

**BEACHWOOD CITY COUNCIL  
LEGAL AND PERSONNEL COMMITTEE MEETING AGENDA  
TUESDAY, JANUARY 19, 2021, 6:00 PM**

*Please note, this meeting will be held by video conference via Zoom and  
livestreamed on the City of Beachwood website at [www.beachwoodohio.com](http://www.beachwoodohio.com) and can be viewed on Spectrum Channel 1020  
and AT&T U-Verse Channel 99.*

*This Legal and Personnel Committee Meeting has been duly noticed and is being held in accordance  
with Ohio Revised Code Section 121.22 specific to recent Amendments made in light of the  
current COVID-19 declared emergency.*

Eric Synenberg  
Justin Berns  
Barbara Bellin Janovitz  
James Pasch

Agenda Items

1. Mayor's Report
2. Discussion regarding the revision of BCO 121.09(a)(1) titled "Advertising for Bids; Awarding Contracts"
3. Discussion regarding a proposed Ordinance that requires a vote of the majority of Council to approve and or authorize any proposed settlement terms for claims made against the City
4. Any other matters coming before the Legal and Personnel Committee

# # #

121.09 ADVERTISING FOR BIDS; AWARDING CONTRACTS.

(a) (1) Unless specifically waived by Council, contracts for the expenditure of more than fifty thousand dollars (\$50,000) shall be awarded pursuant to competitive bidding. The advertising for bids shall be made by a motion of Council directing the Clerk to advertise for not less than two weeks in a newspaper of general circulation in the City. [The second notice may be an abbreviated notice as is permitted pursuant to the requirements of Ohio Revised Code 7.16.](#) The Clerk shall be solely responsible for receipt and opening of all City bids. The award of a contract accepting a bid shall be made by ordinance of Council directing the Mayor and Finance Director to enter into an appropriate contract.

## 7.16 Abbreviated publication.

(A) As used in this section:

(1) "State agency" means any organized body, office, agency, institution, or other entity established by the laws of the state for the exercise of any function of state government, including state institutions of higher education, as defined in section 3345.011 of the Revised Code.

(2) "Political subdivision" has the meaning defined in section 2744.01 of the Revised Code.

(B) If a section of the Revised Code or an administrative rule requires a state agency or a political subdivision to publish a notice or advertisement two or more times in a newspaper of general circulation and the section or administrative rule refers to this section, the first publication of the notice or advertisement shall be made in its entirety in a newspaper of general circulation and may be made in a preprinted insert in the newspaper, but the second publication otherwise required by that section or administrative rule may be made in abbreviated form in a newspaper of general circulation in the state or in the political subdivision, as designated in that section or administrative rule, and on the newspaper's internet web site, if the newspaper has one. The state agency or political subdivision may eliminate any further newspaper publications required by that section or administrative rule, provided that the second, abbreviated notice or advertisement meets all of the following requirements:

(1) It is published in the newspaper of general circulation in which the first publication of the notice or advertisement was made .

(2) It is posted by the publisher of the newspaper on the official public notice web site established under section 125.182 of the Revised Code. The publisher shall post the required notice or advertisement on the web site at no additional cost.

(3) It includes a title, followed by a summary paragraph or statement that clearly describes the specific purpose of the notice or advertisement, and includes a statement that the notice or advertisement is posted in its entirety on the official public notice web site. The notice or advertisement also may be posted on the state agency's or political subdivision's internet web site.

(4) It includes the internet address of the official public notice web site and the name, address, telephone number, and electronic mail address of the state agency, political subdivision, or other party responsible for publication of the notice or advertisement.

(C) A notice or advertisement published under this section on an internet web site shall be published in its entirety in accordance with the section of the Revised Code or the administrative rule that requires the publication.

(D) If the official public notice web site established under section 125.182 of the Revised Code is not operational, the state agency or political subdivision shall not publish a notice or advertisement under this section, but instead shall comply with the publication requirements of the section of the Revised Code or the administrative rule that refers to this section.

