



Senator George Lang
Senate Bill 260
Sponsor Testimony
Senate Local Government and Elections Committee
March 15, 2022

Chairwoman Gavarone, Vice Chair O'Brien, and Ranking Member Maharath, thank you for the opportunity to provide sponsor testimony on Senate Bill 260, which seeks to expand political subdivision joint purchasing authority to expressly include purchases for construction services.

Under current law, a political subdivision may permit another political subdivision to participate in a contract that it entered for the acquisition of equipment, material, supplies, or services. This is known as a joint purchasing agreement. In 2019, the Ohio Attorney General issued an opinion in which it was determined that under ORC 9.48, construction services was not among the allowed items for a

political subdivision to acquire under a joint purchasing authority. This decision was contrary to how this law has been operating since 1997.

SB 260 seeks to provide clarity to this section of Code and allow for the efficient, expedited, and professional process of contract administration for public administrations. Acquisitions by a political subdivision participating in a contract entered into by another political subdivision are exempt from any competitive selection requirements. However, this is only the case provided the political subdivision that originally awarded the contract did so after publicly soliciting requests for a proposal or used a competitive selection procedure. It should also be noted that the use of joint purchasing agreements between political subdivisions for cooperative procurement is an option, and not a mandate. Should they so choose, a political subdivision may utilize the traditional RFP requirements and guidelines.

Therefore, once again, SB 260 simply intends to reverse the course of the 2019 Attorney General's opinion and codify the once-allowed inclusion of construction services under joint purchasing authority between subdivisions.

I would once again like to thank the committee for allowing me the opportunity to testify on Senate Bill 260, and I would be happy to answer any questions.