add the following section 4.7(p):

**(p) On federally or state funded projects, which require the County to comply with specific federal and/or state criteria in selecting the lowest and best bid and/or bidder, the County shall comply with the applicable federal or state mandated criteria to avoid the loss of federal or state funding for the project(s).**

**SECTION 2:** The first paragraph of Section 4.8 of the Cuyahoga County Contracting and Purchasing Procedures Ordinance, Ordinance No. O2011-0014, as amended, is hereby further amended as follows (additions are bolded; deletions are stricken):

**On federally or state funded projects, which require the County to comply with specific federal and/or state criteria or forms for certifications by the successful bidder(s), the County shall comply with the federal and/or state requirements to avoid the loss of federal or state funds, including the use of the federal and/or state certification forms in lieu of the County’s mandated certification forms. Where possible on federally or state funded projects and on all other projects, At** at the time of execution of the contract, the successful bidder shall certify that it:

**SECTION 3: Effective Date.** It is hereby found and determined necessary for this Ordinance to become immediately effective, for the reasons that this Ordinance provides for the usual daily and necessary operations of Cuyahoga County government. Therefore, this Ordinance, provided that it receives the affirmative vote of at least eight (8) members of County Council, shall be in full force and effect from and immediately after the earliest time permitted by law.

**SECTION 4:** It is found and determined that all formal actions of this County Council meeting relating to the adoption of this Ordinance were adopted in an open meeting of the County Council and that all deliberations of this County Council and any of its committees that resulted in such formal actions took place in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Schron, seconded by Ms. Conwell, the foregoing Ordinance was duly enacted.

Yeas: Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers and Connally

Nays: None

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County Council President

\_\_\_\_\_  
Date

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County Executive

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Date

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Clerk of Council

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Date

Journal CC004  
December 6, 2011