Amended by 130th General Assembly File No. TBD, HB 483, §101.01, eff. 9/15/2014.

Amended by 129th General Assembly File No.127, HB 487, §101.01, eff. 9/10/2012.

Added by 129th General Assembly File No.28, HB 153, §101.01, eff. 9/29/2011.

**INVITATION TO BID  
LEGAL NOTICE**

Sealed bid proposals will be **received** by the Clerk of Council of the City of Beachwood, Cuyahoga County, Ohio, at the City of Beachwood Law Department, 25325 Fairmount Boulevard, Beachwood, Ohio 44122 **until 1:00 P.M. local time, on Thursday, December 10, 2020** for the work designated below:

**GLENHILL DRIVE STORM SEWER IMPROVEMENTS**

The bids will be publicly opened and read in the Law Department Conference Room at 1:00 P.M. However due to the current restrictions regarding access to City Hall and large gatherings, the bid opening will be held by video conference. The meeting can be joined via the following:

<https://us02web.zoom.us/j/89114418080?pwd=emJzVlc4bE9lQzJ4QlJjHNjVFNXdz09>

Meeting ID: 891 1441 8080  
Passcode: 932761  
One tap mobile  
+1 646 558 8656 US (New York)

Each bid must contain the following:

- 1) The full name and names of the party or parties;
- 2) Fully Executed Non-Collusion Affidavit;
- 3) In the case of a corporation not chartered in Ohio, a proper certificate that such corporation is authorized to do business in Ohio (Articles of Incorporation – listing principals); and
- 4) Be accompanied by a certified or cashiers' check on a solvent bank made payable to the order of the City of Beachwood in an amount not less than ten percent (10%) of the total amount of the bid, or by a bid bond equal to ten percent (10%) of the total amount of the bid, drawn in favor of the Clerk of Council of the City of Beachwood; and
- 5) If the bidder is a Minority Business Enterprise or a Women's Business Enterprise, please provide a Certification Letter with the Bid Documents.

Copies of the Specifications, Instructions to Bidders, Forms of Proposals and other contract documents are on file at the office of the Clerk of Council of the City of Beachwood. These documents may only be obtained through the office of GPD Group by emailing Nick Fini at [nfini@gpdgroup.com](mailto:nfini@gpdgroup.com) and requesting a digital copy. Digital documents will be provided free of charge. Questions or inquiries should be directed to GPD Group at (216) 927-8658. **No questions will be answered after 1 p.m. on December 4, 2020.**

Each bidder must ensure that all employees and applicants for employment are not discriminated against because of their race, creed, color, sex, national origin, or disability. **The City of Beachwood is an Equal Opportunity Employer and encourages Minority Business Enterprises, Women Business Enterprises and Small Business Enterprises to submit bids or Proposals for this project.**

The bid check or bid bond, as the case may be, will be held as a guarantee that, if the bid proposal is accepted, a contract will be entered into between the bidder and the City of Beachwood, and if not, the amount represented thereby, shall be forfeited to the City of Beachwood as liquidated damages.

The chosen bidder must provide the following required documentation prior to contract execution:

- 1) Evidence of General Liability Insurance from a company licensed by the State of Ohio in the amount of One Million Dollars (\$1,000,000.00) for any accidental occurrence arising out of any act or omission by the Contractor which causes bodily harm or property damage, and shall cause the City to be named as an additional insured on the policy; and
- 2) Evidence of Workers' Compensation coverage.

The City of Beachwood reserves the right to consider criteria other than price, to reject any and all proposals and to waive any informality in the bids received. Council will accept the lowest and best bid in accordance with law.

