

**Cuyahoga Falls City Council**  
**Minutes of the Finance and Appropriations Committee Meeting**

**May 2, 2022**

**Members:** Mary Nichols-Rhodes, Chair  
Tim Gorbach  
Adam Miller

Ms. Nichols-Rhodes called the meeting to order at 6:30 p.m. All members were present.

**Legislation Discussed**

Temp. Ord. A-46

**Discussion:**

**Temp. Ord. A-46**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, for the purchase of services, materials, supplies, and equipment for use in the Electrical Division in 2022, and declaring an emergency.

Mr. Bryan Hoffman Finance Director, presented Temporary Ordinance A-46 to Council. City departments and divisions must purchase services, materials, supplies, and equipment throughout the year to operate effectively. The public bidding process can slow the procurement of goods and services necessary to City operations. With some vendors, although no specific expenditure for their services, materials, supplies, and equipment are expected to exceed the competitive bidding amount threshold individually, collectively these costs are projected to exceed the competitive bidding limit. The Director of Public Service will be authorized to enter into a contract or contracts, without competitive bidding, with the following vendors for the purchase of the materials, supplies, and equipment for use in the Electrical Division in 2022: Anixter Inc., Brownstown Electric Supply Co., DECO Supply Company Inc., Electric Research and Manufacturing Cooperative, Inc. (ERMCO), Main Street Lighting, Power Line Supply Co., Professional Electric Products Company (PEPCO), Stella-Jones Corp.

Electrical Division expenditures made under the contracts authorized by this ordinance shall not exceed, in the aggregate, the budgets listed in Exhibit A attached to the original temporary ordinance without further consent of City Council by ordinance. The Director of Finance will be directed to make payment for same out of the Electric Fund, Line Items Other Operations and Capital Outlay, as indicated in Exhibit A.

Mr. Hoffman stated that the vendors will not hold their prices for long, so they have been forced to try to adjust the way they do purchases to keep up with today's market. In the past, they sent out very thick bid books to various vendors and asked them to bid upon small, large and in-between supplies that the City purchases. They have held those prices for the duration of the year, and they have been able to purchase off of that bid. This year and towards the end of last year, prices have fluctuated, and vendors will not hold those prices, let alone bid on some of items that they have

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put out to bid because it is not worth their time. What they are looking to do to is still have a purchasing procurement process internally that includes quotes, et cetera, but to waive the competitive bidding prices, so they can get the prices quickly and make the purchase in order to have supplies and get the best price for the City.

Ms. Nichols-Rhodes stated that, during competitive bidding, they have to come to Council for anything over \$50,000. They do not expect anything over \$50,000 at this point in time, but, over time, it could go over, and they do not want to have to stop, competitive bid and come to Council in order to buy things the City needs. This does not waive the bidding process. The bidding process is not a short process in many cases, and that is why they need more flexibility to be able to float many items. Many of these items are small items. This does not mean they would not go out to various vendors outside of the list that is being provided to look for prices. These are the vendors they have regularly done business with and regularly have had the best prices.

Mr. Stams asked for an example of the type of products or materials that could arise from something like this. Mr. Hoffman stated that these are lighting supplies, lumber supplies, electric type of things that you would buy at your electric supply vendors. They could be two-dollar items, twenty-dollar items, five-thousand-dollar or ten-thousand-dollar items. In the aggregate, they have had to bid those out to satisfy the procurement procedures and purchase it out of that bid book for the year. They are looking to more of a quoting process to go out and get quotes for many of these items and purchase them much more quickly.

Mr. Gorbach stated that it is absolutely necessary that they go in this direction. It is unfortunate that it has to say, "without competitive bidding," because it gives the impression that they no longer are getting the best price, but they are. They are committed to do that. He asked if Council should look for a similar ordinance like with the Water Department. Mr. Hoffman stated that is correct. They have not gotten there yet. This is the first running of it, and then they will do the water and then sewer department. Mr. Gorbach stated that these are consumables, common products that are bought every year, and they have a good idea of what they should cost.

Mr. Balthis stated that in the ordinance in Section 1, they list the vendors that this ordinance applies to. That list includes vendors that they have worked with in the past. He asked if there were any vendors excluded to give an understanding how these vendors were selected and chosen and why they are confident in working with them to get the best price. Mr. Hoffman stated that they listed the vendors with whom they usually do over \$50,000 worth of business a year. If they find another vendor, they can bring that ordinance before Council.

Mr. Gorbach moved to bring out Temp. Ord. A-46 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

The meeting adjourned at 6:43 p.m.