

ORDINANCE NO. 6-04

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul M. Hubbard ON THE 17th DAY OF May, 2004

AN ORDINANCE ADOPTING THE "REVERSE AUCTION" METHOD OF COMPETITIVE BIDDING.

WHEREAS, Ohio Revised Code §9.314 permits a municipality to adopt the "Reverse Auction" method (as defined therein) of competitive bidding; and

WHEREAS, the adoption of said method would provide the City with an additional method to secure the lowest and best bids for its citizens; and

WHEREAS, this Council hereby determines that to exercise said power is for the benefit of its citizens.

NOW THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the Centerville Municipal Code is hereby amended by the addition of the following:

§210.041 REVERSE AUCTION METHOD OF COMPETITIVE BIDDING.

(A) As used in this section:

(1) "Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks, including the graphical subnetwork called the world wide web.

(2) "Reverse auction" means a purchasing process in which offerors submit proposals in competition to sell services or supplies in an open environment via the internet.

(3) "Services" means the furnishing of labor, time, or effort by a person, not involving the delivery of a specific end product other than a report which, if provided, is merely incidental to the required performance. "Services" does not include services furnished pursuant to employment agreements or collective bargaining agreements.

(4) "Supplies" means all property, including, but not limited to, equipment, materials, other tangible assets, and insurance, but excluding real property or interests in real property.

(B) Whenever the City is required by law to purchase services or supplies by competitive sealed bidding or competitive sealed proposals and the Manager determines that the use of a reverse auction is advantageous to the City, the Manager, in accordance with this section, may purchase services or supplies by reverse auction.

(C) The Manager or his or her designee shall solicit proposals through a request for proposals. The request for proposals shall state the relative importance of price and other evaluation factors. The Manager or his or her designee shall give notice of the request for proposals in accordance with the provisions of §210.02 of this Code.

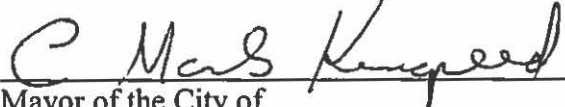
(D) As provided in the request for proposals and in accordance with the provisions of Chapter 210 of this Code, and to ensure full understanding of and responsiveness to solicitation requirements, the Manager or his or her designee may conduct discussions with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award. The Manager or his or her designee shall accord offerors fair and equal treatment with respect to any opportunity for discussion regarding any clarification, correction, or revision of their proposals.

(E) The City Council may award a contract to the offeror whose proposal the Manager determines to be the most advantageous to the City, taking into consideration factors such as price and the evaluation criteria set forth in the request for proposals. The contract file shall contain the basis on which the award is made.

(F) A performance bond in the amount of 100% of the proposed price shall be required.

Section 2. This ordinance shall be effective from and after the earliest date allowed by law.

PASSED THIS 17th day of May, 2004.



Mayor of the City of
Centerville, Ohio

ATTEST:

Marie J. Saughell
Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 6-04, passed by the Council of the City of Centerville, Ohio on the 17th day of May, 2004.

Marie J. Saughell
Clerk of the Council

Approved as to form, consistency with the
Charter and Constitutional Provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney