



THE GARLAND COMPANY, INC.

HIGH-PERFORMANCE BUILDING ENVELOPE SOLUTIONS

3800 EAST 91ST. STREET • CLEVELAND, OHIO 44105-2197
p. (216) 641-7500 • f. (216) 641-0633 • 800-321-9336 • www.garlandco.com

**Testimony of Joe Mellott
The Garland Company
Senate Bill 260 - Proponent
Senate Local Government & Elections Committee
March 15, 2022**

Chairwoman Gaverone, Vice Chair O'Brien, Ranking Member Maharath and members of the committee, my name is Joe Mellott and I work for The Garland Company which is a 127-year-old company founded and based in Cleveland Ohio. Garland Industries manufactures a comprehensive line of building components that include commercial roofing, building envelope products, sealants, coatings, and adhesives. Garland employs over 150 employees in Ohio and Garland Industries employs nearly 2,000 employees at locations throughout the United States, Canada, and the United Kingdom. I am here today as a proponent of Senate Bill 260. SB 260 seeks to clarify a section of the Ohio Revised Code that authorized joint purchasing for local governments in 1997, and for all political subdivisions in 2008. This authorization has been working well since it's enactment.

Ohio Revised Code Section 9.48 permits local governments – school districts, counties, etc. – to participate in joint purchasing agreements or Councils of Government which are organizations that contract with the private sector and use the buying power of the COG which contains (so many local entities) to allow for efficient, cost effective and transparent purchasing of goods and services.

For reference, over the last ten years Public Entities throughout Ohio efficiently used cooperative procurement to competitively award The Garland Company 659 projects with an approximate value of \$95 MM. These 659 projects were delivered through a turnkey method that utilized 139 different contractors, the majority of which are locally based Ohio owned and employing businesses. Further, it is estimated that through using a cooperative procurement vehicle a public entity saves an estimated 100 hours of administrative cost (at a nominal cost of \$40/hr with 659 projects awarded, Ohio public entities saved \$2.6 MM in administrative costs alone).



THE GARLAND COMPANY, INC.

HIGH-PERFORMANCE BUILDING ENVELOPE SOLUTIONS

3800 EAST 91ST. STREET • CLEVELAND, OHIO 44105-2197
p. (216) 641-7500 • f. (216) 641-0633 • 800-321-9336 • www.garlandco.com

Cooperative procurement provides an expedited administration of contract budgeting and award, which in many cases allows public entities to deliver projects in shorter time frames to meet particular project needs (for example: completing building and restoration projects at schools during short windows of summer and winter breaks).

It is important to note that the use of a cooperative procurement vehicle is simply a choice. Public entities can utilize traditional bid practices if they so choose, or they can use any of the other legally available methods of procurement. As an example, Garland Public Entity Customers utilized cooperative procurement on less than 25% of Garland contracts let in Ohio over the last 10 years.

In 2019, Ohio Attorney General issued a legal opinion (2019-028) at the request of the Seneca County Prosecutor and opined in short, that “R.C. 9.48(B) does not authorize a political subdivision to acquire construction services through participation in a contract entered into by another political subdivision.” Unfortunately, this opinion has created significant chaos within government procurement in Ohio and SB 260 seeks to clarify any ambiguity within the Ohio Revised Code by expressly stating that *“Services” includes, but is not limited to, construction services.*” within Ohio Revised Code Section 9.48(A).

In conclusion, The Garland Company is proud of its rich history here in Ohio, and I respectfully urge your passage of SB 260. Thank you for this opportunity to testify today and I am happy to answer any questions

....