Whitney M. Crook, Clerk of Council  
City of Beachwood, Ohio

Council Authorized to bid on: November 16, 2020

To be published in the Sun News: November 25, 2020 and December 2, 2020

## LEGAL NOTICE

(Abbreviated per ORC 7.16)

### Invitation to Bid

The City of Beachwood, Ohio is inviting bids for the Glenhill Storm Sewer Improvements Project. The public Bid Opening will be held via Zoom on Thursday, December 10, 2020. This Legal Notice posted in its entirety at [classifieds.cleveland.com](http://classifieds.cleveland.com). The Legal Notice and Specifications, Instructions to Bidders, Forms of Proposals and other contract documents are on file at the office of the Clerk of Council of the City of Beachwood. These documents may only be obtained through the office of GPD Group by emailing Nick Fini at [nfini@gpdgroup.com](mailto:nfini@gpdgroup.com) and requesting a digital copy. Digital documents will be provided free of charge. This Legal Notice is also available on the City of Beachwood website at: [www.beachwoodohio.com/agendacenter](http://www.beachwoodohio.com/agendacenter) . Due to the current COVID-19 declared emergency, City Hall is closed to the public. You may reach the Clerk of Council, Whitney Crook, at 216-595-5493 or by email at [whitney.crook@beachwoodohio.com](mailto:whitney.crook@beachwoodohio.com).



AD#: 0009800819

State of Ohio,) ss

County of Cuyahoga)

George Halarewicz being duly sworn, deposes that he/she is principal clerk of Advance Ohio; that Sun Press is a public newspaper published in the city of Cleveland, with general circulation in Cuyahoga county, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

Sun Press 11/26/2020

Handwritten signature of George Halarewicz
Principal Clerk of the Publisher

Sworn to and subscribed before me this 27th day of November 2020

Handwritten signature of Notary Public
Notary Public



RUSSELL J MACKOWSKI
Resident Cuyahoga County
Notary Public, State of Ohio
My Commission Expires:
September 29, 2024

INVITATION TO BID
LEGAL NOTICE

Sealed bid proposals will be received by the Clerk of Council of the City of Beachwood, Cuyahoga County, OH, at the City of Beachwood Law Department, 25325 Fairmount Blvd., Beachwood, OH 44122 until 1:00 P.M. local time, on Thursday, Dec. 10, 2020 for the work designated below:

GLENHILL DRIVE STORM SEWER IMPROVEMENTS

The bids will be publicly opened and read in the Law Department Conference Room at 1:00 P.M. However due to the current restrictions regarding access to City Hall and large gatherings, the bid opening will be held by video conference. The meeting can be joined via the following: https://us02web.zoom.us/j/89114418080?pwd=emJzVnE4bE91QzJ4QkZlbnhVNWxkdz09

Meeting ID: 891 1441 8080

Passcode: 932761

One tap mobile

+1 646 558 8656 US (New York)

Each bid must contain the following:

- 1) The full name and names of the party or parties;
2) Fully Executed Non-Collusion Affidavit;
3) In the case of a corporation not chartered in Ohio, a proper certificate that such corporation is authorized to do business in Ohio (Articles of Incorporation - listing principals); and
4) Be accompanied by a certified or cashiers' check on a solvent bank made payable to the order of the City of Beachwood in an amount not less than ten percent (10%) of the total amount of the bid, or by a bid bond equal to ten percent (10%) of the total amount of the bid, drawn in favor of the Clerk of Council of the City of Beachwood; and
5) If the bidder is a Minority Business Enterprise or a Women's Business Enterprise, please provide a Certification Letter with the Bid Documents.

