



**SENATE GENERAL GOVERNMENT COMMITTEE  
S.B. 262 PROPONENT TESTIMONY**

**Provided on November 4, 2025 by  
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Associated General Contractors (AGC) of Ohio**

Chair Roegner, Vice Chair Gavarone, Ranking Member Blackshear, and members of the General Government Committee—thank you for the opportunity to testify today in support of Senate Bill 262, legislation that promotes greater transparency in public construction contracting.

First, we would like to thank Senator Blessing for introducing this legislation, Vice Chair Gavarone for her support and for aptly naming the proposal “*Show Your Work*” during the last General Assembly, and Chair Roegner for her assistance last year.

AGC of Ohio is an association representing large and small, union and open shop (non-union), commercial building and industrial contractors from across the state. Our members work in both the public and private arena; they construct and renovate hospitals, offices, schools, wastewater treatment plants, warehouses and manufacturing facilities, government buildings, mixed-use developments, and other vertical structures.

Over two years ago, AGC began working on the language that became this bill. Several members raised concerns about significant, unmarked changes being made to standard construction contracts used in public bidding. To verify the scope of the issue, we reached out to law firms that represent contractors, who confirmed they too had seen an increase in unmarked contract changes.

AGC then engaged counsel to draft legislation, shared the proposal with the Ohio Facilities Construction Commission, and incorporated a revision at OFCC’s request.

Under the Ohio Administrative Code, public owners are required to use standard, published industry contracts for construction projects. These include the documents from American Institute of Architects (AIA), the Design-Build Institute of America (DBIA), and ConsensusDOCS—all nationally recognized forms that fairly balance responsibilities and risk between the parties. Contractors are familiar with these standards and know what to expect when they see them.

Unfortunately, in recent years, an increasing number of bid packages have included standard contracts that have been modified—sometimes substantially—without the changes being clearly identified. In most cases our members have encountered, a third party hired to represent the owner and makes these unmarked changes. This lack of transparency leads to confusion, unfair risk



shifting, and even leaves the public owner unaware of what has been altered and its potential impact.

S.B. 262 addresses this by requiring public authorities to clearly identify any modifications made to standard contract documents—either by using underlines and strikethroughs or by clearly cross-referencing changes in supplemental conditions. The same requirement would apply to contractors when using standard subcontract documents on public projects.

If a change is not properly identified, that provision would be void, reverting to the original standard contract language. Note that this legislation would not apply to ODOT, which operates under a separate section of the Revised Code and already has strong transparency requirements.

The intent of this legislation is simple: to ensure fairness, clarity, and accountability in public contracting.

Just as the Legislative Service Commission shows its edits to legislation through underlines and strikethroughs, public authorities should be required to clearly show their edits to contract documents. Doing so will reduce disputes, increase understanding, and ultimately protect taxpayer dollars, public owners, and contractors alike.

Thank you for your time and consideration of this important legislation. I would be happy to answer any questions.