



November 1, 2017

**House State and Local Government Committee
Opposition Testimony to HB 121
Brad Cole, Managing Director of Research**

Chair Anielski, Vice Chair Hambley and Ranking Member Holmes, CCAO thanks the committee for the opportunity to provide testimony on HB 121. CCAO opposes HB 121 which requires a public authority to consider all piping materials that meet the engineering specifications for a state- funded water or waste water project.

CCAO understands that the committee is considering an amendment that would prevent any public authority from prohibiting the use of reasonable piping materials in the construction of any water or waste water project that is funded in whole or in part with state funds. CCAO has the same types of concerns with this language as we do with the bill as introduced.

Most state and federal funding sources or regulatory agencies already have established minimum standards for piping and many other materials. Ohio law is not the place to establish engineering standards. Engineering standards should be established and selected by engineering and other technically minded utility professionals representing local government agencies.

Local governments often exceed minimum standards. It is not unusual for local governments to have long and positive operational experience with the specifications they use. Local utility departments have years of substantial experience with the inspection, installation and repair based on local specifications. Utility departments also have the necessary equipment and materials for installation and repairs based on that specification. The operational efficiency associated with using specifications based on years of experience is not recognized by HB 121 and would be jeopardized by the adoption of this legislation.

Finally, HB 121 creates liability for local governments by creating an additional opportunity for disgruntled vendors to sue local governments based on non-compliance with the provisions of HB 121. CCAO does not want to provide new opportunities for vendors to sue county governments on the basis of engineering standards built into Ohio law.



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For these reasons, CCAO opposes HB 121 and the amendment mentioned in our testimony. I would be pleased to attempt to answer questions from members of the committee at this time