

# RECORD OF ORDINANCES

Ordinance No. 2025-0-13 Passed June 3rd, 2025  
YEAR

## VILLAGE COUNCIL OF GREENWICH, OHIO ORDINANCE NO.: 2025-O-13

### AUTHORIZE BIDS CONTRACT WITH LOWEST RESPONSIVE AND RESPONSIBLE BIDDER *Greenwich Codified Municipal Code of Ordinances Section 262.02*

AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO ADVERTISE FOR BIDS AND TO MAKE A WRITTEN CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE **TOWNSEND LIFT STATION AND FORCE MAIN IMPROVEMENTS PROJECT** AND DECLARING AN EMERGENCY

WHEREAS, the Village Administrator and OHM Senior Project Engineer at OHM-Advisors recommend that the Village move forward with the Townsend Lift Station and Force Main Improvements Project; and

WHEREAS, the Village Administrator and OHM Senior Project Engineer at OHM-Advisors are requesting that the Village Administrator be given authority to advertise for bids and to also enter into a written contract with the lowest responsive and responsible bidder; and

WHEREAS, Section 731.141 reads in part that:

*Section 731.141 | Village administrator to make contracts and purchases.*

*In those villages that have established the position of village administrator, as provided by section 735.271 of the Revised Code, the village administrator shall make contracts, purchase supplies and materials, and provide labor for any work under the administrator's supervision involving not more than the amount specified in section 9.17 of the Revised Code. When an expenditure, other than the compensation of persons employed by the village, exceeds the amount specified in section 9.17 of the Revised Code, the expenditure shall first be authorized and directed by **ORDINANCE** of the legislative authority of the village. When so authorized and directed, except where the contract is for equipment, services, materials, or supplies to be purchased under division (D) of section 713.23 or section 125.04 or 5513.01 of the Revised Code, available from a qualified nonprofit agency pursuant to sections 4115.31 to 4115.35 of the Revised Code, or required to be purchased from a qualified nonprofit agency under sections 125.60 to 125.6012 of the Revised Code, the village administrator shall make a written contract with the lowest and best bidder after advertisement for not less than two nor more than four consecutive weeks in a newspaper of general circulation within the village or as provided in section 7.16 of the Revised Code. The bids shall be opened and shall be publicly read by the village administrator or a person designated by the village administrator at the time, date, and place as specified in the advertisement to bidders or specifications. The time, date, and place of bid openings may be extended to a later date by the village administrator, provided that written or oral notice of the change shall be given to all persons who have received or requested specifications no later than ninety-six hours prior to the original time and date fixed for the opening. All contracts shall be executed in the name of the village and signed on its behalf by the village administrator and the clerk. No expenditure subject to this section shall be divided into component parts, separate projects, or separate items of work in order to avoid the requirements of this section.*

WHEREAS, Section 9.17 of the Ohio Revised Code was recently amended to read:

*Section 9.17 | Competitive bidding threshold amount.*

*(A) The amount for purposes of a provision of the Revised Code that references this section shall be as follows:*

- (1) Beginning on the effective date of this section through calendar year 2024, seventy-five thousand dollars.*
- (2) For each calendar year thereafter, the amount for the previous calendar year increased by three per cent as determined and published by the director of commerce.*

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WHEREAS, the Village Administrator reports ongoing compliance with the Village Competitive Bidding Policy provided in Section 206.02 of the Greenwich Codified Municipal Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (ORC 731.18)

SECTION 1. AUTHORIZE BIDDING. That the Village Administrator, by and through OHM Advisors, is hereby authorized and directed to advertise and receive bids for the following Project:

**TOWNSEND LIFT STATION AND FORCE MAIN IMPROVEMENTS**

**SEE ADVERTISEMENT FOR BIDS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE**

SECTION 1.1. DESIGNATED REPRESENTATIVE. As required by Section 731.141 of the Ohio Revised Code, bids shall be opened and publicly read by the village administrator or person designated by the village administrator at the time, date and place specified in the advertisement to bidders or specifications.

SECTION 2. LOWEST RESPONSIVE AND RESPONSIBLE BIDDER. That the Village Administrator is further authorized to enter into a written contract with the lowest responsive and responsible bidder. [Greenwich Code 206.02]

SECTION 2.1. RESPONSIVE BIDDER. [Greenwich Code 206.02(b)] A bidder on a contract shall be considered responsive if the proposal responds to bid specifications in all material respects and contains no irregularities or deviations from the specifications which would affect the amount of the bid or otherwise give the bidder a competitive advantage.

SECTION 2.2. RESPONSIBLE BIDDER. [Greenwich Code 206.02(c)] The factors that the Village shall consider in determining whether a bidder on a contract is responsible shall include the following:

- (1) The bidder's experience;
- (2) The bidder's financial condition;
- (3) The bidder's conduct and performance on previous contracts;
- (4) The bidder's facilities;
- (5) The bidder's management skills; and
- (6) The bidder's ability to execute the contract properly.

SECTION 3. AUTHORIZE EXPENDITURE AND WRITTEN CONTRACT. That Village Council hereby authorizes the expenditure (See ORC 731.141) and directs the Village Administrator to make a written contract with the lowest and best bidder designated herein.

SECTION 4. EXECUTION. That the contract shall be executed in the name of the village and signed on its behalf by the village administrator. [See Section 731.141 of the Ohio Revised Code]

SECTION 5. CERTIFICATION OF FUNDS. That the contract shall be contingent upon the lawful appropriation of funds.

SECTION 6. DISPENSE WITH THREE READINGS. [ORC 731.17(A)(2)] That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days.

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**SECTION 7. DECLARATION OF EMERGENCY.** That by two-thirds vote of all the members elected to the legislative authority, this legislation is hereby declared to be an emergency measure pursuant to ORC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s):

*A pre-bid meeting is scheduled to be held on June 11, 2025*

**SECTION 8. PUBLIC MEETING.** That it is found and determined that all formal action of this public body concerning or relating to the passage of this legislation were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 3rd day of June, 2025.

## ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing legislation received the necessary affirmative roll call votes required for passage by ORC 731.17.

James Swaddle  
MAYOR

Karley M. Brey  
FISCAL OFFICER

## LEGISLATION READINGS

ORC 731.17(A)

- (1) Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.  
(2) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.

First Reading: 6/03/25 Second Reading: dispensed Third Reading: dispensed

## ROLL CALL VOTE

ORC 731.17(A)(3)

The vote on the passage was taken by yeas and nays and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of the legislative authority. Yeas, nays, abstentions, excused or absent votes were recorded as follows:

Yea  
Mike King

Yea  
Randy Wilson

Yea  
Lynne Phillips

Yea  
Jason Hunter

Yea  
Regina Lueck

Yea  
Dorene Beverly

PREPARED BY AND APPROVED AS TO FORM [See also ORC 731.21(B)]:

Steve Palmer  
VILLAGE SODS FOR, Steve Palmer

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## CERTIFICATE OF PUBLICATION

ORC 731.21 and 731.22

Pursuant to ORC 731.21(A)(3), I hereby certify that a succinct summary of the above legislation was/will be published using the following method: **ON THE WEBSITE AND SOCIAL MEDIA ACCOUNT OF THE MUNICIPAL CORPORATION**  
The succinct summary was reviewed by the village solicitor as required by ORC 731.21(B). Publication was/will be made at least once a week for two consecutive weeks as required by ORC 731.22.

Korday M. B...  
FISCAL OFFICER

ATTACHMENT(S) TO FOLLOW