

ADAMHS BOARD FOR MONTGOMERY COUNTY	BP # 110	
TITLE BOARD	SUBJECT BIDDING	
	EFFECTIVE DATE 2/10/82	SUPERSEDES DATE 1/6/82

It shall be the policy of the Mental Health Board (Board) that with the exception of contracts entered into pursuant to Revised Code Section 340.03 (G):

1. Anything to be purchased, leased, leased with an option or agreement to purchase, or contracted, including, but not limited to, any product, structure, construction, reconstruction, improvement, maintenance, repair, or service, except the service of an accountant, architect, attorney at law, physician, professional engineer, construction project manager, consultant, surveyor, or appraiser by or on behalf of the Board, at a cost in excess of five thousand dollars, except as otherwise provided in paragraph 2 of this policy and in Section 9.30 (contracts for public utility services), or Sections 4115.31 to 4115.35 (purchase of products and services of the severely handicapped) of the Revised Code, shall be obtained through competitive bidding. However, competitive bidding is not required when:
 - a. The purchase consists of suppliers or a replacement or supplemental part of parts for a product or equipment owned or lease by the Board and the only source of supply for such supplies, part, or parts is limited to a single supplier;
 - b. The purchase is from the federal government, state, a county or contracting authority thereof, a board of education, township, or municipal corporation.
2. Should the Board desire to renew a lease which has been entered into for electronic data processing equipment, services, or systems, or a radio communications systems at a cost in excess of five thousand dollars the following procedure shall be followed:
 - a. The lessor shall submit a written bid to the Board which is the lessee under the lease, stating the terms under which the lease would be renewed, including the length of the renewal lease, and the cost of the renewal lease to the Board. The Board may require the lessor to submit a bond with the bid.

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- b. The Board shall advertise for and receive competitive bids, as provided in paragraphs 3 to 6 for a lease under the same terms and for the same period as provided in the bid of the lessor submitted under division (A) of this paragraph.
 - c. The Board will renew the lease with the lessor only if the bid submitted by the lessor under division (A) of this paragraph is an amount less than the lowest and best bid submitted pursuant to competitive bidding under division (B) of this paragraph.
- 3. Where competitive bidding is required by paragraph 1, notice thereof shall be given in the following manner:
 - a. Notice of anything to be purchased, leased, leased with an option or agreement to purchase, or constructed at a cost in excess of two thousand five hundred dollars and not in excess of five thousand dollars shall be posted and maintained in the manner required in division (C) of this paragraph. Notice shall be published once a week for not less than two nor more than four consecutive weeks preceding the day of the opening of bids in a newspaper of general circulation within the county for any purchase, lease, lease with option or agreement to purchase, or construction contract in excess of six thousand dollars. The Board may also cause notice to be inserted in trade papers or other publication designated by it.
 - b. Notice shall state:
 - 1. A general description of the subject of the proposed contract and the time and place where the plans and specifications or itemized list of suppliers, facilities, or equipment and estimated qualities can be obtained or examined;
 - 2. The time and place where bids will be opened;
 - 3. The time and place for filing bids;
 - 4. The terms of the proposed purchase;
 - 5. Conditions under which bids will be received.

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- c. The Board shall also maintain in a public place in its office a bulletin board upon which it shall post and maintain a copy of such notice for at least two weeks preceding the day of the opening of the bids.
4. Bids submitted pursuant to this policy shall be in a form prescribed by the Board and filed in a sealed envelope at the time and place mentioned in the advertisement. The bids received shall be opened and tabulated at the time stated in the notice. Each bid shall contain the full name of each person submitting the bid. If the bid is in excess of six thousand dollars and for a contract for the construction, demolition, alteration, repair, or reconstruction of an improvement, it shall meet the requirements of Section 153.54 (See Sections 153.57 and 153.57l for forms of bond) of the Revised Code. If the bid is in excess of six thousand dollars and for any other contract authorized by this policy, it shall be accompanied by a bond or certified check on a solvent bank in a reasonable amount stated in the advertisement, but not to exceed five percent of the bid, conditioned that the bidder shall, if his bid is accepted, execute a contract in conformity to the invitation, specifications and his bid.
5. When bid is accepted for a contract other than for the construction, demolition, alteration, repair, or reconstruction of an improvement, the Board shall, as a condition to entering into a contract with the successful bidder, require faithful performance of all things to be done under the contract, lease, or lease with option or agreement to purchase, the bond provided for by Section 153.57 of the Revised Code, with good and sufficient surety in an amount not to exceed the amount of the bids.
6. The award of all contracts subject to this policy shall be made to the lowest and best bidder. The bond or dig guaranty of all unsuccessful bidders shall be returned to them by the board immediately upon awarding the contract or rejection of all bids. The Board may reject all bids.
7. When the Board rejects all bids, if the Board elects to readvertise, it shall advertise in the manner previously provided.
8. Whenever the Board awards a contract for construction, demolition, alteration,

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repair, or reconstruction of a public improvement, the Board shall simultaneously notify the surety on the contractor's bond of the award and the agent of the surety who executed the bond on behalf of the surety. The notice shall be given in writing and mailed to the surety and the agency whose names and addresses appear on the bond.

9. As used in this paragraph, "construction manager" means a person with substantial discretion and authority to manage or direct a project for the construction, demolition, alteration, repair, or reconstruction of any public building, structure, highway, or other improvement.

Whenever the Board intends to enter into a contract to employ a construction manager, it shall first advertise, in a newspaper of general circulation in the county where the contract is to be performed, notice of its intent to employ a construction manager. The notice shall invite interested parties to submit proposals for consideration and shall be published at least thirty days prior to the date for accepting such proposals. The Board may also advertise the information contained in the notice in appropriate trade journals and otherwise notify persons believed to be interested in such employment.

10. If the Board intends to procure any product or service, it shall determine whether the product or service is on the procurement list published pursuant to Section 4115.33 of the Revised Code; and it shall, in accordance with rules of the state committee for the purchase of products and services of the severely handicapped, procure such product or service at the price established by the committee from a qualified non-profit agency, if the product or service is on the procurement list and is available within the period required by that agency, notwithstanding any law requirement the purchase of products and services on a competitive bid basis. Sections 4115.31 to 4115.35 of the Revised Code do not apply in any cases where the products or services are available for procurement from any state agency, political subdivision, or instrumentality of the state and procurement therefrom is required under any law in effect on the effective date upon original enactment of Section 4115.34.

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