
Joe Chaddock
Superintendent

6057 Strip Avenue NW
North Canton, OH 44720



Vision - Service - Leadership

www.starkcountyesc.org

James Carman
Treasurer

Phone: (330) 492-8136 • Fax: (330) 492-6381
Auto Attendant: (330) 493-6082

Senate Bill 260 Opposition Testimony

Tamra Hurst, former Director of Cooperative Purchasing, Stark County Schools Council of Governments (COG), and current Consultant to the OCEPC

on behalf of

Joe Chaddock, Chairman, Stark County Schools COG and Superintendent of the Stark County Schools Educational Services Center

Julie Morgan, Director of Cooperative Purchasing, Stark County Schools COG

Ohio Senate Local Government and Elections Committee

Chair Theresa Gavarone

March 21, 2022

Chairwoman Gavarone, Vice Chair O'Brien, Ranking Member Mahrath, and members of the Senate Local Government & Elections Committee:

Thank you for the opportunity to provide testimony today in opposition of Senate Bill 260.

Stark County Schools Council of Governments (COG) is based in Stark County, Ohio. The Stark County Schools COG serves non-profit governmental entities, including school districts, townships, and libraries, within the State of Ohio. Stark County Schools COG does not charge a fee to belong to the Cooperative Purchasing Program.

Stark County Schools COG is one of six members of the Ohio Council of Educational Purchasing Consortia (OCEPC). All six member organizations are organized as Ohio Councils of Government (COG) under ORC 167.081 and are also non-profit organizations. The OCEPC and its member COGs are audited annually by the Auditor of State. All funds are used to support Ohio member entities.

Proponents of House Bill 260 have claimed that OAG 2019-028 has created confusion and uncertainty. OAG 2019-028 clearly stated that a political subdivision cannot procure construction services pursuant to R.C. 9.48. (I added the second sentence. I can delete that sentence and/or this entire paragraph.)

While proponents of this bill have represented that cooperative contracts were routinely used by Ohio political subdivisions until the 2019-028 OAG opinion, Stark County Schools COG

contends that cooperative contracts have been used subsequently and continue to be routinely used by Ohio political subdivisions through local Councils of Governments and the OCEPC. Proponents of this bill have been provided with the opportunity to participate in public construction related bids through the Ohio Councils of Governments and the OCEPC and have chosen not to do so, preferring to operate through for-profit national cooperative purchasing entities located outside the State of Ohio. Ohio schools and member entities of the Stark County Schools COG and OCEPC are currently using established construction contracts that were bid and awarded within our non-profit framework, including for use of federal pandemic relief funds that have been made available to school districts and local governments for critical infrastructure and health and safety upgrades.

Passage of Senate Bill 260 would:

- Create potential increased risk of fraud, waste and abuse for school districts and member entities while relying on representations of for-profit entities located outside of the State of Ohio.
- Allow national, out-of-state purchasing cooperatives to offer their construction service contracts to Ohio public schools without being required to follow ORC construction bid requirements.
- Redirect administrative fees collected by the non-profit COGs and non-profit OCEPC that are returned to Ohio school districts and member entities in the form of cash rebates, reduced costs, expanded operational services to out-of-state, for-profit national cooperative purchasing entities.
- Create ambiguity as to who is responsible for compliance with Ohio law.

Stark County Schools Council of Governments would like to thank the committee for allowing the opportunity to provide written testimony to express its strong opposition to Senate Bill 260.