Copies of the Specifications, Instructions to Bidders, Forms of Proposals and other contract documents are on file at the office of the Clerk of Council of the City of Beachwood. These documents may only be obtained through the office of GPD Group by emailing Nick Fini at nfini@gpdgroup.com and requesting a digital copy. Digital documents will be provided free of charge. Questions or inquiries should be directed to GPD Group at (216) 927-8658. No questions will be answered after 1 p.m. on Dec. 4, 2020. Each bidder must ensure that all employees and applicants for employment are not discriminated against because of their race, creed, color, sex, national origin, or disability. The City of Beachwood is an Equal Opportunity Employer and encourages Minority

Opportunity Employer and encourages Minority Business Enterprises, Women Business Enterprises and Small Business Enterprises to submit bids or Proposals for this project. The bid check or bid bond, as the case may be, will be held as a guarantee that, if the bid proposal is accepted, a contract will be entered into between the bidder and the City of Beachwood, and if not, the amount represented thereby, shall be forfeited to the City of Beachwood as liquidated damages. The chosen bidder must provide the following required documentation prior to contract execution:

- 1) Evidence of General Liability Insurance from a company licensed by the State of Ohio in the amount of One Million Dollars (\$1,000,000.00) for any accidental occurrence arising out of any act or omission by the Contractor which causes bodily harm or property damage, and shall cause the City to be named as an additional insured on the policy; and
2) Evidence of Workers' Compensation coverage.

The City of Beachwood reserves the right to consider criteria other than price, to reject any and all proposals and to waive any informality in the bids received. Council will accept the lowest and best bid in accordance with law. Whitney M. Crook, Clerk of Council City of Beachwood, OH Council Authorized to bid on: Nov. 16, 2020 spm;nov26.2020-9800819

AD#: 0009800840

State of Ohio,) ss  
County of Cuyahoga)

George Halarewicz being duly sworn, deposes that he/she is principal clerk of Advance Ohio; that Sun Messenger is a public newspaper published in the city of Cleveland, with general circulation in Cuyahoga county, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

**Sun Messenger 12/03/2020**

  
\_\_\_\_\_  
Principal Clerk of the Publisher

Sworn to and subscribed before me this 4th day of December 2020

  
\_\_\_\_\_  
Notary Public



RUSSELL J MACKOWSKI  
Resident Cuyahoga County  
Notary Public, State of Ohio  
My Commission Expires:  
September 29, 2024

**LEGAL NOTICE  
(Abbreviated per ORC 7.16)  
INVITATION TO BID**

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the GLENHILL STORM SEWER  
IMPROVEMENTS PROJECT

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spm:dec3.2020-9800840



Advance Ohio  
1801 Superior Ave. East, Suite 100  
Cleveland, OH 44114

RECEIVED  
20 DEC -9 AM 11:06  
CITY OF BEACHWOOD



CITY OF BEACHWOOD, JODI EDMONSON  
25325 FAIRMOUNT BLVD  
BEACHWOOD, OH 44122

AD#: 0009800819

Sales Rep: Toni Ponzo  
Account Number:40027171  
AD#: 0009800819

Remit Payment to:  
Advance Ohio  
Dept 77571  
P.O. Box 77000  
Detroit, MI 48277-0571

Date	Position	Description	P.O. Number	Ad Size	Costs
11/26/2020	Public Notices OH	INVITATION TO BID LEGAL NOTICE Sealed bid proposals will be received		1 x 108 L	
				Basic Ad Charge - 11/26/2020	\$258.12
				Total	\$258.12

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL 216-999-4693

Advance Ohio  
1801 Superior Ave. East, Suite 100  
Cleveland, OH 44114



Sun Messenger

AD#: 0009800840

RECEIVED  
20 DEC -9 AM 11:06  
CITY OF BEACHWOOD

CITY OF BEACHWOOD, JODI EDMONSON  
25325 FAIRMOUNT BLVD  
BEACHWOOD, OH 44122

Sales Rep: Toni Ponzo  
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Advance Ohio  
Dept 77571  
P.O. Box 77000  
Detroit, MI 48277-0571

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Date	Position	Description	P.O. Number	Ad Size	Costs
12/03/2020	Public Notices OH	LEGAL NOTICE (Abbreviated per ORC 7.16) Invitation to Bid The City of		1 x 31 L	
				Basic Ad Charge - 12/03/2020	\$74.09
				Total	\$74.09

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL 216-999-4693