

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

**June 10, 2024**

**Members:** Mary Nichols-Rhodes, Chair  
Mike Brillhart, Vice Chair  
Meika Penta, Brian Ashton, Joe Siegfert

Ms. Nichols-Rhodes called the meeting to order at 6:33 p.m. All members were present.

The minutes of the April 1, 2024 and April 15, 2024 Finance Committee Meetings were approved as written.

**Legislation Discussed**

Temp. Ord. A-55

**Discussion:**

**Temp. Ord. A-55**

An ordinance amending section 181.04 of the Codified Ordinances relating to the award and execution of contracts, and declaring an emergency.

Mr. Tony Demasi, City Engineer, presented Temporary Ordinance A-55 to Council. Section 181.04 of the Codified Ordinances of the City of Cuyahoga Falls will be amended to read in full as follows (new text underlined; deleted text in strikethrough):

**Award and Execution of Contracts**

With respect to the award of any competitively bid contract, the award and execution of the contract shall be made within sixty days after the date on which the bids are opened unless otherwise provided in the bid specifications or unless the time for awarding and executing the contract is extended by mutual consent of the City and the bidder whose bid the City accepts and with whom the City subsequently awards and executes a contract. The contractor, upon request, is entitled to a notice to proceed with the work by the City upon execution of the contract. No contract to which this section applies shall be entered into if the price of the contract, or if the project involves multiple contracts where the total price of all contracts for the project is in excess of ~~ten~~ **twenty percent** above the engineer's estimate thereof. No contract shall be entered into until the Industrial Commission has certified that the person so awarded the contract has complied with Ohio R.C. 4123.01 to 4123.94, until, if the bidder so awarded the contract is a person nonresident of this state, such person has filed with the Secretary Of State a power of attorney designating the Secretary Of State as its agent for the purpose of accepting service of summons in any action, until the contractor has provided the necessary Drug Free Workplace and E.E.O. certifications, until the contract and bond, if any, are submitted to the Law Director and his approval as to form certified thereon, and until the Director of Finance has certified the appropriation of funds therefore.

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Mr. Demasi stated that City ordinances are written to align with State laws. Previously, State law mandated that, when awarding contracts, the bid must not be more than 10 percent of the engineer's estimate. The State has since raised that threshold to 20 percent. This legislation would align the City ordinances with State law. They have many bids that are coming due next week. Many of those are the Downtown projects and the Triangle project up north, so it would be timely if they could get this ordinance passed as soon as possible. Mr. Demasi thanked Council for holding a special meeting so that this ordinance could be passed.

Mr. Brillhart moved to bring out Temp. Ord. A-55 with a favorable recommendation, second by Mr. Ashton. Motion passed (5-0).

The meeting adjourned at 6:35 p.m.